

9.12.64

Sholto →
Mr. James Douglas duly sworn states as follows:

- Counsel: "Mr. Douglas you are the Permanent Secretary to the Ministry of Home Affairs?"
- Witness: "Yes"
- Counsel: "On the 23rd May, of this year were you the Permanent Secretary?"
- Witness: "Yes"
- Counsel: "Have you in your possession a letter sent on the 23rd May of this year to the Minister of Home Affairs, Mrs. Janet Jagan by the Commissioner of Police?"
- Witness: "Yes"
- Mrs. Mootoo: "Could you please tell us on what day you received this letter?"
- Witness: "I cannot say, it was placed in our records. Mrs. Jagan had these and other letters for some time."
- Mrs. Mootoo: "How did this letter come, by post or by hand?"
- Witness: "I cannot say, it was addressed personally to her. It is possible that it would have come by a special messenger."
- Mrs. Mootoo: "She should have received it the same day?"
- Witness: "Yes"
- Mrs. Mootoo: "And if it was sent by post?"
- Witness: "Not likely, this would not come by post."
- Mrs. Mootoo: "When was it handed to you?"
- Witness: "I cannot say definitely, this and others were put on a file sometime after, then a month, just before she went out of office, they were placed on the file."
- Mrs. Mootoo: "Thank you."

William Barrow duly sworn states as follows:

- Counsel: "Are you acting Registrar General?"
- Witness: "Yes."
- Counsel: "Do you have in your possession the records attesting to the number of deaths in the Wismar/McKensie/Christianburg areas from the 23rd May this year to the 28th May?"
- Witness: "Yes"
- Chairman: "Do you have any record around the 20th to the 27th May?"
- Witness: "I have a record from the 21st May to the 26th June, 1964 relating to the Demerara River that is registered by the Dispenser at Christianburg, and all the deaths recorded during the period of time are five deaths. Starting from the entry No. 149 to entry number 153."

Chairman: "Exhibit?"

Counsel: "P".

Chairman: "Any questions"?

Mr. Shepherd: "No questions"

Prof. Drayton: "Who was the Dispenser in the area during the period under review?"

Witness: "This record is in the form."

Prof. Drayton: "You don't have it here?"

Witness: "No, the names are recorded 9 or 10 following the incidents in the Registers."

Chairman: "Was it Mr. Allen?"

Witness: "Yes."

Prof. Drayton: "But Mr. Jairam is the Dispenser until the 24th May, but I notice here that Mr. Allen has signed the Register on the 15th May?"

Witness: "Mr. Jairam left the District without informing anyone."

Prof. Drayton: "Mr. Barrow, did Mr. Jairam not inform anybody that he was leaving the area before the 15th May?"

Witness: "He did not record the entry and normally he should have done so. May I explain this point gentlemen, the Registrar in the District records the death in handwriting. The extracts which have been made of these entries have been certified and there are now thirty five copies in our

Chairman: "How long did he take to enter the Register of these official entries?"

Witness: "Around the end of December to January."

Mr. Mc. Donald: "The entries of these numbers are 133 on the 3rd May and 134 on the 22nd June, 1964?"

Witness: "No 133 for the 3rd of May, 1964 registered on the 23rd May and number 134 on the 22nd June in the hospital registered on the 7th June, 1964."

Chairman: "There are some names submitted to us from the Mackenzie Hospital concerning the death of persons which occurred around the 23rd to the 25th May and I understand there were no records of these deaths, the names are Paul Mirgin, Richard Khan and Bridgewater."

Chairman: "Also the names of these people who died around the 6th and 7th July?"

Witness: May I ask whether the deaths occurred at Mackenzie?

Chairman: "Richard Khan, Paul Mirgin, Bridgewater who died at Mackenzie at the Hospital, it would seem that these deaths should have been recorded by the particular registrar although it is possible that they may have been subsequently recorded."

Witness: Well they should have been recorded.

Chairman: All this uncertainty could be avoided and this the reason why we want the dispenser to produce the record. He had been summoned and telegrams have been sent but up to now we have not seen him. We can't get these records up to now. It seems now that our last resort is to issue a warrant for his arrest..

Witness: What can I do if the record is still in use or if the register is full, it will be of no use.

Chairman: You will undertake to see that the complete lists of deaths from the 20th May to 31st May and from 6th July to 10th July are produced.

Witness: July 6th - July 10th, as regards this record to the 10th July, we have not received any deaths that are recorded I received from the District Commissioner the District Register and there are no deaths for that period, no deaths are recorded in the register.

Mc Donald: This means no deaths recorded for that period?

Witness: No but I mean that if the record had been registered Nodeaths had been registered for that period.

Mc. Donald: No I s-y only the produce for those who had died and registered during that period.

Witness: Well I would find out if the District Commissioner knows about any deaths ocuring during that period.

Chairman: You know the reason why this has not been recorded in the papers being produced in the office?

Witness: I won't know that.

Chairman: We will like to have this record as soon as possible with respect to these deaths that ocured in the Hospital.

Witness: If they ocured in the hospital it would be registered.

Chairman: Who is the dispenser?

Witness: The acting dispenser was Mr. Alleyne. Wel I telephoned him this morning. I would try to get in touch with him in order to get the records.

Chairman: Well what time can we expect to get this record?

Witness: Well I will try and get in touch with him tomorrow morning.

