

40/84

IN THE PRIVY COUNCIL
ON APPEAL FROM THE COURT
OF CRIMINAL APPEAL OF MAURITIUS

No. 19 of 1983

B E T W E E N :-

LOUIS LEOPOLD MYRTILE

Appellant

and

THE QUEEN

Respondent

BUNDLE OF STATEMENTS

Bernard Sheridan & Co.,
14 Red Lion Square,
London WC1R 4QL.
Solicitors for the Appellant

"H" ♂

Nº 581264

STATEMENT F. RANCOIS BRULE COEUR Alger STATION
 pation Stone Mason Age 22 years
 Residing at Temple Road Clemencia Religion R.C.

On 5/12/79 at 21.00 hours I saw the above named at Moka CID and who stated to me the following in credo in presence of Mr. Kusuthsing SPMF ~~Yuk~~

Mo reste chimin Temple Tamoule à Clemencia. Mo come Popol Martille qui travaille chauffeur tracteur FUEL et qui reste Clemencia bien. Li ène bon camarade avec moi.

Mo come madame Irène Sarah qui manier avec Hector (deceased) bien. J'attès tout les deux reste dans même l'endroit qui moi. Irène Sarah la li enna plusieurs garçon ène parmi appelle James Hector (deceased) IRÈNE reste vis à vis la cage Popol Martil. Dimanche le

The above statement has been read over by me to F. Brule coeur who acknowledges it to be true and correctly recorded. (Name of person making statement)

Signature of Maker François Brulecoeur

M. SHAMEER
Signature of Recording Officer DJ

Signature of Witnesses

[Signature]

M. SHAMEER
Name & Rank of Recording Officer (in block letters) DJ

Place, Date and Time

Cont. West. Page P. F. 55
2913/2/79-20m x 50D

STATEMENT FRANCOIS BRULECOEUR Plaque (11) STATION afias
 at Stone Mazon Age 22 years
 residing at Temple Rd Elemenia Religion R.C.

2 decembre 1979 vers 11 heures
 ou 11 heures et demie du matin mo
 te par derriere mo la cage quand
 mo frere Frederick fine crier
 moi et li fine die moi Popol
 beso in moi. La mo fine vine
 disant mo la cage mo fine
 joinde Popol Mertil et li fine
 die moi prend une bouteille
 de l'eau. Li t'enner une bicyclette
 avec li sa l'heure la et li die
 moi vine avec li. Mo fine
 prend une litre 7 up vide la
 cage acote mo fine rempli di
 avec de l'eau et mo fine vine acote
 li hors chemin di vant mo la cage
 et li fine die moi monte la bicyclette

The above statement has been read over by me to F. Brulecoeur
 (Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker Francois Brulecoeur

M. J. HAUMER
 Signature of Recording Officer DI

Signature of Witnesses [Signature]

M. J. HAUMER
 Name & Rank of Recording Officer
 (in block letters) DI

Place, Date and Time Cont Neat Page

STATEMENT FRANCOIS BRULE COEUR alias STATION Plangc
 Occupation Stone Mason Age 22 years
 Residing at Temple Rd Clemencia Religion R

la -vire avec mi." Mo pou
 envoje ^{F.B} une coup ^{F.B} de Masque."
 la nous tout les deux fine monte
 lor bicyclette la a deux, Mo mo
 li lor cadre et li ti lor la selle
 et li ti pe' pedaler. Nous fine prend
 Chemin Temple Tamoule, nous fine
 traverse grande route au ste la
 Cape Dorah et nous fine continuer
 alle vers chemin tablisement. Fine
 gague la monte nous fine descende
 et nous fine marcher Dans chemin
 tablisement même li fine donne
 moi bicyclette pou trappé et li fine
 rendre dans correau cannes. Mo
 fine trouve li tire ene goni en
 bas la paille cannes. Goni la ti

The above statement has been read over by me to F. Brule Coeur
 (Name of person making statement)
 who acknowledges it to be true and correctly recorded.

Signature of Maker François Brule Coeur

M. J. HAUMER
 Signature of Recording Officer DI

Signature of Witnesses [Signature]

M. J. HAUMER DI
 Name & Rank of Recording Officer
 (in block letters)

Place, Date and Time Cont Next Page

P. F. 55
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STATION
 STATEMENT F R A N C O I S B R U L E COEUR dia
 Occupation Stone Mason Age 22 years
 Residing at Temple Rd Clemenencia Religion R.C.

Paraitre enna ene qui chove
 la dans environ 3 pieds et demie
 longueur et environ 4 pouces dans
 gressen et so en bas te paraitre ino
 7 pouces largeur. Mo na pas fine
 troune' exactement qui te enna
 la dans. Apres nous fine sort marcher
 meme lor chemin qui alle vers
 Camp-de Masque Pavé. Bicylette
 te toujours avec moi et gouni
 la te avec ti. La ti fine die moi
 mo pou casse un peu manque
 mo pou donne toi pou alle quitte
 acote ene famille Camp de Masque
 La ti fine die moi prend bicylette
 monte' vine joinde l'acote Pond Sec
 et ti ti fine rentre dans ene

The above statement has been read over by me to F. Brule Coeur
 who acknowledges it to be true and correctly recorded. (Name of person making statement)

Nature of Maker François Brule Coeur Signature of Recording Officer M JHAUMFER
 Nature of Witnesses [Signature] Name & Rank of Recording Officer M JHAUMFER
 (in block letters) DI

Date and Time Cont Next Page P. F. 55
 2913/2/79-20cm x 50D

STATEMENT FRANCOIS BRULEE STATION FLANGE
 Occupation Stone Mason Age 22 years
 Living at Temple Rd Clemencia Religion R.C.

Petit chemin carreau Cannes costé avec Petit montagne. La mo fine prend bicyclette mo fine arrive arête pond sec après carreau Zananas. Li fine sort par se petit chemin là et this stage he corrects himself and says, l'hème mo fine prend bicyclette et l'hème un fine arrive arête carreau Zananas avant pond sec près petit montagne même, li fine sort par se petit chemin là. La li fine dit moi 4 prend bicyclette quitte dans Cannes vine avec moi mo pou casse manque mo pou donne toi et mo pou coupe deux paquets du bois to va alle quitte se manque la arête une famille pou moi Camp

The above statement has been read over by me to F. Brulee who acknowledges it to be true and correctly recorded. (Name of person making statement)

Signature of Maker François Brulee

MJHA UMFER
Signature of Recording Officer DI

Signature of Witnesses [Signature]

MJHA UMFER
Name & Rank of Recording Officer (in block letters) DI

Place, Date and Time Cont next Page

STATEMENT FRANCOIS BRULECOEUR alias Flange + D STATION
 tion Stene Masin Age 22 years Seid
 residing at Temple Rd Clemencia Religion R.C.

de Masque apres to vini nous
 Pa prend du bois nous va aller"
 Mo fine appuye bicyclette dans
 Cannes et li fine dire moi suivre
 li, Goni qui li te prend depuis
 dans carreau Cannes la tu avec
 li même. Mo fine suivre li par
 derriere et nous fine monte Petit
 montagne Clemencia coste avec
 ène carreau Zaranas. Avant
 Carreau Zaranas fini dans cote'
 droite dans bois, li fine dire moi
 rente dans sa bois ta, et mo fine
 alle' ensemble avec li. Arrive
 dans ène place li fine leve
 ferillage et la mo fine trouve ène

The above statement has been read over by me to FRANCOIS BRULECOEUR
 (Name of person making statement)
 who acknowledges it to be true and correctly recorded.

Signature of Maker François Brulecoeur
 Signature of Recording Officer M. J. HANMEER DJ

Signature of Witnesses [Signature]
 Name & Rank of Recording Officer M. J. HANMEER DJ
 (In block letters)

Place, Date and Time Cont Next Page P. F. 55
 2913/2/79-20cm x 30D

STATEMENT FRANCOIS BRULECOEUR alias STATION Flang...
 Occupation Stone Mason Aged 22 ^{years} Seid
 Residing at Temple Road, Clemenina Religion R.C.

le corps tene madame habier
 avec tene robe a fleur no fine
 oblier qui couleur. Le corps la ti
 allonger los so le dos et so figure
 ti tourne tene cote' no par rappelle
 si cote' gauche ou droite. La no
 fine quette bien et no fine
 troue' qui ser le corps l'ence
 qui manan James Hector. La
 Popal Mertil dire moi donne
 si tene coup de main pou mette
 le corps la dans goni qui ti
 avec hi la. Li fine de vide goni
 la ti enna tene l'uche et tene
 Sabre la dans. hi fine passe ser
 en bas. Mo fine dire hi no pas pou

The above statement has been read over by me to F. Brulecoeur
 (Name of person making statement)
 who acknowledges it to be true and correctly recorded.

