

The Wismar Commission Report

Day 18 – Tuesday, 8 December 1964

CHAIRMAN: This inquiry is now reconvened for today. Call Dr. Kissoon Dyal

DR. KISSOON DYAL is sworn in and he states as follows:

RAMSAROOP: You are a registered practitioner attached to the P.H.G.?

DYAL: Yes.

RAMSAROOP: You have in your possession a chart of S. Mohamed?

DYAL: Yes.

RAMSAROOP: Can you say from that chart when that patient was admitted to the hospital and where she came from?

DYAL: She was admitted on the 31st May, 1964 at 6.00 p.m., and she resides at the Credit Corporation site at Ruimveldt.

RAMSAROOP: Did you examine this patient at anytime? What was the result of your examination?

DYAL: I found that the child was having severe spells of vomiting and diarrhoea. I found that the eye was dry and sunken, and the tongue was dry; her mouth was also dry. I could not find any glands; also the ears were not infected. I found nothing in the respiratory system. There was nothing deafening; only the breathing sounded harsh. When I examined the abdomen, I found that it was flabby. In the cardio vascular system I could not find anything abnormal. These were the only things I could find.

RAMSAROOP: Is there some mention on that chart of that child suffering from gastro-enteritis? Can you explain what this means?

DYAL: It means it is a condition where there is severe vomiting and diarrhoea.

RAMSAROOP: The child died on the 2nd June, was it?

DYAL: The child died on the 1st June.

RAMSAROOP: And you say that acute gastro-enteritis was found in the child's system? What is the usual cause?

DYAL: It is due to infection from contaminated water.

RAMSAROOP: There was no congestion on the lungs, and no injury or broken bones?

DYAL: No, I could not find anything. No further questions.

MOOTOO: Could the child have died of anything else, besides gastro-enteritis?

DYAL: At that time I would say that it was possible.

MOOTOO: Did you X-ray the child?

DYAL: No.

MOOTOO: According to the chart, did the child have fever?

DYAL: Well, there was actually a mistake in this chart. This child's chart shows no fever.

MOOTOO: But did this particular child have a temperature?

DYAL: I cannot remember.

MOOTOO: If the child had some internal injuries, would you have known?

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DYAL: It depends to what extent.

MOOTOO: We understand that this child was squeezed at Wismar?

DYAL: Well, I could not find any external injuries.

MOOTOO: Could internal injuries cause these same symptoms?

DYAL: No.

MOOTOO: Was there any report?

DYAL: No.

MOOTOO: Thank you.

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CHAIRMAN: Thank you Dr. Dyal. Call Sergeant George Simon.

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SERGEANT GEORGE SIMON is sworn in and he states as follows:

RAMSAROOP: Are you Police Sergeant, Number 4660?

SIMON: Yes sir.

RAMSAROOP: You are the subordinate officer in charge of the Mackenzie police station?

SIMON: Yes, I am.

RAMSAROOP: On Monday 26th May, were you on duty at the Mackenzie police station?

SIMON: I was.

RAMSAROOP: Were you instructed by Assistant Superintendent Hobbs to proceed to the Wismar police station?

SIMON: I was.

RAMSAROOP: At Wismar police station, on the said date, you left with 6329 Martin to join Superintendent Hobbs?

SIMON: Yes sir.

RAMSAROOP: What did you see in the Valley of Tears?

SIMON: I saw about seven buildings on fire.

RAMSAROOP: What did you do?

SIMON: I met Assistant Superintendent Hobbs and he spoke to me and the other policemen assisting in putting out the fire. We went down into the Valley of Tears, which is about 100 yards. I saw a youngster lying on the ground. Constable Martin and I went to the young man who said his name was Richard Khan. He was crying and bleeding from a wound on his arm and head. He told me he was beaten by a gang of young men with sticks. I asked him if he knew the men, but he said, "No." I assisted Constable Martin in lifting him from the ground, and I instructed Martin to take him to the Wismar police station and thence to the hospital where he would be treated. I rejoined Superintendent Hobbs. As we were proceeding further down into the Valley, a youngster told us that there was a man lying on the ground, who looked dead. The party, accompanied by myself and Mr. Hobbs proceeded about 200 yards further west, and there we saw an East Indian lying head towards the east, facing upwards, in the gate-way of a yard. This man was one Paul Nirgin, and he was dead. Assistant Superintendent Hobbs got a photographer to take pictures of the scene, after which, the dead body was placed into a Land Rover and removed to the Mackenzie mortuary.