Chairman: Tommorrow morning?

Witness: I think so or tomorrow afternoon.

Chairman: These deaths that were recorded on the 20th and 21st May to 20th July as well as the 21st?

Witness: Well I can get the register; for the records you can be sure of them.

Chairman: From the 6th to the 15th July with all the deaths occurring in the hospital at Mackenzie?

Witness: Alright.

Chairman: I think I may suggest that I asked for the products of both register division as well as division No. 3
Thank you Mr. Barrow.

Asst. Supt. Hobbs recalled states:

Counsel: Do you have the control records of the reports received from divisions A B C D E of the British Guiana Police Force?

Witness: Yes Sir, yesterday I mentioned that during that time I was in Force Control, Such records were kept in one single book. Such records were kept in individual books for each division of the Force. These are the individual records in respect to divisions A B C D E in which records of reports from individual Superintendents during that period beginning specifically on the 22nd May, 1964 are recorded.

Mr. Shepherd: May I mention Sir, perhaps I may be mistaken, this morning it seems the extract is more important than others, and I would add that there is no attempt to conceal any records. There is no intention or I would say even the hint from us to do so. I would say without hesitation that impression is erroneous.

Chairman: Yes, I am sure, Mr. Shepherd you did not try to conceal any information from us, and you would try to assist us to come to the end of the inquiry.

Mr. Shepherd: Yes.

Counsel: Mrs. Gopie is not here as yet. I understand that the General Manager of the Demarara Company will be here at 11.15.

Chairman: Why she is not here?

Counsel: She has been summoned today.

Mr. Donald: Mr. Hobbs could you give us a description of the areas known as "A" and so on?

Witness: "A" division is the whole of Georgetown as far as Atkinson Field down to Bel Air. "B" Division is the entire county of Berbice as far as the Abary Creek. "C" division is the East Coast and the West of Abary Bridge right on the junction of Bel Air and Sophia. "D" Division is the entire

West Demerara including

"E" Division is the upper Demerara River extending from Atkinson Field right down to the Great Falls and including Kwakwani.

Chairman: That is all for the moment. Members would like to go through the books. Counsel we have no other witnesses until 11.15

Mr. Carter: May I explain the position Sir? As you know, yesterday we had a very busy day and I told him we would have other witnesses and if he could make it 11.15. Actually he will be here at 11.15. So far as Major Langham is concerned we lost one Gruman plane and therefore he can not come.

Chairman: Friday?

Mr. Carter: A Gruman should be available on Friday!

Chairman: That is very long.

Counsel: Thursday?

Mr. Carter: It is very important for him to come down?

Chairman: Tomorrow?

Mr. Carter: Well, he will speak with Mr. Isaacs and see what the position is.

Chairman: We can get him for tomorrow?

Carter: May be.

Dr. Denton Ramsahoye being sworn states as follows:

Counsel: You are the Attorney General of British Guiana?

Witness: Yes Sir.

Counsel: Dr. I'll put to you four questions, answers of which will be of benefit to the Commission. The first question is how can the Minister of Home Affairs request the military Force to come to the assistance of the civil powers in this country?

Witness: The Minister of Home Affairs may ask the Governor to lend Forces - the military - for the support of the civil power, where the Commissioner of Police expresses the opinion that the forces at his command are no longer able to cope with any particular situation The grant or refusal of the forces is in the discretion of the Governor.

Counsel: Suppose the civil powers are found insufficient and the Commissioner of Police were to ask the Governor for the intervention of the military forces could that be possible in consultation with the Minister of Home Affairs?

Witness: I would say that the Minister who is in charge of internal security is the one from whom that request should be made. But I can say that the Commissioner of Police could conceivably make it with the Minister's authority.

Counsel: *a part of the Minister of Home Affairs*
From your previous answer I can say that these two persons *can together ask.* together act and can ~~ask~~ the Governor for the assistance of military powers. It would be the best position if they could act together.

Witness: Well, really I want to be understood to say that it is the Minister who should do this, but ~~with~~ the Minister ~~is~~ could use the Commissioner of Police as an agent for doing this. There is one thing however which we assume and that is that the military forces are available. But the military forces are not available easily; the military forces are not part of the governmental machinery, in the same way as the police ~~is~~ *are* part of the governmental machinery. The troops are here and the law only recognizes them for purposes of internal government in a state of emergency, that is the only time. When emergency regulations for the maintenance

of public safety and public order are made ^{have the status}
 it is only then that they ~~become part of the~~ ^{part of the}
 Governmental machinery, and so the request must presume
^{a state}
~~extensive~~ of the machinery, giving the military forces a
^{Sabotage}
~~statistic~~ scope. ^{force.}

Counsel: The final reports, ^{quash. if this is so} does it ~~show~~ that the Governor would
 act in his discretion as he sees fit?

Witness: Yes he acts in his discretion.

Counsel: Thank you.

Mr. Shepherd: Do I ^{understand} ~~understand~~ and you to say the imperial troops
 becomes part of the government machinery, ^{and}
 under the declaration of Emergency?

Witness: Yes that is ^{as against the} the law law recognizes ~~them~~

Shepherd: Then that ^{they} ~~doesn't~~ exist in law until the emergency
 is declared?