Signature of Maker Francois Brulecoeur

M. J. HAUMER
 Signature of Recording Officer D.T.

Signature of Witnesses [Signature]

M. J. HAUMER
 Name & Rank of Recording Officer D.T.
 (in block letters)

Place, Date and Time Cont next Page P. F. 55
 2913/2/79-20cm x 50D

STATEMENT FRANCOIS BRULEAUME FRANCE STATION
Stene Mason Age d 22 years SEid
Temple Road Clemencia Religion R.C.

faire sa mo pou retourner mo
 pou alle la cage. La li fine
 dire moi "si to alle la cage toi
 aussi to pou perdi to la vie
 par aille." Mo fine demande li
 pou qui faire li fine faire
 sa li fine dire moi "parcequi
 "li fine faire moi trop beaucoup
 du torts." La mo fine choqué et
 mo pe' r'ode pou retourne la cage
 la "li fine leve sabre li fine
 dire moi, trappe goni mo force
 so le corps la dans. Mo fine peur
 mo fine trappe goni et li fine
 force le corps la la dans. Li fine
 mette so la tête avant et so deuse
 li pieds fine reste en dehors. La fine

The above statement has been read over by me to Francois Bruleaume
 (Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker Francois Bruleaume

M. J. HANMEEB
 Signature of Recording Officer DT

Signature of Witnesses

[Signature]
[Signature]

M. J. HANMEEB
 Name & Rank of Recording Officer
 (in block letters) DT

Place, Date and Time

Cont Next Page

P. F. 55
 2513/2/79-30cm x 50cm

STATEMENT F RANCOIS BRUTE COEUR BAHIAN FLANC I.D. STATION
 Occupation Stone Mason Age 22 years Said
 Residing at Temple Rd Clemencia Religion R

dire moi "leve goni mette lors
 so epaules, Mo fine leve' et li aussi
 fine leve' et mo fine mette sa lors
 so e'paules. Avant nous leve le
 Corps la li te mette so sabre et
 so l'ache di bonte acote ene pied
 et comment fini mette goni lors
 so e'paules, li fine prend so sabre
 et so l'ache avec ene la main
 et li fine prend tout li fine
 Commence monte la haut lors.
 monta que. La mo fine quitte li
 mo fine descende vite vite mo
 fine prend bicyclette qui mo te
 garde dans carréau carnes lar, mo
 fine monte' et mo fine vine acote
 Temple Tamoul à Clemencia et mo

The above statement has been read over by me to F. Brute Coeur
 who acknowledges it to be true and correctly recorded. (Name of person making statement)

Signature of Maker François Brute Coeur Signature of Recording Officer M. J. HAMMER
 Signature of Witnesses [Signature] Name & Rank of Recording Officer M. J. HAMMER
 (in block letters) DI

Place, Date and Time Cont. Next Page P. F. 55
 2913/2779-20cm x 30D

STATEMENT FRANCOIS BRULECOEUR alias SEID

Occupation Stone Mason Age 22 years

Residing at Temple Rd. Clemencia Religion Rc

fine quitte bicyclette acote Temple
 Tamoule et mo fine alle mo la
 cage, se ^{P.B} ~~bouder~~ litre du l'eau
 qui mo te ammener la. Mo te quitte
 li acote te leve sa le corps la.
 Même jour même ap ^{P.B} ~~eprieme~~ hame
 et dentie dans journée mo te dans
 mo la cour. Popal Mertel fine
 vine retourne min se litre la
 qui te encore enna la moitié
 de l'eau da dans. Mo fine prend
 sa mo fine garde li endehors
 dans mo la cour même. L'heure
 li te vine rende min litre la
 mo te troué qui so bicyclette
 qui mo te quitte acote Temple
 Tamoule te avec li et te enner

The above statement has been read over by me to F. Brulecoeur

(Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker Francois Brulecoeur

M. HAUMER
Signature of Recording Officer DI

Signature of Witnesses

M. usubel M. J. HAUMER
Name & Rank of Recording Officer DI
(in block letters)

Place, Date and Time Cont. Next Page P. P. 55
2913/2/75-200 x 500

Flange + D. STATION
 ATEMENT FRANCOIS BRULE COEUR
 Occupation Stone Mason Age 22 years
 Residing at Temple Rd Clemencia Religion Be

Ène Petit paquet du bois los Porte-
 bagage. Neque li fine vendre ni
 mo litre et li na pas fine dite moi
 naieun. Sabre et l'ache et qorime
 na pas fine remarque' avec li.
 Pendant qui mo ti pe' lène le
 Corps la pou mette lors so épaule
 ti te dite moi " pas besoin te dite
 sa personne, to garde ène secret
 pou toi." Ajodi mecredi le 5
 Decembre 1979 vers 9 heures du
 matin mo fine apprendhe qui
 la police fine arrette Popol
 Mertil, sa mo fine recunte
 se qui fine parsée mo banne
 famille c'est à dire mo grand
 frere Federick et mo maman. Vers

The above statement has been read over by me to F. Brule Coeur
 who acknowledges it to be true and correctly recorded. (Name of person making statement)

Signature of Maker François Brule Coeur Signature of Recording Officer M. J. HANMEER DI

Signature of Witnesses [Signature] Name & Rank of Recording Officer M. J. HANMEER
 (In block letters) DI

Place, Date and Time Cont. Next Page P. F. 55
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P. F. 55
2913/2/79-20cm x 30D

STATEMENT FRANCOIS BRULE COEUR BRULE COEUR STATION Alia
 Occupation Stone Moin Age 22 years SE id
 Residing at Temple Rd Clemencia Religion R.C.

2 heures tantôt par la. Moi mo
 madame avec mo grand soeur
 appelle Solange nous fine alle
 quette Pousari qui travaille dans
 Temple Tamoul à Clemencia.
 et mo fine racontre ti apé près
 se qui fine passé et mo fine
 dire quette si Popol Mestel fine
 mette ^{P.B} cause secret qui ti ti die
 moi garde la. Pretre la fine
 faire éne tu la priere et ti fine
 dire moi aller et mo fine alle
 mo la cage. here mo tu trouve
 le corps l'ree dans bois avant
 mette dans goni, ti pas tu enna
 aucune blessure los ti mais du sang
 tu pe' sorti depuis dans so la bouche.

The above statement has been read over by me to Brule Coeur
 (Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker François Brulecoeur

M. HANNIER
 Signature of Recording Officer DI

Signature of Witnesses [Signature]

M. HANNIER
 Name & Rank of Recording Officer DI
 (In block letters)

Place, Date and Time Cont. Next Page

STATEMENT OF F. FRANCOIS BRULE STATION Plaque S. 1
 Occupation Stone Mason Age 27 years
 Residing at Temple Rd Clemencia Religion R.C.