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RAMSAROOP: After that you proceeded further down?

SIMON: Yes.

RAMSAROOP: What did you observe?

SIMON: I observed several houses on fire beyond our control. As we reached the fire in the Valley of Tears, I told Mr. Hobbs, who was the leader to the group, to proceed further down the Valley to rescue a man whose name was Kishore Mohan. Then we arrived there we found that the door was broken and the entire house was ransacked.

RAMSAROOP: Did you see people around the house?

SIMON: No one was seen in the vicinity of the house. The mattress was on fire, and we got buckets to fetch water and put out the fire.

RAMSAROOP: What happened to Mrs. Mohan?

SIMON: She was hiding in the bushes, and after we made a check of the surroundings, we took her to the police station.

RAMSAROOP: When you returned to Wismar police station, what did you see there?

SIMON: There were about 700 people, including men, women and children.

RAMSAROOP: Were they East Indians?

SIMON: Yes, they were all East Indians.

RAMSAROOP: Did you go out again from the police station?

SIMON: Yes. I got a party from Demba section and we went out to buildings, removing East Indians from the village, and carrying them to the police station. That operation continued throughout the day.

RAMSAROOP: About 8.12 a.m. on the 25th May, you were on patrol at Wismar public road where you arrested several persons. Can you recall the names of any of these persons, and why you arrested them? Did you see looters carrying away several articles later the same day?

SIMON: No sir.

RAMSAROOP: Can you recall that around the Kara-Kara area you arrested two men by the names of Brutus and Robert Burnett for a Singer machine and that both of these persons were subsequently charged?

SIMON: Yes sir.

RAMSAROOP: About 3.40 on Tuesday the 26th May, you returned to the Mackenzie police station?

SIMON: Yes sir.

RAMSAROOP: While you were carrying out the operations, did you see persons setting fire to buildings?

SIMON: No sir.

RAMSAROOP: Did you see Indians being assaulted?

SIMON: No sir.

RAMSAROOP: Is it your opinion that these offences were committed by persons who carefully planned these operations?

SIMON: Yes, that was my opinion.

RAMSAROOP: That will be all sir.

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SHEPHERD: You know of any instances where police or volunteers took looted things from others?
SIMON: No.

SHEPHERD: Do you know of any instances when policemen took loot to the police station?
SIMON: No sir.

SHEPHERD: In any instance when loot was taken to the police station, wouldn't it have been for the owners?
SIMON: Yes sir.

SHEPHERD: So merchandise recovered from broken shops and carried to the police station were to be lodged? What were the arrangements made for taking care of merchandise looted and awaiting the arrival of the people?
SIMON: Yes. Most of the merchandise came in dray carts, and they were covered with tarpaulin and kept in the station compound where we had armed sentries keeping watch day and night.

SHEPHERD: Did any of the owners recover their properties?
SIMON: Yes, they did.

SHEPHERD: And some are still waiting for collection?
SIMON: Yes. Arrangements are being made now, because the owners were sent to Georgetown, and many of them are afraid to travel for their things.

SHEPHERD: Did you know Paul Nirgin who was killed?
SIMON: No sir.

SHEPHERD: Did you see anybody else being beaten?
SIMON: No sir.

SHEPHERD: Did you know a man by the name of Kishore Mohan?
SIMON: Yes sir.

SHEPHERD: Did you see anybody beat Kishore Mohan?
SIMON: No sir.

MACDONALD: Can you tell me how many supernumerary constables were at Wismar police station?
SIMON: I know one Jordon, Rose and another constable, whose name I cannot remember.