Witness: Yes ^{when} emergency regulations are ^{promulgated} ~~promulgated~~, it is
^{when} only the emergency regulations which ^{are} ~~is~~ proclaimed
^{that the same.}
~~under~~ after a state of emergency, the troops recognize
 that they should function in certain ways.

Mr. Shepherd: Before the promulgation of the regulations the imperial
 troops existed as an arm of the imperial power for defence
 purposes, just for external affairs?

Witness: Just for external affairs.

Mr. Shepherd: When were they promulgated was it on the 23rd May.

Witness: Yes, that should be correct. The state of emergency
 was declared on the 22nd May which is the day before.

Mr. Shepherd: So until the 23rd May the imperial troops were in a sense
^{neutral.} ~~neutral~~ from the point of view of the internal security

Witness: From a constitutional point of view 'yes', but I don't
 want to be understood that they were not being used
 by the Governor before they were being used before
 the state of emergency was declared.

Shepherd

The Security Council was an instrument for consultation
to discuss, would it have been in order
for the Com. of Public to suffer a meeting
of the Security Council after the emergency
was declared. There was a meeting on the

25th the Minister of Home Affairs took
the chair & spoke & am not taking you
by surprise Mr. Lemulange.

I am putting it to you D.K. - there was
a meeting on the 25th May at which Mrs J.
took the chair.

Shepherd: " From your point of view the use of Imperial troops in the maintenance of normal security before the 23rd May would have been largely improper?"

Witness: I would not commit myself by saying that the use of troops would have been improper.

Mr. Shepherd: Would it have been surprising if the military Government had sent ~~requests until~~ ^{new formal} ~~before~~ after the 22nd May?

Witness: It would not have been surprising.

Mr. Shepherd: Had the emergency been declared a month previously it would have been easier to employ the military troops?

Witness: Yes.

Shepherd: Would you ^{assist} suggest by saying why the Government did not send the troops a month or more prior to the 22nd?

Witness: Because the Government was not formally advised by the

Comm. of Police that a state of emergency should be declared before the 21st May, 1964

Shepherd: It would have been possible for the Government ^{to take the action} to make up ~~this account for that formal advice?~~ ^{even though} "the advice was given ^{informally}"

Witness: Yes, I would ^{say so} ~~say so~~ ^{unless it was made formally.} but to my mind improper

Mr. Shepherd: ~~The Minister of Home Affairs took the chair, I hope I am not taking you by surprise~~ Dr. Ramsahoye?

Witness: If am facing a surprise, I would say this is in order.

Mr. Shepherd: Thank you very much.

Mr. Drayton: ^{point} Mr. Ramsahoye just one question. I would like to ~~point~~ ^{point} out to you, and we want you to make it clear for us. You

to the Govt. described the Commissioner of Police as a Chief Professional ^{Adviser} ~~Commander of Police,~~ if the Minister of Home Affairs makes a request for British Troops to give assistance to ~~any~~ ^{this} the Civil Power, is it the Commissioner of Police who ~~has~~ ^{has to} act?

Witness: I would say constitutionally he would be bound to act.

Mr. Drayton: Has to act?

~~Witness:~~

Dr. Dreyfus.

Let me read to you an extract of a minute
written from the Government to the Garrison Commander
Anato page 1-30 of Exhibit 8. I believe
the minutes record of what transpired at the
^{Security} meeting. I have regard to the minute form
the Government would it be constitutional
for a minister to request the Com. of
Police to ask for military assistance. ~~at~~
~~to Security meeting.~~ Such a request would

have been formal.
Witness In my view if the Minister of
Home Affairs had ~~made~~ request, the
intervention of troops. It was an official
request and the Com. of Police
was bound to act carry out his
request.

Witness: Yes, for the reason that the maintenance of public safety and public order is the responsibility of a Minister and that responsibility could not be exercised unless the head of the force is subject to the Minister's orders and directions.

Dr. Drayton: So the difficulty arose at the Security Council's meeting held at 2.00 pm on the 25th the Com. of Police did not agree to the request of the Min of Home Affairs that the Mil. Forces should be used to witness

Witness: Well as far as I know this has been one of the matters of controversy in the running of the Government. One of the great disputes. In my opinion, in article 33 of the Constitution charge is made to the Minister of Home Affairs that this Minister should be responsible for security & the Com. of Police and should be bound to obey his directions.

Dr. Drayton: Well following the 22nd May I was requested over the telephone by the Minister of Home Affairs, Mrs. Jagan to look after a matter with respect to the situation and maintenance and speed and order allowed by the British Forces. Mrs. Jagan further advised me that she wished the Commissioner of Police to take the initiative of intervention of the Force under her Command if it became necessary for the maintenance of public safety and public order to make a request. I am satisfied with the Minister's verbal record of the present situation for British Forces formally directed for the responsibility of aid to the Civil Power, and a respectable request of the aid from the Commissioner of Police who acted on such a request.

Witness: It is quite proper to the situation of the position, therefore that minute with the Minister who said to the Commissioner that he wished that the British Forces should employ any carry on their duties for that is bound to her request???

Dr. Drayton: This is precisely what happened at the position. The Minister of Home Affairs made a verbal request at the

This did not mean she had surrendered her
authority it simply meant she had
delegated her responsibility to the Coman.

Mr. Cotes. The ^{Statement} expression of the Commission of
fact was that he was making a point as to
the difference between ~~an~~ ~~verbal~~ ~~expression~~ ~~the~~
an expression of opinion & a verbal
request.