Si le corps la fine brulé après
 sa mort pas comme naiter la
 dans. Acote sa le corps auant mette
 dans goni te enna ène tente
 vacas pas te enna couverture
 et li enna ène tricot ^{Rose} ~~rose~~ lahaut
 mo na pas fine quette' qui te enna
 dans sa tente la encore. l'heum
 Popol Mertil fine prend le corps
 la los so épaule li fine die nri
 prend sa tente la mette li los
 chemin costé avec carreau zananas
 plus tard li pou prend sa, et mo
 fine prend sa mo fine pouse
 li los chemin la. l'heum Popol te
 Nine quette nri la cape li te mette

The above statement has been read over by me to F. Bruleweur
 who acknowledges it to be true and correctly recorded. (Name of person making statement)

Signature of Maker F. FRANCOIS BRULEWEUR Signature of Recording Officer M. SHAMBER

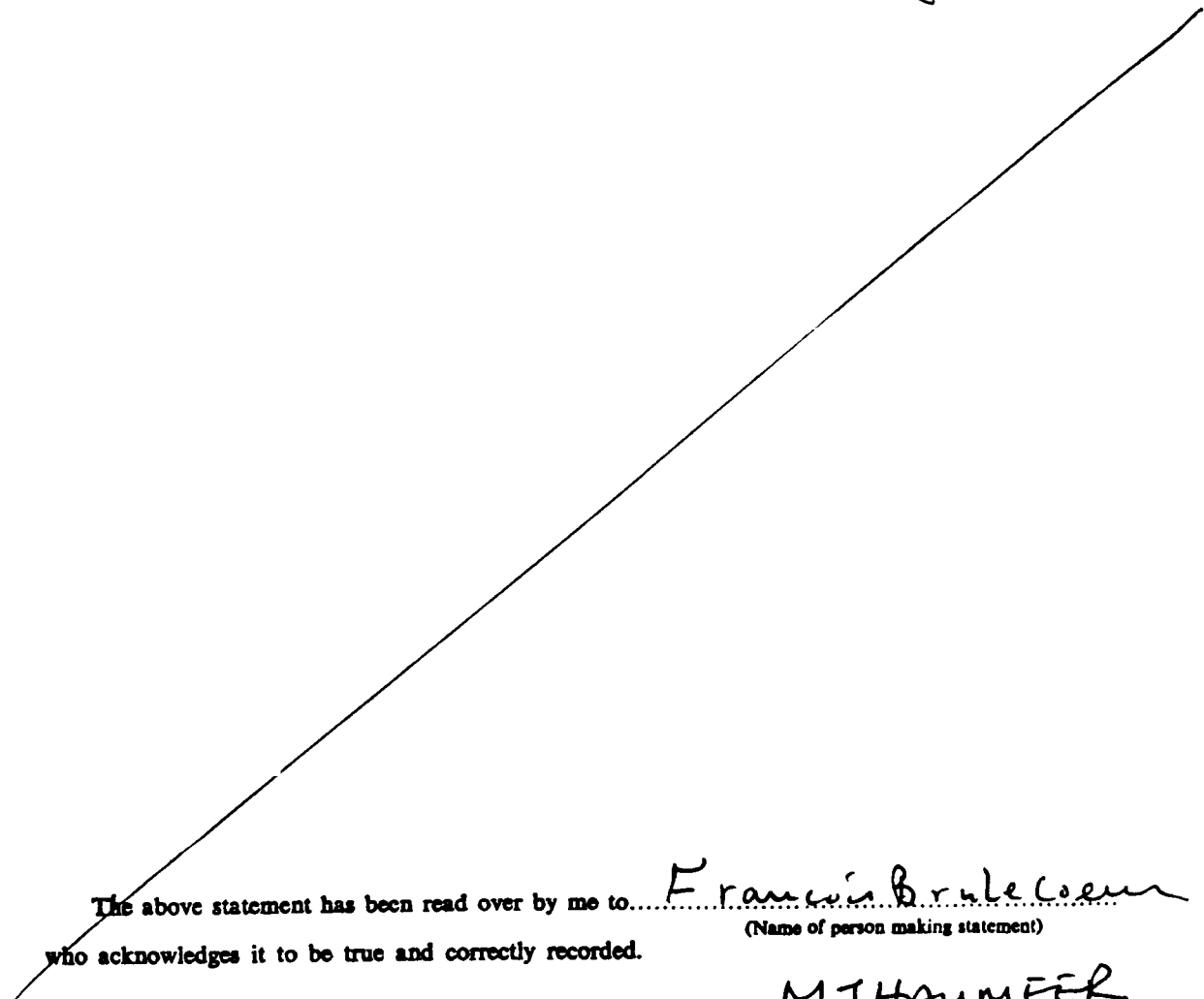
Signature of Witnesses [Signature] Name & Rank of Recording Officer M. SHAMBER
 (in block letters) DI

Place, Date and Time Cont Next Page P. F. 55
 2913/2/79-20cm x 30D

STATEMENT FRANCOIS BRULECOEUR STATION Flaugny
Res. on Stone Mason Age 22 years
Residing at Temple Rd. Clemencia Religion R.C.

une short khaki, avec une chemise
longue manche entre coteur bleu
ou vert et une paire savatte l'éponge.

François Brulecoeur.



The above statement has been read over by me to François Brulecoeur
(Name of person making statement)
who acknowledges it to be true and correctly recorded.

Signature of Maker François Brulecoeur
Signature of Recording Officer M. J. HAMEER DI
(Name of person making statement)

Signature of Witnesses M. J. HAMEER
Name & Rank of Recording Officer M. J. HAMEER DI
(in block letters)

Place, Date and Time at 23.00 hours at Mohanp. F. S. D. office
on 5/12/19 ended at 2.
2913/2/79-20cm x 30D

Flacq C.I.D. STATION

STATEMENT ^o François Brule Coeur alias Seid

Occupation Stonemason

Aged 22 years

Residing at Temple Road, Clémencia

Religion R.C.

^ E ^
φ

On 5.12.79 at 21.00 hours I saw the abovenamed at Moka C.I.D. and who stated to me the following in creole in presence of Mr. Kusruthsing S.P.M.F. (S) Y. Jhaumeer, D.I.

I live in Tamil Temple Road at Clémencia. I well know Popol Mertille who works as tractor driver at F.U.E.L. (Flacq United Estates Limited) and lives at Clémencia. He is a good friend to me. I well know Mrs Irène Sarah who (is) married to Hector (deceased). They both live in the same locality as I do. The said Irène Sarah (has) many sons one of whom is called James Hector (decd) IRENE (lives) opposite to Popol Mertil's house.

On Sunday the 2nd. day of December, 1979 at about 11 or 11.30 a.m. I was at the rear of my house when my brother Frederick called me and told me that Popol needed me. Thereupon I came in front of my house I met Popol Mertil and he asked me to take a bottle of water. He had a bicycle with him at that time and he asked me to come with him. I took an empty "7 Up" litre from my place filled it with water and I came near him on the street in front of my house and he asked me to get on the bicycle and to come with (me). "I will send you to Camp de Masque." Thereupon we both got on the bicycle, riding both at a time, I was on the frame and he was on the seat pedalling. We took the Tamil Temple Road, we crossed the main road near Dorali's house and we went on towards the estate road. We reached an incline we alighted and walked. On the estate road itself he gave me the bicycle to hold and he went inside a canefield. I saw him remove a gunny bag from underneath cane straws. The gunny bag seemed to contain something (inside) of about 3 feet and a half long and about 4 inches wide and at the bottom it appeared to be 7 inches wide. I did not see exactly what was inside. Afterwards we went on on foot along the road leading towards Camp de Masque Pave. The bicycle was always with me and the gunny bag with him. There he told me ~~He~~ will gather some mangoes I will give them to you to go and leave at a relative's

/ place

place at Camp de Masque. Thereupon he asked me to take the bicycle and ride and to come and meet him near Pond Sec and he entered a lane in a sugar cane field near Petit Montagne. Thereupon I took the bicycle and came near Pond Sec after a pine apple plantation. He came out of that lane -at this stage he corrects himself and says - when I took the bicycle and when I arrived near the pineapple plantation before Pont Sec near Petit Montagne itself, he came out of that lane. Thereupon he told me "Take the bicycle leave it in the canefield come with me I will gather mangoes I will give them to you and I will cut two bundles of wood you will go and leave the mangoes for me at a relative's place at Camp de Masque then you come back we shall take the wood and go away. I leaned the bicycle in the canefield and he asked me to follow him. The gunny bag he had removed from the canefield was with him. I followed him and we climbed Petit Montagne Clémencia close to a pineapple plantation. Before the end of the pineapple plantation on the right-hand side in the woods, he asked me to enter that woods and I went along with him. On reaching a spot he lifted some leaves and there I saw the body of a lady clothed in a gown with flower designs the colour of which I have forgotten. The body was lying in a supine position and the face was turned on a side I have forgotten if it was to the left or right side. Thereupon I looked attentively and I saw that it was the body of Irène who (is) the mother of James Hector. Thereupon Popo Mertil asked me to give him a hand to place the body in the gunny bag which was in his possession. He emptied the gunny bag there was an axe and a sabre inside. He placed these on the ground. I told him that I would not do that I shall return and go back home. Thereupon he told me "If you go home you will lose your life in the same way." I asked him why he had done that, he told me " because she had caused me too much harm. Thereupon I was shocked and I was trying to return home thereupon he lifted the sabre and told me, hold the gunny bag I will thrust her body inside. I got afraid I held the gunny bag and he thrust the body inside it. He put the head first and the feet remained outside. Thereupon he told me "to lift the gunny bag and place on his shoulders, I lifted and he lifted also and I placed it on his shoulders. Before we lifted the body he placed his sabre and his axe upright near a tree and as soon as the gunny bag was placed o