MACDONALD: Were they going on the regular police patrol with you?
SIMON: They were on patrol for the purpose of arresting people, and to carry out their duties.

MACDONALD: Did you have Land Rover on this patrol?
SIMON: Yes. At Demba.

MOOTOO: At what time on Monday the 25th May did you leave for Wismar?
SIMON: About 9.15 a.m.

MOOTOO: Did you know Nirgin's son.
SIMON: No.

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MOOTOO: Before you left for Wismar police station, did a few Indians come to you and ask you to protect them while you were standing on a platform?

SIMON: Never.

MOOTOO: Are you sure?

SIMON: I left Mackenzie for Wismar.

MOOTOO: Around what time did you leave?

SIMON: About 9.15. There were no Indians at the police station before I left.

MOOTOO: And a few boys went up to you when you were on the platform and they asked for protection and you told them, "You had better go back."

SIMON: No there were no Indians at the police station when I left.

MOTOO: They just came and you chased them away?

SIMON: Nothing like that occurred. Up Mackenzie there was no sign of disturbances.

MOOTOO: Did a boy come from Wismar because his father was beaten to death?

SIMON: No one.

MOOTOO: No other questions. Thank you.

CHAIRMAN: Mr. Simon, you may step down.

SHEPHERD: Mr. Chairman, could I for one moment ask your indulgence by recalling very briefly Colonel King. We have some extracts of security reports here from 1963 to 1964, and they were sent by radio-telephone or telephone by Wismar to Force Control, and you will see the record shown for Sunday the 24th. I would like sir, to have this before you before Colonel King gives evidence. It is very desirable to have this evidence before you. I would, therefore, ask for the recall of Mr. Hobbs just to tender this report. It was sent by 10.30 on Sunday night to Force Control. You will then draw your own conclusions.

CHAIRMAN: Was this submitted as evidence before?

RAMSAROOP: I don't think it was submitted.

SHEPHERD: Certain information was sent to Colonel King before it was sent to the Force Control. This is all I can say. I request your indulgence to put this through him and later ask Colonel King.

CHAIRMAN: Why this evidence now

SHEPHERD: Well, it is not evidence.

CHAIRMAN: The main part of the evidence was given by Colonel King, by Mr. Owen, and also by Superintendent Hobbs, plus Mr. Neil Isaacs. They have all given their evidence.

DRAYTON: I read all the evidence only last night, and he was quite clear that he did receive information from Police Force Control. The time was probably around 10.30 to 11 o'clock.

SHEPHERD: It is very important. It is not evidence and he will leave the matter entirely where it is.

DRAYTON: Unless, Mr. Chairman, Colonel King has refreshed his memory.

SHEPHERD: I am not defending anyone. This is not a criminal matter, but I wish for sound evidence. I am contented to let the matter rest there.

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CHAIRMAN: We will adjourn for five minutes to consider this matter. Mr. Shepherd, you wish to tender that document?

SHEPHERD: Yes, I will do it formally through Mr. Hobbs.

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[A short adjournment is taken.]

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CHAIRMAN: We will now recall Superintendent Hobbs.

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SUPERINTENDENT OSCAR HOBBS is recalled:

SHEPHERD: You have already explained to the learned counsel and to the Chairman that reports on the situation are sent as they occurred, from Wismar police station to Force Control.

HOBBS: Yes, that is correct.

SHEPHERD: This extract “XX” of the situation came from the division in 1963?

HOBBS: I can only speak of 1964.

SHEPHERD: On Sunday 24th there were seven incidents shown. The time at the left side will indicate the time the report was received at Force Control, Georgetown?

HOBBS: Yes.

—

CHAIRMAN: Tendered, admitted and marked “Exhibit DD”.

SHEPHERD: Thank you.

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CHAIRMAN: Mr. Hobbs, I want you to look at this document and tell me from which area they originated?

HOBBS: These are extracts from reports compiled at Police Headquarters, Georgetown.

CHAIRMAN: This is an extract of reports compiled in Georgetown as Exhibit DD. What about this one, Exhibit BB?

HOBBS: Extract of situation reports sent to Force Control.