Dr. Dayton was the Com. of P. Constitute
responsible to the Min. of Home Affairs & Subject
to her directions.

Witness

up to 1961 the position was that the Governor was responsible for the internal security & the Com. of Pol-a was subject to his direction. Article 33 completely changed the position to give the Min. of Home Affairs responsibility for the Pol-a, and the Com. then became subject to the Ministers' Direction.

Witness: In 1957, the Government and the commission was changed and he was represented by the Government. In article No. 33 was completely changed the Commissioner of Police then because subject to the Minister. My view is at once from the representative of the Minister.

Mr. Mc. Donald: *Would it be common and correct for communication between the Governor and the Council of Ministers and the professional advisers to the Ministers to take a verbal form, or were such communications usually sent in writing?*
Dr. Ramschoye was it between the Councillors and Minister.

Witness: *The ordinary way in the majority of cases communication between the Ministers and their advisers would be verbal communication, and in many cases the premier who speaks to the Governor on behalf of the Council of Ministers would do so by telephone.*
The Commissioner of Police is also in communication with the Ministry of Home Affairs, and I would say that much of their official business would be done verbally and other communication of verbal right?????

Mr. Mc. Donald: *Would there be any particular difference between the given or serious action taken in various cases was a matter of extremely serious import? Would written communication be necessary there?*

Witness: *But the use of matter of emergency, but in these cases like this would be a this would not be very important in my view, and the means of communication would take the quickest possible action. I think that this to the matter both the Commissioner of Police and the Garrison Commander could have accepted as a formal request pass round to the Minister's verbal expression.*

Mr. Mc. Donald: *I was just wondering whether in very serious matters some written memorandum or order or request would not be required, but you under the emergency. Would in such cases would they be any feel that a verbal request has exactly the same weight? verbal interest in the court, by any memorandum or plea.*

Witness: *Yes. Impossible to take the time necessary for sending communications in writing. I myself have just this morning despatched troops to be declared as case may be I have this morning some serious business and we had to do it verbally. dispatched.....??*

Mr. Shepherd: *Just a few questions rising Dr. Ramschoye, which so requested you are of the view that the Commissioner of Police has been to get on the direction of the Minister. must at all times be subject to the*

Witness: Yes.

Shepherd New in Exhibit E. E. which is a letter for the Com of Police to the Min. of Home Affairs we have mentioned of a minute dated May 22nd for the Governor to the Governor Commander State that the minister had requested that the Com. of Police take the initiative if the intervention of the troops becomes necessary. This had been done in the light of the then situation in the country which was one of tumult and violence up down the coastal strip. You would agree that the best and quickest way would be for the Com. of Police to make assessment and take action here and there as the situation required?

Shepherd The Com of Police has a very heavy responsibility in advising the minister and would you agree that it was not surprising that he wanted an assessment of the situation at M.C. before making the request who would commit the few remaining British troops available to assist the civil power.

Mr. Shepherd: Now you have E.E. the area special minute on the note list part I I think Dr. Drayton is right to refer you to the request by the Government by the by the initiative of the Garrison Commander.

Can I take you to article 33. Take the second point first with the Government the cause of the present situation in British Guiana, there is violence up and down. The Commissioners by offence here and there as the situation requires you agree?

Witness:

Yes. I would say that Crushikwally it is the minister who makes assessments of the situation in the consultation with the request to make this association and take

the no request Mackenzie to my point then to the Commissioner of Police had to take the initiative having record of the overall position in British Guiana

Witness:

I have the present representative who advised me to make the issue to you as with me the representative for proper safety.

It is not surprising, but at the same time we must remember that the minister is a minister with her authority even stated under article 33 and with her own source of information, she might have been told that the police would withdraw

Mr. Shepherd: I put it to you that the Commissioner of Police has a heavy responsibility to advise the Minister as to what to do.

Witness:

Yes surely it is a heavy responsibility.

Mr. Shepherd

So it would not be surprising if he wished to make an on the spot investigation before advising the Minister as to what should be done in the circumstances.

Witness:

Yes, this is so, but you must also remember that the Minister is a minister with her own sources of information and it is in the same way that he can get his information from his own source.

Mr. Shepherd: Do you mean sources of information *beyond the knowledge of* designated to ~~him~~ the the Commissioner of Police?

Witness: The Minister is in touch with the Public, therefore many things are told to a Minister which might not be told to the Police. A PERSON MAY TELEPHONE OR call to see the minister and may convey to the minister such information.