his shoulders, he took his sabre and axe in one hand and he took evrything and started to climb uphill. Thereupon I left him and went very quickly downhill I took the bicycle which I had kept in the canefield, I rode and came near the Tamil Temple at Clémencia and I left the bicycle near the Tamil Temple and I went home. The litre ^{of water} I had brought I left it where the body was lifted. On the same day at about 1.30 p.m. I was in my yard. Popol Mertil brought back that litre to me it was still half-full of water. I took it and kept it outside in my own yard. When he returned the litre to me I ~~was~~ that his bicycle which I had left near the Tamil Temple was in his possession and there was a small bundle of wood on the luggage carrier. He just gave me back my litre and did not tell me anything. The sabre and the axe and the gunny bag, I did not notice them with him. While I was lifting the body to place on his shoulders he had told me " Do not tell that to anybody, you keep it as a secret". This day Wednesday the 5th. December, 1979 at about 9 a.m. it has come to my knowledge that the Police has arrested Popol Mertil, thereupon I have related what had happened to my relatives i.e. my elder brother Federick and my mother At about 2 p.m. myself, my wife and my elder sister named Solange we went to see the attendant who works in the Tamil Temple at Clémencia and I related to him approximately what had happened and I asked to see if Popol Mertil had disclosed the secret which he had asked me to keep. The (priest) said a short prayer and asked me to go away and I went home. When I saw Irène's body in the woods before it being placed in the gunny bag, it bore no injuries but blood was coming out of its mouth. If the body has been burned after, I know nothing about it. Near the body before it being placed in the gunny bag there was a vacoas bag without a cover and it had a pink pull-over on top I did not look to see what else there was in the bag. When Popol Mertil took the body on his shoulder he asked me to take the bag and place it on the road near the pineapple plantation later he would collect it and I took it and I pushed it on the road. When Popol called for me at my place he wore a kaki short and a long-sleeved shirt either blue or green in colour and a pair of sponge sandals.

(SD) François Brulecoeur

The above statement has been read over by me to François Brulecoeur who acknowledges it to be true and correctly recorded.

/ Sd.

17

Sd. M. Jhaumeer (D.I.)

Recording Officer

Sd. François Brulecoeur

Maker

Sd. R. Kusratsing (S.P.)

Witness

at 23.00 hours, at Moka CID Office on 5.12.79.

=====

"b" & Place C.I.D. STATION
 ELEMENT F. FRANCOIS BRULECOEUR alias
 Occupation Stone mason Age 22 years
 Residing at Clemencia Temple Rd Religion Roman

On 6/12/79 at 16.40 hours I saw
 the above named at 4th Clemencia
 and who stated to me the following
 in creole shanes
 OI

l'hemme premier fois Popol te
 avenue ferrillage mo te troue le
 Corps Irene. IRENE te de ya fini
 mort. Mo te oblier pou dire l'hemme
 mo te donne Popol coup de main
 pou mette goni avec le corps lors so
 epaules te di dire moi suivre li
 par derriere et mo te prend toute
 la mo te pe'manche derriere li los
 montagne comment li fine alle
 une petit distance li fine garde
 goni la en bas et li fine pose
 un peu et mo fine re leve goni la
 mo fine mette lor so epaule et
 li fine dire moi suivre li. Mo fine

The above statement has been read over by me to F. Brulecoeur

(Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker Francois Brulecoeur

Signature of Recording Officer M. HANNEER

Signature of Witnesses

M. HANNEER
 Name & Rank of Recording Officer DI
 (in block letters)

Place, Date and Time

Contment Puff P. F. 55
 2915/2/79 - 20cm x 50D

MENT FRANCOIS BRULE COEUR alias STATION Flanc C 10
 Occupation Stone Mason Age 22 years said
 Residing at Temple Rd Clemencia Religion R.C.

prend tente mo fine commence
 suivre li par derriere et comment
 li fine alle dans une petit distance
 mo fine posse tente la lor chemin
 même aoste une pied ecalyptus
 et mo fine descende vite vite mo
 fine retourne avec bicyclette li.
 Ajordi Jeudi le 6 Decembre vers
 3 heures et demie ou 4 heures tantot
 mo fine amène banner C 10
 (C.I. Madorapan. DI Thamer - PS Basset
 PC Ayacanon ^{PPH to graper and PC Appalsan}
 my pe draughtman, and other) avec
 mo le coeur comptent à Clemencia
 et mo fine monte chemin tablisant
 aoste mo avec Popol Merdil to traverse
 dimanche le 2 decembre 1979, et mo fine
 monte tendroit dans canus aoste
 Popol to tire une goni. Mo fine

The above statement has been read over by me to..... F. Brulecœur
 (Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker FRANCOIS BRULECOEUR Signature of Recording Officer M. J. HANNED

Signature of Witnesses [Signature] Name & Rank of Recording Officer M. J. HANNED
 PS 568 (in block letters)

Place, Date and Time Cant. Med Page P. F. 55
 2913/2/79 - 20cm x 30D

STATION Flacq C.D.
 NAME FRANCOIS BRULECOEUR alias SFO
 Occupation stone Mason Age 42 years
 Residing at Temple Rd Clemencia Religion R.C.

monté l'enduit aeste Popel tu prend
 chemin coste' avec montagne et quand
 moi me tu prend chemin grande
 route pou alle j'oude le plus devant
 Mo fine ^{monté} l'enduit aeste nous t'jointe
 et mo fine ^{monté} l'enduit dans carreau
 Carreau aeste mo tu alle garde bicyclette
 et après petit chemin montagne aeste
 nous tu monte ensemble pou alle
 lor montagne par carreau saranas.
 Mo fine monte' aussi place aeste
 mo tu trouve le corps Reine pou la
 premiere fois et près la bas mo fine
 trouve une pair vieux savatte l'éponge
 couleur bleu ajordi et mo fine trouve
 aussi près la bas bannes feuillage
 fine brulé su dimanche la mo
 na pas tu trouve' ses. Mo fine
 l'enduit aeste Popel tu garde
 l'ache et Sabre avant qui mette

The above statement has been read over by me to F. Brulecoeur
 (Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker Francois Brulecoeur
 Signature of Recording Officer M. HAMEER

Signature of Witnesses [Signatures]
 Name & Rank of Recording Officer M. HAMEER
 (in block letters)

Place, Date and Time Cat Overt Pass P. F. 55
 2913/2/79-20m x 50D

STATEMENT FRANCOIS Maheux STATION
St. Marie BRULE COEUR Alger
Temple Rd Clemencia Agc. d 22 ans SEID
 Religion RC

le corps dans q on et depuis acte
 li tu prend sa après. Mo fine mnté
 place acte Popot tu pose qoni
 avec le corps la pou repose un
 peu et la même acte mo tu redonne
 li coup de main pou remettre
 sa lor so épaules et mo fine
 mnté aussi l'endroit acte mo
 tu quitte tente et mo tu retourne
 la cage. la police fine prend
 notes, mesure et fine tire
 photos diversément mo
 fine expliqse. Mo satisfait
 apres mo fine au même la police
 pou donne titre 7 up la cage
 mais par mal chance mo fine
 troune li qui sa fine crasé
 et mo fine apprenhe qui sa
 par accident fine crasé par mo
 frere Federic.

The above statement has been read over by me to F. B. Brule Coeur
 (Name of person making statement)

who acknowledges it to be true and correctly recorded.

Signature of Maker Francois Maheux Signature of Recording Officer MJ HAMMECK
Brule Coeur DJ

Signature of Witnesses B. SEID Name & Rank of Recording Officer MJ HAMMECK
B. SEID (in block letters) DJ

Place, Date and Time at Clemencia on 6/17 P. F. 55
17 at 17.00 h 2913/2/79-20cm x 50D

Statement François Brulecoeur alias Seid

Occupation stone mason

Aged 22 years

Residing at Clémencia Temple Road

Religion R.C.

" F "
 ⊕

On 6.12.79 at 16.40 hours I saw the abovenamed at Clémencia and who stated to me the following in creole (S) M.Jhaumeer (D.I.)