CHAIRMAN: What is the difference between the two? Didn't they originate from the same headquarters?

HOBBS: This copy was made in Georgetown. This was compiled by the Superintendent.

CHAIRMAN: From which department of the Force Control did the information for Exhibits DD and BB come? Did it come from Georgetown?

HOBBS: Yes. One seemed to have been abridged.

CHAIRMAN: From which source did they come? Did they come from the Force Control room?

HOBBS: I presume so.

CHAIRMAN: You say one is abridged and one is lengthy and contains the evidence. The former one is BB?

HOBBS: Yes.

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SHEPHERD: Can I see the other exhibits? [*Exhibits passed over*]. I cannot recall putting in DD.

CHAIRMAN: You did, Mr. Shepherd.

HOBBS: That was put in through me.

CHAIRMAN: Mr. Hobbs, when the reports come through Force Control were they recorded in a book?

HOBBS: Yes.

CHAIRMAN: You would agree that the evidence in these documents seem to be more in detail than the one abridged in the other. You have had the opportunity to look at them and see that they are not accurate as to time or date. We would like time to check the documents and it is necessary for the original documents to be produced.

HOBBS: That could be made available.

SHEPHERD: The extracts are not the same, and I think there is no other record.

CHAIRMAN: We would like to have that original report and a copy of the extract in its original form to be produced here tomorrow morning. Is it in book form?

HOBBS: Yes.

DRAYTON: So that if we just ask for the book to be produced from Force Control, would it be in a book which is bound?

HOBBS: Those reports are in a bound book.

MACDONALD: Is there one book for the whole country, or would these be kept in a separate book for each division?

HOBBS: Well, when I was in Force Control, there was just the one book.

MACDONALD: Why I am asking that is because in the background of everything, what we consider here is the general situation, and I think, to me at any rate, it would be helpful if we can have situation reports for the whole country, covering mainly what happened on the 25th, so that we could see it in context.

HOBBS: That should be available, because every superintendent reports such incidents to headquarters. In the circumstance, if reports dealing with the disturbances are kept, all books should be available.

CHAIRMAN: Thank you Mr. Hobbs. You may step down. I agree with the Reverend, that the reports should be in full context, so please see if you can get that for us tomorrow.

SHEPHERD: If there are other records, of course. I don't know the system of records and what are kept. I can only put in what I have and if there are any other records to be put in, I think this would be the best time to ask for it.

CHAIRMAN: The police whose conduct is being investigated, they would not deem it necessary to make all the evidence available to us. We have been receiving extracts instead of the originals. I don't think that the Commissioners of this inquiry have been treated with the respect that they should have received. All these records should have been made available in their original form. There was an advertisement in the newspapers for those people who were to submit memoranda or even to give evidence, they could do so, but we have been getting records only here and there, and we have had to call for the originals from time to time. I think this is a very bad situation that we find ourselves in as regards information from the police.

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SHEPHERD: I think you can see, sir, that I am bringing these persons in order to assist you, and it is for that reason that I now call Colonel King to assist you further. I must repeat that I am not defending anyone, but just assisting.

CHAIRMAN: We don't have these records of Force Control. I don't know whether Colonel King's evidence at this stage would throw light as to what has happened. You see, members of the Commission might want to examine Colonel King, necessitating the recall of witnesses. With regards to the information that we have got before us now, relating to the report of Major Langham, we would have to recall several witnesses because there are important points we would like to clarify.

SHEPHERD: You, sir, and your fellow Commissioners and I realise that this might be an important matter, and it was my suggestion that we should further inquire into it, so I hope that your remark is not directed to me. I should like to ask Colonel King, as he is here, this. You recall that he told me about the disturbances at Wismar. It is possible, that if several incidents had been reported to Force Control during the day, that one of the staff, keeping in touch with Force Control, might learn that there had been disturbances during the day, and might have communicated this to Colonel King. If, and this may probably be, and I think that it is clear up to a point, I very much doubt that five months after the event, the matter could be taken further, but I would respectfully suggest that Colonel King give his evidence now. At the bottom of page 35 is his reply in answer to Dr. Drayton. I cannot assist you any more.