Mr. Shepherd: And from the information I gained it is right that the Minister is ultimately charged for internal security?

reminds article 33 of the Const

Witness: This appears quite clear. If you look at Section 6

of the ~~Council's~~ report On 1961 Constitution, we may see where public safety and order was to be ~~maintained~~ ^{the responsibility of a Minister} before the 1961 elections

Governor did make his declaration ~~and then that was transferred and it then became one of the subjects which the Governor dispensed.~~ ^{came under his direct} ~~the~~ ^{from Aug. 6th 1961} ~~responsibility of a Minister of Home Affairs.~~

and internal from Sept 6th 1961

Mr. Shepherd: Thank you Mr. Ramsahoye. You see the security ^{Council} ~~council~~ was the only way to bring the ^{best} ~~council~~ ^{Minister} and get security forces together, and when on the 23rd May, the Commissioner wrote to the Minister, asking for the security council to be

resuscitated

~~instituted~~, I put it to you that ^{his} ~~the~~ responsibility ^{for} ~~of~~ initiating ^{action} ~~someone~~ ^{was being carried out in} ~~is~~ the proper way of ~~initiating~~

Witness: May I put it this way. The Minister has a certain responsibility. Really the Minister should have been the

one to convene the Security Council ^{not} ~~in~~ the Commissioner, ^{although} ~~she~~ ^{he was quite within his rights in suggesting} ~~that she should convene it while the duty was being done.~~

Mr. Shepherd: One further point, still having regard to ~~his~~ ^{his} duty to initiate action, but the actual responsibility of the minister for internal security; ^{The Commissioner} ~~The Minister~~ was attempting

to protect the Minister in her ultimate responsibility by making a careful ^{on the spot} ~~underground~~ assessment through ~~his~~ ^{his} ~~Assistant~~ ^{Assistant} or his Civil Commissioner.

Do you agree? ^{Whether} in the light of after knowledge that ~~action~~
^{might have been} ~~may be~~ right or wrong is another question? He was
 acting to protect the Minister ^{in her} ~~and a~~ responsibility,
 Would you agree?

Witness: I would not put it that way. I would say that he was acting
 properly by trying to get a senior officer to assess the
 situation on the spot. I would ^{NOT} say that he was trying to
 protect the Minister. He was trying to get information
 and the Minister also had sources through which she could
 get information.

Mr. Shepherd: In any way you say that he was acting properly in the ^{light of the}
 knowledge that he had then ~~new~~ Thank you.

Chairman
 Counsel.

You said that the ^{Commissioner} ~~Minister~~ might have been acting properly
 but if at that time he clearly understood ^{the Minister} to indicate to him
 that the Military Forces were necessary he was bound to act ~~is~~?

Witness: Yes, it would not have been proper to wait,

Chairman: Thank you Doctor.

~~James Campbell~~
 Mr. Campbell duly sworn states as follows:

Chairman: On the 25th May, 1964, do you recall getting a message from
 Major Langham or somebody from Demba's Office at Mackenzie
 informing you of the situation and requesting you to communicate
 to the Governor?

Witness: There was a communication between his office and mine.

Chairman: At what time?

Witness: About about 8.00 o'clock in the morning.

Chairman: Was a request made for you to contact the Commissioner of
 Police, the Garrison Commander or the Governor?

Witness: The Manager of Demba said that he had heard that the situation
 was serious. He was at that time quite sure of Police
 protection. I called the Commissioner of Police earlier in
 the morning.

Chairman: At what time?

Witness: I am not sure of the precise time, probably about 8.00

Chairman: After that did you speak to anybody else later in the morning?

Witness: Later in the morning I saw that the situation was looking more serious.

Witness: I called Mr. Rose Deputy Governor and gave the information.

Chairman: That would be at about what time?

Witness: About 8.00 in the morning. Before 11.00, I cannot recall the precise time.

Shepherd: This was on Sunday 24th at 8.00?

Witness: No it was on Monday 25th. It was a working day.

Shepherd: So on Sunday you had no direct information about the situation at Wismar?

Witness: I can recall no action by me.

Mr. Shepherd: You were in touch with the Governor the Garrison Commander or anyone in Georgetown?

Witness: No.

Mr. Shepherd: The Force Control?

Witness: No I do not recall.

Mr. Shepherd: Nor do you recollect any social gathering at which you might have mentioned that you heard that the situation was bad that Sunday? What I am trying to get at is that it seemed to be known in some quarters that the situation was serious but not in others. Can you clear it up?

Witness: I am sure that if I was speaking to somebody I would have said something about the tense situation, but it was not until the morning that I was in direct contact with anybody.

Mr. Shepherd: Thank you.

British Guiana Volunteer Force said that at 10.15, that was the first time that contact was made between Mr. Fraser of Demba Office and himself. Would this time be the time that you referred to this morning?

Witness: No it was earlier than that.

Dr. Drayton: He said that at about 10.15, the Demba Office was notified that the situation at Viswar was clearly out of control and asked the Office to contact the Police or British Troops. What I am getting at is whether it was 10.15 to 10.30 that you phoned Mr. Rose.

Witness: About that time.

Dr. Drayton: Major Langham said that at about 12.00 midnight they were notified by the Manager of Demba that the situation was beyond control and was asked to request British Troops directly from the Governor rather than await the assessment of the situation which was already out of control. Is this a fair description of the message you received from Mr. Fraser?

Witness: Yes.

Dr. Drayton: Did you have any other contact?

Witness: No, I had no other contact.

After that Mr. Fraser let me know that was going on.

Dr. Drayton: Do you remember a message coming through about 12.00 mid-day to you?

Witness: I was getting messages every half hour I suppose.

I made two contacts, one earlier in the morning with the Commissioner and he said that additional Police were going to Mackenzie and Officer was going to assess the situation. Later I telephoned Mr. Rose and told him that more help was needed.

Dr. Drayton: Did Mr. Fraser advise that when you spoke to the Governor or to the Deputy Governor you should suggest that more British Troops were needed?

Witness: Yes he said that more Police would be needed because of the large area.