When at first Popol pushed aside the leaves I saw Irène's body. IRENE was already dead at I forgot to say the time at which I gave Popol a hand to place the gunny bag and the body on his shoulders. he asked me to follow him and I took the bag and I was walking behind him on the mountain after he had gone a short distance he put down the gunny b and he had a short rest and I lifted the gunny bag again and placed it on his shoulder and he asked me to follow him. I took the bag and started to follow him and after he h gone a short distance I put down the bag on the road itself near an eucalyptus tree a I went down very quickly I returned with the bicycle. This day Thursday 6th. December at about 3.30 or 4 p.m. I have brought the CID (SI Madocrapen & DI Jhaumeer & PS Bass PC Ayacanou Pce photographer and PC Appalsamy Pce draughtman and others) on my own fr will at Clémencia and I have indicated the estate road along which I and Popol Mertil went on Sunday the 2nd December, 1979 and I indicated the spot in the canefield where Popol removed a gunny bag. I indicated the spot where Popol took the road near the moun- tain and when I myself took the main road to meet him farther. I indicated the spot where we met and I showed the spot in the canefield where I went to keep the bicycle and then the mountain lane up which we went together to go on the mountain in the whereabouts of the pineapple plantation I also indicated the spot where I saw Irène's body for the first time and near that spot I have seen an old pair of blue sponge san dals to-day and I have also seen near that spot that leaves had been burned on that Sunday I did not see that. I have indicated the spot where Popol kept the axe and the sabre before the body was placed in the gunny bag and from where he took them after- wards. I have shown the spot where Popol put down the gunny bag with the body to rest awhile and where I gave him again a hand to put it again on his shoulders and I have

also shown the spot where I left the bag and returned home. The Police has taken notes, measurements and photographs in my presence as I have explained. I am satisfied after I ^{have} brought the Police to my place to hand over the "7 Up" litre but unluckily I have seen that it had been broken and I have learnt that it was broken accidentally by my brother Federick.

The above statement has been read over by me to F. Brulecoeur who acknowledges it to be true and correctly recorded.

Sd. M. Jhaumeer (DI)

Sd. François Brulecoeur

Recording Officier

Maker

~~XXXXXXXXXXXXXXXXXXXX~~ }

Sd. P.S. 1568 B. Sewgobind

Witnesses

At Clémencia on 6.12 at 17.00 hours

"C" of Place C.I.D. STATION
 STATEMENT... FRANCOIS BRULÉ COEUR aka
 Occupation... Mann... Age... 22 years
 Residing at... Clemencia... Religion... R.C.

On 14.1.80 at 11.00 hours I saw the above named at Place C.I.D. office and who stated to the following in creole: ~~Shawes~~
 Lundi le 22 Janvier 1979 th enna election village council et mri mo to pause candidat pou sa election la pou mo village Clemencia et mo to ebu 4 eme et mo encre pe sieger comme membre élu dans village Council pou mo l'indict Clemencia

The above statement has been read over by me to...
 and acknowledges it to be true and correctly recorded.

F. Brulé Coeur
 (Name of person making statement)

[Signature]
 Signature of Recording Officer

Nature of Matter... P. Angoin Bule Coeur

Nature of Witnesses
~~[Signature]~~ B. 568
~~[Signature]~~ B. 568

J. H. Aune Fort
 Name & Rank of Recording Officer
 (in block letters)

Date and Time... at Place C.I.D. Office
 on 14.1.80 at 11.10 hours.

Statement François Brulecoeur alias Seid

A G U
G
φ

Occupation Mason

Aged 22 years

Residing at Clémencia

Religion R.C.

On 14.1.80 at 11.00 hours I saw the above named at Flacq CID Office and who stated to me the following in creole. Sd. M. Jhaumeer (DI)

On Monday the 22nd. January, 1979 there were Village Council Elections and I was a candidate for those elections for my village Clémencia and I was returned in the 4th. position and I still sit as an elected member of the Village Council for my locality, Clémencia.

The above statement has been read over by me to F. Brulecoeur who acknowledges it to be true and correctly recorded.

(S) M. Jhaumeer (DI)

Recording Officer

(Sd) François Brulecoeur

Maker

~~XXXXXXXXXXXXXXXXXXXX~~ φ

Sd. P.S. 1568 B. Sewgobind (Witness)

At Flacq CID Office on 14.1.80 at 11.10 hours

ORIGINAL

Nº 558167

63
SEIN

D'¢

C/C (1)

STATION

STATEMENT. FRANÇOIS BRULE COEUR alias X.

Occupation. Stone mason Age. 22 yrs

Residing at. Clemencia Religion. R.C.

On 13. 12. 79, @ 12.00 hrs, I saw above named at Flacq C/O & he stated to me the following in presence of Det. Chief Inspector Madorapou - Dann

Mo ti dire dans mo l'enquête qui Popol Mirthil ti retire aine sabre avec aine la hache depuis dans sac Goni qui li ti alle tirer embas la paille canne. Ga sabreta gagne dans longueur mo le bras so la manche noire et so lame meme couleur avec la manche le, et los ga lame le ainan deux on aine raie.

The above statement has been read over by me to.....
who acknowledges it to be true and correctly recorded.

(Name of person making statement)

Signature of Recording Officer

Signature of Maker. François Brulecœur.....

Signature of Witnesses {

Name & Rank of Recording Officer
NOR BASSET
(in block letters)

Place, Date and Time. Cutd P 558168

P. F. 55
2913/2/79 - 20cm x 50D

Nº 558168

64

STATEMENT.....FRANÇOIS BRULE COEUR.....STATION CCI

Occupation.....Cnrd.....Age.....

Residing at.....Religion.....

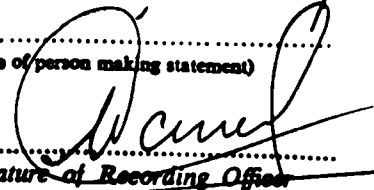
La hache là, li airan aine
La manche du bois, qui plus
longue qui sabre là, l'ame la
hache là; li donne aine trois ^{quarts} FB
pieds longueur. Asten là, ^{FB} ~~ou~~ la
~~place~~ apé montrer moi aine la
hache et aine sabre, Ga la
hache là mo reconaite li par
so coin du bois qui airan avec
li et so banne marque coupe
couper lors so la manche, mo
sâr qui sa meme la hache
qui ti ave Popol sa jan là
Ga Sabre là, li parail com-
ma sabre qui Popol ti airan
avec li sa jan là, mais mo
pas sâr cent pour cent si par

The above statement has been read over by me to.....

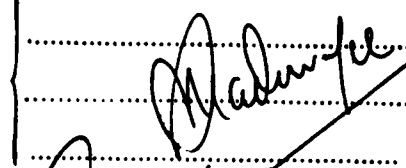
who acknowledges it to be true and correctly recorded.

(Name of person making statement)

Signature of Maker.....François Brulecoeur.....


Signature of Recording Officer

Signature of Witnesses



.....Nour BASSET
Name & Rank of Recording Officer
(in block letters)

Place, Date and Time.....Cnrd 558169

No 558169

STATEMENT FRANCOIS BRULE COEUR STATION C/C

Occupation Cultd Age

Residing at

Religion Ga meme Sabre qui ti are li
Francois Brulecœur

The above statement has been read over by me to
who acknowledges it to be true and correctly recorded.

F. Brule Coeur

(Name of person making statement)

Signature of Maker Francois Brulecœur

Signature of Recording Officer

Signature of Witnesses

[Signature]

P. S. our BASSET
Name & Rank of Recording Officer
(in block letters)

Place, Date and Time

Place C/C on 13/12 @ 12.15h

P. F. 35
2915/12-20m x 50D

C/ C.I.D. Station

H^u
E

Statement François Brulecoeur alias Seid

Occupation stonemason

Age 22yrs

Residing at Clémentia

Religion R.C.

On 13.12.79 at 12.00 hours, I saw the abovenamed at Flacq CID and he stated to me the following in presence of Det. Chief Inspector Madoorapen. Sd. Basset

I said in my statement that Popol Mirthil removed a sabre and an axe from the gunny bag that he removed from under cane straws. The sabre is of the length of my arm its handle is black and its blade is of the same colour as the handle, and on the blade there are two stripes or one. The axe had a wooden handle which is longer than the sabre, the blade of the axe was about three-fourths foot long. Now the Police is showing me an axe and a sabre. I recognize the axe by the ~~wooden~~ wooden quoin in it, and the cut mark on its handle, I am positive that it is the very axe which was in Popol's possession on that day this sabre is like the one Popol had with him on that day, but I am not hundred per cent sure if it was the very sabre with him. Sd. François Brulecoeur

The above statement has been read over by me to F. Brule coeur who acknowledges it to true and correctly recorded.