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DRAYTON: Well on the subject of "crystal ball" and extracts from documents that we have not seen, I would like to ask you whether we might have the minute of the 23rd May, which the Commissioner of Police wrote. So far this Commission has been presented with an extract from this minute. I wonder if the entire minute could be made available to the Commission?

SHEPHERD: The minute would be at the Ministry, and so she could produce it.

DRAYTON: But the copy is kept by the Commissioner of Police, and since the Minister might not have it, I think we might probably ask for the copy of the letter which was sent to the Commission by the Commissioner of Police.

SHEPHERD: It is my purpose that the original should be produced, but among documents which I could have produced, I would certainly do so.

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CHAIRMAN: I would prefer the original of the letter from the Commissioner of Police dated 23rd May to be produced by the Ministry. We will now recall Colonel King.

COLONEL KING is recalled:

SHEPHERD: I have a record of your evidence given to this Commission on the 27th November. In one answer you gave Professor Drayton, that about 9.00 p.m. somebody told you with reference to the Sunday night that there were disturbances at Wismar and that the situation was tense. Can you remember who that person was?

KING: No I can't. It was somebody who had got information from the Police. I cannot recall if it was that person or not. I think it was either from Mr. Owen or Mr. Puttock.

SHEPHERD: You cannot tell the Commission who it was?

KING: No.

SHEPHERD: Colonel King, is it possible for you to keep in touch with the Force Control at Eve Leary?

KING: It is possible.

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DRAYTON: It is highly improbable that you have to be apprised through indirect, channels, no doubt, about the situation at Wismar. The Commissioner of Police and yourself would know best after the appraisal of the work to be done there.

KING: It might have been.

DRAYTON: Is it true that as a result of what you heard on the same night you put your men on one hour's notice?

KING: Yes.

CHAIRMAN: Could you say that it was important to have your troops standing by?

KING: If they had given information as to the deterioration of a situation anywhere, I would automatically summon the troops.

DRAYTON: Is it true that because of what you heard on that Sunday night, you placed your men at 5.30 a.m. on the 25th on one hour's notice?

KING: Yes.

DRAYTON: You said you received this report from a junior officer whose name you cannot remember, but you consider it of such importance to have your men standing by?

KING: If they had the following information in regard to what happened at Wismar, I would automatically put troops at notice.

CHAIRMAN: I am asking you if you consider the information from a junior officer of sufficient importance so as to out your troops on one hour's standby notice?

KING: Yes.

DRAYTON: Should one hour's readiness to leave for Mackenzie be sufficient? What were your arrangements for transportation, other than by air?

KING: Yes, one hour.

DRAYTON: Did you make any arrangements for transportation of the troops you had standing by?

KING: At that time there was no transportation to Mackenzie.

DRAYTON: Presumably, you did not make some kind of important arrangements to go by boat? How long would it have taken you?

KING: If I had, the normal ferry takes about three and a half hours to Mackenzie.

DRAYTON: Couldn't you have had a quicker means of transportation?

KING: There was not other transportation.

DRAYTON: Thank you.

CHAIRMAN: Thank you, Colonel King. We will now recall Mr. Richard Singh.

RICHARD BHOLAI SINGH is recalled:

SHEPHERD: Mr. Singh, you said that on the certain Thursday, 21st May, you saw Robert Jordan or the road, and you saw Police Lashley and an officer offer Mr. Jordan a lift. Do you still say this is true?

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RICHARD BHOLAI SINGH: Yes sir.

SHEPHERD: Don't you think that you might have made a mistake?

RICHARD BHOLAI SINGH: I have already told you the truth.

SHEPHERD: I am putting it to you that you have had trouble with the police. Isn't that so?

RICHARD BHOLAI SINGH: Twenty years ago.

SHEPHERD: You have had five convictions for minor offences?

RICHARD BHOLAI SINGH: Many years ago.

—

CHAIRMAN: Thank you Mr. Singh. We will take an adjournment

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