Dr. Drayton: He specifically mentioned that British Troops were needed?

Witness: I am sure.

Dr. Drayton: While in conversation with Mr. Rose did you express this opinion?

Witness: I expressed the opinion that it looked like a serious situation.

Dr. Drayton: And he should know from a security point of view that additional security help was needed in the form of British Troops.

Witness: In the form of an army.

Dr. Drayton: Thank you.

Chairman: Any other questions.

Shepherd: No questions.

Chairman: ~~Would you like to have Mrs. Gopie recalled Mr. Shepherd?~~

Mr. Shepherd: I leave the matter entirely to you. It would seem that recalling Mrs. Gopie would involve bringing her from some far distance. It is just to read a list of previous convictions to her.

Mr. Carter: With regard to Major Langham I am advised that communication is difficult. It is doubtful whether he would be able to come here even on Friday.

Chairman: In view of the evidence we heard this morning from Mr. Campbell

Witness Mr. Hobbs duly sworn:

Chairman: Mr. Hobbs ~~this is part of~~ a report from Mr. Langham to the Officer Commanding the British Guiana Volunteer Force. He said that that as it happened that sergeant and the twenty four men were wasted as they were dissected into two sections and further dissected into four ineffective sections, and then, one complete section was sent to Barracks to stand by. Both groups were sitting around at 5.45 on the 25th May and was embarked until 10.15 on this critical day, when a panic call was received from Wismar Police Station ordering them to report to duty immediately.

Witness I would not say that they were wasted. When I requested the patrols, I discussed with Mr. Puttock that I would use them for patrol by night. When the twenty four came I discussed with Major Langham that I would use the Volunteers in two batches of twelve. The first half of the Volunteers would be used for the first half of Sunday night and a further twelve on the second half; these twelve Volunteers were broker up into four patrols of three Volunteers and one Policeman to each patrol. This same procedure was followed for the second half, that is the second twelve that was sent back to barracks at 7.00. The duty of these men would not have been needed on Monday morning as they would have been back to duty again as from 6.00 on the Monday evening had things being normal. After I had a report from Wismar Police, I visited and checked the district between 5.45 and 7.20 on Monday morning the 25th. As stated in my evidence previously I intimated to Mr. Langham in his Office that I was getting in touch with my headquarters in Georgetown to seek approval for the remainder of the Volunteers' Force to be called

on duty as from 6.00 on Monday evening. I then advised him that he should alert the remainder of the Volunteer Force and he undertook to do this, pending confirmation from Colonel De Freitas, Commanding Officer of the B.G. Volunteer Force. Again I say that this was given previously, after I had spoken to Major Langham, I contacted Mr. Puttock before 8.00 I told him of the increased events of Friday in spite of the Volunteers and requested that the remainder be called out for duty as from Monday night. To that Mr. Puttock informed me to inform Mr. Langham that he should be prepared to make the remainder of the Force including Officers of the Volunteer Force available for duty on Monday night. I would say that within forty to forty five minutes that decision between Mr. Puttock and myself on the telephone was seen a change considerably in that I received a report at 8.40 of an outbreak of violence at Wismar.

Chairman: Any questions?

Shepherd: No questions

Dr. Drayton: Just two features of the evidence Mr. Hobbs. One is. Why didn't you use all twenty four men for the night patrol on Sunday night. Why did you use only twelve men and keep one section in barracks?

Witness: I could not use them all night. It is not the sequence of patrol.

Dr. Drayton: But you were worried about the situation and it was extraordinary. You had twenty four men available on the Sunday night and you could have increased your patrols on Sunday night.

Witness: I had twenty four volunteers and eight policemen.

Dr. Drayton: According to Major Langham evidence, it appears as if only twelve patrolled on Sunday night?

Witness: That is incorrect, a patrol of sixteen went out on Sunday to 12.30 and another sixteen between 12.30 and 5.00. They were divided into two halves of twelve volunteers and four policemen. The patrol period was covered from 7.00 to 5.30 in the morning.

Dr. Drayton. But don't you think that it would have been more effective if all twenty four men had been used?

Witness: I could not put twenty four men to work for the full twenty four hours.

Dr. Drayton. But some of your Policemen had been in line for two days?

Witness: Yes

Dr. Drayton. But are there no occasions when Policemen have to work for twelve hours? You did not consider the Sunday to be serious enough to warrant all the men?

Witness: No Sir.

Dr. Drayton. Both groups were inactive from 5.45 on the morning of the 25th May until 10.15 on this critical day and it was not until 10.15 that the panic call was made from Wismar Police Station ~~and~~ for the volunteers to be used.

Witness. That is ~~not~~ incorrect. I spoke to Major Langham very shortly after I got the report.

Dr. Drayton. At what time, at about 8.45?

Witness. I would say about 9.00 after I had spoken to the Manager with respect to the transportation of as many men as possible to Wismar. I spoke to Major Langham asking him to make available many men as possible. His words were that he would confirm it with Colonel De Freitas.

Dr. Drayton. ~~It~~ were desperately short of men on the spot, yet here were twenty four men in barracks until morning.

Dr. Drayton. What did you tell Major Langham?

Witness. My exact words to him were to send as many men as possible.

Dr. Drayton. You expected at least twenty four men and he had authority, and he had already placed twenty four men under your control. What I want to know is why they were kept in barracks until morning.