Sd. P.S. 545 Basset

Recording Officer

Sd. François Brulecoeur

Maker

Sd. Madoorapen

Witness

Flacq CID on the 13.12.79 at 12.10 hrs.

STATEMENT of Mr. BARAMDEO DOOKHEE alias Son

Occupation: Labourer

Aged 28 years

Residing at Camp de Masque Favé, last house; Religion: Hindoo

On 7.12.79 at 16.30 hours I met the abovenamed at Camp de Masque Pave and he stated the following to me in creole.

(Sd) DOSOOYE

On Sunday last, 2.12.79 at about eight hours in the morning, I was at home, Mrs Chand, my aunt who stays near my house came to see me and told me that there was a thief near Ti Montagne. Immediately, I took my bicycle and went to Ti Montagne near a pineapple plantation. I was on the main road. From the road itself I looked in the direction of the mountain near the pineapple plantation in a lane, I saw at a distance of about thirty gaulettes a person whom I well know, he is called Popol, he stays in Clemencia. He was standing and looking in the direction of the road, and he was alone. He was wearing a pair of shorts and a shirt whose colour I do not know. I did not talk and I did not notice if he was holding something in his hand. Thereupon I returned home and I told Mrs Chan that that person was not a thief and I knew him well. On Tuesday afternoon the 4.12.79, I learned that ahead on the road where I saw Popol a burned body was found. Mrs Fokeea is my mother in law.

The above statement has been read over by me to D.Dookhee who acknowledges it to be true and correctly recorded.

Name of person making the Statement

(Sd) Dosooye

Signature of Recording Officer

Signature of Maker: (S) D.Dookhee

(Sd) Illegible

Signature of witnesses

(Sd) Illegible

PC 808 DOSOOYE

Name and rank of Recording Officer
(in block letters)

Place, Date and Time: At Camp de Masque Pave on 7.12.79 at 16.45 hours

Central CID STATION

STATEMENT BARNABEO BOOKHEE alias Sonand

Occupation: Labourer

Age 28 years

Residing at Camp de Besque Fave

Religion: Hindu

Further states on 12.12.79 at 15.20 hours at Ti MONTAGNE Clemencia.

(Sd) BASSET

When I met my aunt Mrs Chan (Mrs Roodwantee Padaruth) on Sunday, the 2nd 12.79, at about eight hours in the morning, I met her in the main road which leads to Ti Montagne. After that she told me that she believed there was a thief near Ti Montagne, I took my bicycle and rode to Pont Sec, Clemencia. I rested my foot on a kerb stone of the bridge and I looked in the direction of Ti Montagne, and from there, I saw Popol standing on higher grounds near a prickly thorn bush (Di-uant louploup); near a banana tree at the beginning of the pineapple plantation. As Popol recognized me he waived to me, I also waived to him, and from there I was, I shouted loudly. I told him :-

"My aunts say that there are thieves there; they have not been able to collect the wood".

Popol answered me:-

"I am picking some mangoes."

From where I was, I saw Popol wearing a shirt, the colour of which I do not remember, with Khaki shorts. I took my bicycle and returned. I went to cut grass at Beau Vallon. When I came back home with my fodder, I told my aunt that there was no thief there. I have seen a person there at Ti Montagne. He is a kind person. I know Popol since about five years. I do not know his surname but I know that he works as Caterpillar driver at F.V.E.L. and he stays at Clemencia. I see him often because I own a field at Clemencia in the locality in which he lives. I am positive that the person I saw on the mountain was Popol himself. Today, Wednesday 12.12.79, at about three in the afternoon, I have gone to indicate to Police (C.I. Medoorapen, AS Basset) the spot where I was at Pont Sec Clemencia and the spot where I saw Popol standing on Ti Montagne on Sunday the 2.12.79 and where he told me he was picking mangoes.

The above statement has been read over by me to ~~3,3,3,3~~ who acknowledges it to be true and correctly recorded. (Name of person making statement)

(Sd) BASSET

Signature of Recording Officer



Signature of Maker: (Sd) D. Dookhee

Signature of witnesses: (Sd) Madoorapen

Det. PS BASSET 545

Name and Rank of Recording Officer

Place, Date and Time: Clemencia on 12.12.79 at 15.50 hours

STATEMENT: DARALDEO DOOKHEE

Occupation: Labourer

Age: 28 yrs

Residing at Camp de Masque Pavé

Religion: Hindu

M, 1
I

Further states on 13.12.79 at Central Flacq Police Station.

To-day, Thursday the 13th December, 1979 at 5.00 p.m., the Police (Insp. Padayachy) held an identification parade in the yard of Flacq Police Station. Several persons were stood in a row. The Police asked me to choose among those persons whom I know under the name of Popol, whom I saw on Ti montagne at Clemencia, on Sunday the 2.12.79 at about 8 o'clock in the morning and he told me that he was gathering some mangoes I went directly to Popol who was first on the parade and I touched him. (witness identifies Leopold Mirthil alias Popol). He is the said Popol and I am positive that I am not making a mistake.

The above statement has been read over by me to D. Dookhee (Name of person making statement) who acknowledged it to be true and correctly recorded.

Signature of Recording Officer

Signature of Maker D. Dookhee

Signature of Witnesses

Name & Rank of Recording Officer

Place, Date and Time C/Flacq, on 13/12/79 at 17.25 hrs.

Flacq CID STATION

STATEMENT FRANCOIS BRULECOEUR alias Seid

Occupation: Stone mason

Aged: 22 years

Residing at Temple Road, Clemencia

Religion: R.C.

On 5.12.79 at 21.00 hours, I saw the abovenamed at Moka CID and who stated to me the following in Creole in presence of Mr. Kusruthsing SPMF. (sd) M S Jhaumeer

I live in Tamil Temple Road at Clemencia. I well know Popol Mertille who works as tractor-driver at FUEL (Flacq United Estates Limited) and lives at Clemencia. He is a good friend to me. I well know Mrs Irene Sarah who is married to Hector (deceased). They both live in the same locality as I do. The said Irene Sarah has many sons, one of whom is called James Hector (decdt) . Irene lives opposite to Popol Mertille's house. On Sunday the 2nd day of December 1979 at about 11 or 11.30 a.m. I was at the rear of my house when my brother Frederick called me and told me that Popol needed me. Thereupon I came in front of my house . I met Popol Mertil and he asked me to take a bottle of water. He had a bicycle with him at that time and he asked me to come with him. I took an empty "7 UP " litre from my place, filled it with water and I came near him on the street, in front of my house and he asked me to get on the bicycle and to come with me. "I shall send you to Camp de Masque. Thereupon we both got on the bicycle, riding both at a time. I was on the frame and he was on the seat pedalling. We took the Tamil Temple Road, we crossed the main road near Dorali's house and we went on towards the estate road. We reached an incline. We alighted and walked. On the estate road itself he gave me the bicycle to hold and he went inside a cane field. I saw him remove a gunny bag from underneath cane straws. The gunny bag seemed to contain something of about 3 1/2 feet long and about four inches wide and at the botton, it appeared to be 7 inches wide. I did not see exactly what there was inside. Afterwards we went on afoot along the road leading towards Camp de Masque. The bicycle was always with me and the gunny bag with him. There he told me:-

"I will gather some mangoes, I will give them to you to go and leave at a relative's place at Camp de Masque."

Thereupon he asked me to take the bicycle and ride and to come and meet him near -ond Sec and he entered a sugar-cane field lane near Petit Montagne.

Thereupon I took the bicycle and came near Pond Sec after a pineapple plantation.

He came out of that lane.- At this stage, he corrects himself and says - When I took the bicycle and when I arrived near the pine-apple plantation before Pond Sec near Petit Montagne itself, he came out of that lane. Thereupon he told me:-

"Take the bicycle, leave it in the canefield, come with me, I will gather mangoes, I'll give them to you and I will cut two bundles of wood. You will leave the mangoes at a relative's place for me at Camp de Masque, then you come back, we shall take the wood and go away."