Witness. They were in volunteer barracks.

Dr. Drayton. I realise that, but they were placed under your control.

Witness. For them to come out on duty I would have to pass word to Major Langham.

Dr. Drayton: I gather that at around 9.00 o'clock you let Major Langham know that you wanted as many men as possible but they did not leave until 10.15. When did you see the volunteers first?

Witness. I did not see them. I saw Major Langham at about midday.

Dr. Drayton. So that the Police were virtually unaided by the volunteers until 10.15?

Witness: I would say that if Major Langham said that they arrived there he would be the best man to say so. On the occasion that I say he was with volunteers and the East Indians that they had

Dr. Drayton. One final question not directly relating to this. Are you satisfied Superintendent Hobbs on reflection, that when you spoke with Mr. Puttock in Georgetown around 8.30 to 8.40 when you gave your assessment that you had given a reconnaissance of the area, that you had given him a good picture of the area?

Witness: On Monday it was twice that I had spoken to the Commissioner. On the first occasion it was dealing with the increased incidents of Sunday. On the second occasion it was to notify him of the outbreak of violence, in which case I requested special reinforcement.

Dr. Drayton: That was around 8.45?

Witness. Yes Sir.

Dr. Drayton: Are you satisfied that you have him a complete and accurate assessment of the on the spot investigation?

Witness. I am.

Dr. Drayton. Did you think that there was any more information that he would have wanted or could reasonably have wanted?

Witness. As regards what portrayed following my information at 8.45 there was a continuous flow of information from Wismar to Georgetown.

Dr. Drayton. So that you would say that you made an accurate assessment and you kept Force Control informed of the developing situation?

Witness: Yes.

Dr. Drayton: Therefore Superintendent Hobbs would you think it necessary to have a man come from Georgetown to talk with you to make an assessment of the situation?

Witness. I think I mentioned this point before. It is not within my authority, not even within my suggestive rights to decide whether somebody should come or should not have come.

Dr. Drayton. I realise that. But do you think that any more information, however probable, could reasonably have been needed by people in Georgetown who had the authority?

Witness. No.

Dr. Drayton. Are you satisfied that you made a good assessment of the situation and that you sent in continuous reports and that no useful purpose could have been served by sending a man to discuss things with you?

Witness: With reference to specific rights I do not know for what purpose

he had come

Dr. Drayton: Thank you very much.

Mc.Donald: As Superintendent in charge of a division are you informed by Force Control of what is happening in other divisions? Do you know what is going on division A, B, or C?

Witness: Not everything. There are specific incidents that might be brought to my attention by the Branch or division or the Commissioner of Police. I may mention one incident that in the event of the shooting and killing of Indians in a district or a negro in a division other than my own, I may have instruction to report on any action that may be observed. Otherwise I get my information by Radio or Newspapers, that is information of incidents occurring elsewhere.

Dr. Drayton: Did you receive the information of the murder of Mr. Mrs. Wesley at Buxton directly?

Witness: No Sir, I heard it late on Friday afternoon.

Mc.Donald: Through the public?

Witness: Through the Radio.

Mrs. Mootoo: At what time did you ask for the partial embodiment of the Volunteer Force?

Witness: As was mentioned previously, some time after midday on the 25rd. that is the Saturday.

Mrs. Mootoo: To whom did you speak?

Witness: Assistant Commissioner Puttock. He gave an undertaking that my application would be considered.

Mrs. Mootoo: He did not tell you to embody?

Witness: No, I only got word of approval on Sunday morning.

Mrs. Mootoo: You were not responsible for directing Major Langham to embody these men?

Witness: You were not responsible for directing Major Langham to embody these men?

Witness: No not at all. I only passed down the information.

Mrs. Mootoo: Did you tell Mr. Langham that you just wanted twenty four men?

Witness: My information from Mr. Puttock was that approval was given for twenty four members of the volunteers.

Mrs. Mootoo: No mention of Officers?

Witness: Not until Monday morning.

Mrs. Mootoo: Were you surprised that no officers came?

Witness: No.

Mrs. Mootoo: Did you request that any officers were to be given to you.

Witness: No.

Mrs. Mootoo: Thank you very much.

Mr. Shepherd: Superintendent Hobbs, you had been a gazetted officer for some two and a half to three years.

Witness: Four years.

- Mr. Shepherd, Of course you had no experience of overall command of a Police Force?
- Witness, No Not as yet.
- Mr. Shepherd, I hope you will have,
- Witness, I am hopeful.
- Mr. Shepherd, You were in charge of 'E' division for four months?
- Witness, That is correct.
- Mr. Shepherd, You had been a gazetted officer for four years?
- Witness, Yes Sir.
- Mr. Shepherd, You had twenty five years (active service) experience?
- Witness, Approximately.
- Mr. Drayton, Before that time that you were gazetted what was your rank?
- Witness, I was an inspector.
- Mr. Drayton, For how many years?
- Witness, I was an inspector for four years.
- Mr. Drayton, Before that?
- Witness, I was a sub-inspector for one year.
- Mr. Drayton, Prior to that?
- Witness, I was a sergeant for a matter of months.
- Mr. Drayton, If you can go back a little, some months as a sergeant and prior to that?
- Witness, I was a corporal.
- Mr. Drayton, How Long?
- Witness, One year and prior to that a Lance Corporal.
- Mr. Drayton, How Long,
- Witness, Seven years.
- Mr. Drayton, And then a constable for the remainder of time?
- Witness, Yes Twelve years. I do not think that the figures are quite right. From a Constable I was made an acting unpaid Lance Corporal after six years service and after three years acting unpaid I was a paid Lance Corporal - that was for four years, then I went to 1952 when I was made a Corporal.
- Mr. Drayton, Yes the rest is clear. Thank you.
- Chairman, There will be no other witness.