I leaned the bicycle in the canefield and he asked me to follow him. The gunny bag he had removed from the cane field was with him. I followed him and we climbed Petit Montagne, Clemencia close to a pine apple plantation. Before the end of the pineapple plantation on the right hand side in the woods, he asked me to enter that woods and I went along with him. On reaching a spot he lifted some leaves and I saw the body of a lady clothed in a gown with flower designs the colour of which I have forgotten. The body was lying in a supine position and the face was turned on a side. I have forgotten if it was to the left or right side. Thereupon I looked attentively and I saw that it was the body of Irene who is the mother of James Hector. Thereupon Popol Mertil asked me to give him a hand to place the body in the gunny bag which was in his possession. He emptied the gunny bag; there was an axe and a sabre inside. He placed them on the ground. I told him that I will not do that, I shall return and go back home. Thereupon he told me:-

"If you go home, you also will lose your life in the same way."

I asked him ~~why~~ he had done that. He told me "because she had caused me too much harm". Thereupon I was shocked and I was trying to return home. Thereupon he lifted the sabre and told me to hold the gunny bag, I will thrust the body inside. I got afraid. I held the gunny bag and he thrust the body inside it. He put the head first and the feet remained outside. Thereupon he told me to lift the gunny bag and placed on his shoulders. I lifted and he also lifted and I placed it on his shoulders. Before we lifted the body he placed his sabre and his axe upright near a tree and as soon as the gunny bag was placed on his shoulders, he took his sabre and axe in one hand and he took everything and started to climb uphill.

Thereupon I left him and went very quickly downhill. I took the bicycle which I had kept in the cane field. I rode and came near the Tamil Temple at Clemencia and I left the bicycle near the Tamil Temple and I went home. The litre of water I had brought I left it where the body was lifted. On the same day at about 1.30 p.m. I was in my yard. Popol Mertil brought back the litre to me. It was still ^{half} full of water. I took it and kept it outside in my own yard. When he returned the litre to me I saw that his bicycle which I had left near the Tamil Temple was in his possession and there was a small bundle of wood on the luggage-carrier. He just gave me back my litre and he did not tell me anything. The sabre and the axe and the gunny bag, I did not notice them with him. While I was lifting the body to place on his shoulders he had told me:-

"Do not tell that to anybody. You keep it as a secret"

This day, wednesday the 5th of December 1979 at about 9 a.m. it has come to my knowledge that the Police has arrested Popol Mertil. Thereupon I had related what had happened to my relatives i.e. my elder brothers Frederick and my mother. At about 2 p.m. myself, my wife and my elder sister named Colange, we went to see the attendant who works in the Tamil Temple at Clemencia and I related to him approximately that had happened and I asked to see if Popol Mertil had disclosed the secret which he had asked me to keep. The priest said a short prayer and asked me to go away and I went home. When I saw Irene's body in the woods before it being placed in the gunny bag, it bore no injuries but blood was coming out of its mouth. If the body has been burned after I know nothing about it. Near the body before it being placed in the gunny bag, there was a vacoas bag without a cover and it had a pink pull over on top. I did not look to see what else there was in the bag. When Popol Mertil took the body on his shoulder he asked me to take the bag and place it on the road near the pineapple plantation, later he would collect it. And I took it and I left it on the road. When Popol called for me at my place he wore a Kaki short and a long-sleeved shirt either blue or green in colour and a pair of sponge sandals.

(Sd) Francois Brulecoeur

The above statement has been read over by me to Francois Brulecoeur who acknowledged it to be true and correctly recorded. (Name of person making statement)

(Sd) M. Jhaumeer
DI

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011208
A

Signature of recording officer

Signature of maker: (Sd) Francois Brulecoeur

Signature of witnesses: (Sd) Illegible

M. JHAUMEER

Name and rank of Recording Officer DI

Place, Date and Time: At 0300 hours at Moka CID Office on 5.12.79

STATEMENT: FRANCOIS BRULE COEUR alias Seid

Occupation: Stone mason

Residing at Clementia, Temple road.

NO. 581286 to 581289
Flacq C.I.D. STATION

Aged 22 years

Religion: R.C.

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On 6.12.79 at 16.40 hours I saw the abovenamed at Clemencia and who stated to me the following in creole. (Sd.) M Jhaumeer
D.I.

When at first Popol pushed aside the leaves, I saw Irene's body. Irene was already dead. I forgot to say the time at which I gave Popol a hand to place the gunny bag and the body on his shoulders he asked me to follow him and I took the bag and I was walking behind him on the mountain. After he had gone a short distance he put down the gunny bag and he had a short rest and I lifted the gunny bag again and placed it on his shoulders and he asked me to follow him. I took the bag and started to follow him and after he had gone a short distance I put down the bag on the road itself near an eucalyptus tree and I went down very quickly I returned with the bicycle. This day Thursday the 6th. December at about 3.30 or 4.00 P.M. I have brought the C.I.D. (C.I. Madoorapen and D.I. Jhaumeer and P.S. Basset P.C. Ayacanou Police Photographer and P.C. Appalsamy Police Draughtsman and others, on my own free will at Clemencia and I have indicated the estate road along which I and Popol Mertil Mertil went on Sunday the 2nd. December 1979 and I indicated the spot in the cane field where Popol removed a gunny bag. I indicated the spot where Popol took the road near the mountain and when I myself took the main road to meet him farther. I indicated the spot where we met and I showed the spot in the cane field where I went to keep the bicycle and then the mountain lane up which we went together to go on the mountain in the whereabouts of the pineapple plantation. I also indicated the spot where I saw Irene's body for the first time and near that spot I have seen an old pair of blue sponge sandals to-day and I have also seen near that spot that leaves have been burnt on that Sunday I did not see that. I have indicated the spot where Popol kept the axe and the sabre before the body was placed in the gunny bag and from where he took them afterwards. I have shown the spot where Popol put down the gunny bag with the body to rest awhile and where I gave him again a hand to put it again on his shoulders and I have also shown the spot where I left the bag and returned home. The police has taken notes, measurements and photographs in my presence as I have explained. I am satisfied after I have brought the police to my place to hand over the '7 Up' litre but unluckily I have seen that it had been broken and I have learnt that it was broken accidentally by my brother Federic.

2

The above statement has been read over by me to F Brulecoeur
(Name of person making statement)
who acknowledges it to be true and correctly recorded.

(S) M Jhaumeer D.I.
Signature of Recording Officer

Signature of Maker: (Sd.) Francois Brulecoeur

M Jhaumeer D.I.
Name & Rank of Recording Officer
(in block letters)

Signature of witnesses (Sd.) B Sewgobin
P.S. 1568

Place, Date and Time: at Clemencia on 6.12.? at 17.00 hrs.

C/C.I.D. STATION

①, Ⓢ

STATEMENT ; FRANCOIS BRULE COEUR alias SEID

Occupation: Stone mason

Age:22 years

Residing at: Clementia

Religion:R.C.

On 13.12.79 at 12.00 hrs,I saw abovenamed at Flacq C.I.D. and he stated to me the following in presence of Det. Chief Inspector Madoorapen.

(S) Basset.

I said in my statement that Popol Mirthil had drawn out a sabre and an axe from the gunny bag which he had gone to remove from underneath cane straws. That sabre is of my arm's length its handle is black and its blade is of the same colour as the said handle and on that blade there are one or two scratches. The axe itself has a wooden handle which is longer than the said sabre, the blade of the axe is about three quarters of a foot in length - The police is presently showing me an axe and a sabre, I can identify this axe by its wooden quoin and the grooves on its handle, I am positive that this is the very axe which was with Popol on that day This sabre is like the one which Popol had with him on that day, but I am not hundred per cent sure whether this was the very sabre which was with him.

(Sd.) Francois Brulecoeur

The above statement has been read over by me to F. Brule Coeur

(Name of person making statement)

who acknowledges it to be true and correctly recorded.

(S)Basset

Signature of recording officer

Signature of maker: Francois Brulecoeur

P.S. 545 BASSET

Name & Rank of Recording Officer

(in block letters)

Signature of Witnesses (Madoorapen

(

Place, Date and Time: Flacq C.I.D. on 13.12.79 at 12.10 H.

Handwritten initials and a symbol resembling a circle with a vertical line through it.