Counsel: I had the honour of reading the opening remarks made by my predecessor in this matter, and before the sessions here are officially declared close I would like to extend my appreciation to the members of the Commission for the tolerance and their patience for hearing the evidence as it was addressed to this honourable commission during the tenna, and I would like to express my thoughts to the learned Counsel, and for the persons in their consideration. I hope that in my endeavour to set forth the truth and the facts and circumstances of these disturbances having regard at all times to the terms of reference that are the guides to the members of the commission. I humbly hope that I have not in any way detached from the terms of the commission. I hope that in my humble endeavour, I hope that any evidence presented to you will assistance. I would like to thank too, the Stenographers and the Secretary.

have been present here through those procedures and contributed to these procedures. I hope that not too long in the immediate future the proceedings here will find foremost in a report, which I hope will be instructive and valuable in many respects. I thank you Mr. Chairman.

Mr. Carter. Mr. Chairman and members of the commission my brief address is a very limited one, and therefore I could not take part in the cross examination as I would have liked. I do believe that you have enough evidence before you to make you come to a decision within the terms of reference. I think that there is enough evidence, a load of things was said in the opening, and I do hope that a report would be fair, and I feel that the report can do a lot to mend the differences between the racial groups in this country. Because somethings we heard in the opening and in between evidence. I do hope that the part played by the police force and volunteer force is because I feel this is so necessary, to the future of this country. It is partly that this commissioner never had to be appointed at all, I myself do hope that we should not have a commissioner of inquiry in this country again. I thank you all.

Mr. Shepherd. I associate myself with words of the counsel, and Mr. John Carter to you have heard much from me, and from the start of my duty, and to those words for which I have fallen for my friend with regard, and for Mr. Mansaroop I have had his good humour and balanced mind, and I believe have assisted your fellow commissioners to get a proper decision.

Mr. H. Khan. On behalf of Mr. P.N. Singh, myself I would like to express our appreciation for the manner in which you have tolerated us, and for the generous settlements expressed by Mr. J. Carter, we should like to express our gratitude to our stenographers for their part. Thank You.

Chairman. This commission was at a time when there was tension not only at Ismar and Mackenzie but throughout the whole community of British Guiana, and I feel that the commission was necessary having regard to the many accusations and rumours which were labelled against the police. I have worked with the police in a sense because I see them nearly every day in the course of my duty as a magistrate, and I know how sometimes these accusations are made out of context, and therefore I feel that the commission should help to enquire into these allegations and try to base them in their proper context. We have met here and sometimes we have been in a very awkward position. Especially having regard to the fact that our learned counsel of the commission Mr. Sugrim Singh who was with us for three days, and after that I thought probably that this commission would not have been able to finish. However subsequently we were able to get the services of another counsel and we have eventually had quite a.....evidence before us, and our task really begins now at this time, and to try to arrive at a conclusion to make our report which will be consider valuable to the community as a whole. We thank you all for your co-operation in assisting us in holding this inquiry and the very atmosphere into which it was conducted. Thank you very much.

Chairman:

Where?

Witness:

On people's houses. Bombing was also going on and on two occasions people's houses were lighted afire, but was put out by the owners. He said some of his men were on the West Coast due to what was going on there. I reminded him that trouble would be in the area and he told me not to be afraid.

Chairman:

Did you speak to anyone else on the 21st?

Witness:

No.

Chairman:

What happened on the morning of May 21st 1964.

Witness:

On the 21st May, which was a Thursday Morning, at about nine o'clock as I was on my way to the market I saw Mr. Jordan ex-legislator.

Chairman:

Now he is ex-legislator, at that time he was a representative of that area.

Witness:

Yes, he was riding on a cycle slowly going towards the market. On his way he told the people that there was a strike at Demba. He had a copy of the "Daily Graphic" in his hand and he was telling the people that "Coolie was killing black man at Buxton, look at those poor innocent people who were shot on their farm." I think Sir that he was really referring to the Scalleys.

Chairman:

Yes, he said nothing else?

Witness:

Yes, he said that it was time for war against "The coolie". During that time two police officers were passing and they went on their way without saying a word to Mr. Jordan.

Chairman:

Yes, what next?

Witness:

Now on the 24th of May

Chairman:

On the 24th May you were still at Wismar?

Witness:

Up to the 24th I was still in Wismar.

Chairman:

What happened at Wismar on Sunday the 24th of May?

Witness:

On Saturday night a shop was looted and a man beaten. I later heard bombs. The house next door was set on fire, but much damage was not done. A cow I remember was chopped in parts and its body later was distributed to people on Saturday night.

Chairman:

Did they kill this cow?

Witness:

Yes, and from that time to Sunday night tension was very high.

Chairman:

Now what happened on the 24th.

Witness:

On the 24th that is on Sunday morning a house was burnt to the ground.