Flacq CID STATION

STATEMENT FRANCOIS BRULECOEUR alias Seid

Occupation Mason

Aged: 22 years

Residing at Clemencia

Religion: Roman Catholic

On 14.1.80 at 11.00 hours I saw the abovenamed at Flacq CID office and who stated the following in creole.

(Sd) J.Jhaumeer DI

On Monday the 22nd January 1979, the Village Council elections were held and I stood as candidate and I was elected fourth and I am still sitting as elected member in the village council for my locality Clemencia.

The above statement has been read over by me to F.Brulecoeur who acknowledges it to be true and correctly recorded. (Name of person making statement)

(Sd) J.Jhaumeer

Signature of Recording Officer

Signature of maker: (Sd) Francois Brulecoeur

Signature of witnesses: (Sd) PS 1568 Sewgobind

(Sd) J.Jhaumeer DI

Name and rank of recording Officer

Place, Date and Time: At Flacq CID Office on 14.1.80 at 11.10 hours

Flacq C.I.D. STATION

Rid

STATEMENT of Mr. Frederick Brulecoeur
Occupation: Foreman of D.W.C. Aged 30 yrs.
Residin. at Clementia Temple Road

Religion: R.C.

On 6.12.79 at 17.08 hrs I saw abovenamed at his place at Clementia and he voluntarily stated the following to me in creole.

(Sd.) Renghen P.C.164

Francois Brulecoeur, who is also known as Seid, is my brother. He lives with me.

On Sunday 2.12.79 at about half past eleven in the morning, I was in my front yard I saw Popol Bertuille who is well known to me who lives at Clementia itself coming along and he asked me where my brother Seid was. At that time my brother Seid was in the back yard. Thereupon I shouted for Seid and Seid came went to talk to Popol I do not know what they talked about. Afterwards I saw Seid taking a '7 Up' litre full of water. Popol had a bicycle with him. Then I saw Popol and Seid walking in the direction of the Iandil Temple. I do not know where they went. Yesterday Wednesday 5.12.79 at about half past five in the afternoon I was at home my brother Seid told me that Popol had fooled him last Sunday had taken him on 'Ptit Montagne Clementia' and there he saw that Irene was already dead. Her body was on the mountain itself. Popol had threatened him there and he gave a hand to Popol out of fear in placing the body of Irene into the gunny bag I was crossed with him for not having narrated this to me before. and as it was already late I told Seid that the following morning we would state this to the police. He agreed with me. At night I was not at home I learnt that at night itself the C.I.D. had called at my place taken Seid and had gone away. Today Thursday 6.12.79 at about half past three in the afternoon, whilst I was cutting a branch from a Jack fruit tree, that branch fell on a '7 Up' litre which was under the tree and the said litre was broken.

The above statement has been read over by me to Mr. Frederick Brulecoeur
(Name of person making statement)
who acknowledges it to be true and correctly recorded.

Signature of Maker: (S) Frederick Brule-Coeur (S) Renghen P.C.164
Signature of Recording Officer

RENGHEN P.C. 164

Signature of Witness: (S) G.W. Daiyan P.C. 1769 Name & Rank of Recording Officer
(in block letters)

Place, Date and Time: at his place at Clemencia on 6.12.79 at 17.20 hrs.

STATEMENT Mr. Jeewan Dwarika

Occupation Planter Age 20 years

Residence at Clémencia Religion Hindu

States on 13.12.79 at 13.20 hrs at Clémencia, ⁽⁴⁴⁾ D S 545 Basset.

I was born and grew up at Clémencia. Since childhood, I know Popol Mirthil, who works as Caterpillar driver at F U E L, and who lives at Clémencia itself. I have already visited him (several times) and also taken meals at his place. I also know Seid (François Brule Coeur) who is a friend of mine, and a member of Clémencia Village Council. On Sunday 2.12.79, I went to sell vegetables at Flacq market. I returned to Clémencia village at about noon, I was sitting down at the cross-roads under a banian tree close to my house, and the children were playing (football) at the cross-roads. I saw Seid and Popol coming with a bicycle. They stopped at the cross-roads, Popol sat down with his bicycle near the banian tree, and I saw Popol giving money to Seid to go and buy cigarettes. A few minutes later Seid came (back), and both Seid and Popol left with the bicycle along Jawaher road which leads towards the estate. At that time Popol was wearing a khaki short and a bluish shirt - Seid was wearing a grey cardigan and a pair of blue trousers (long). In. J.D.

The above statement has been read over by me to J. Dwarika who acknowledges it to be true and correctly recorded.

Sd. P.S. 545 Basset

J. Dwarika

Recording Officer

Maker

Sd. Madoorapen

Clémencia, 13/13/79 at 13.30 hrs

Statement Cécile Hector (F)

Occupation Labourer at F U E L

Age 30 yrs

Residence at Clémencia - Ti Montagne Road

Religion R C

On 7.11.79 at 11.00 hrs, I saw the abovenamed at C C I D, and she stated to me the following in presence of Det. Chief Inspector Maddorapen . Sd. B S 545 Basset

Irène Julie Sarah, whom we call ^{Irène}, was my mother. My father is named Régis Hector. At the age of 19, I married Michel Philôe and went to live at Nouvelle Découverte. Three months after my marriage one Popol Mirthil, who grew up with me since childhood at Clémencia, came to make approaches to me at Nouvelle Découverte, he courted me, and I left my husband's place, I eloped with him. He brought me to live here and there. I stayed with him may be for one year. While I was staying with Popol, I became pregnant, and during my pregnancy, I endured hardship with him, and I decided to return to my mother's place. When the child was born I declared him myself ^{and} named him Christian Hector. When Christian was two years old, Michel Philôe, my ex-husband, came to terms with me, and we went to live together in the vicinity of Curepipe. I stayed for about three months with Michel and I became pregnant, and as Michel had lost his job, I was compelled to return to my mother's place at Clémencia. After the birth of the second child, I declared ~~him~~ myself, named her Christiane Hector, and I took the decision ^{not} to return with Michel. I remained at my mother's place, and I took a job at F U E L. At that time, Popol Mirthil, was living at Clémencia Camp; and often he came to look for me at my mother's place, he proposed to me to come back to live with him as his mistress again, I rejected his proposal, being given that he was again living in concubinage. Three years ago, I built a small house for me in Clémencia, in Ti Montagne road, and went to live in it with ^{two} my children. A few times, at night, Popol came to knock at my door for me to receive him, but I have never received him, and opened the door. The last time he came to knock at my door could be one year ago. May be six or seven months ago, Popol Mirthile came to live at the place of his father-in-law, who lives opposite my mother's house. My mother

/ and Popol

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and Popol Kirthil were not on good terms. Very often Popol insulted her. Two months ago, I was with my mother, on the roadside, near her house, we were talking, I was asking about her health before going to work and Popol went by, he insulted my mother, he said "You are a witch, you are a whore, you must be killed" By witch I understand a person who indulges in withcraft. Popol also said to my mother in my presence, on that day, "Sooner or later we will settle matters between us, we must meet both of us, I will kill you." I answered Popol and told him "If you think you are tough, see what you can do to her, my mother is weak." Before leaving my mother to attend work, I asked my mother to go and give a declaration at Bel Air Police Station, but I do not know if she went. Last Saturday the 1st of December, 1979, I went to my mother's place in the day-time, I brought a bundle of fodder for her animals, I talked to her, and I left/ the clothes I wore for work ~~with her~~ to be washed. On Monday morning the 3.12.79 as usual, I called to see my mother before going to work, mother was not in, I learned that since the eve she had gone to Camp de Masque to her sister's place, and she had not yet returned. On Monday, in the day-time, I went to look (enquire) at relatives' places at Camp de Masque, and I learned that my mother had never reached Camp de Masque. My brother James went to give a declaration at Bel Air Police Station. On Tuesday the 4.12.79 many persons of the locality gave a hand to my brothers to make searches, and these persons found the burnt dead body of my mother on Ti Montagne at Clémencia. (R T F of deponent)

The above statement has been read over by me to C. Hector who acknowledges it to be true and correctly recorded.

Sd. D.S. 545 Basset


Recording Officer

R T F of maker

Sd. Madoorapen

Witness

C/ C I D on 7/12/79 at

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<u>Sheet No.</u>	<u>Line</u>	
611101	6th	tubers
611104	4th	sugar canes being shaken
597965	10th to	
	12th	"I won't give any statement in this matter"
597968	12th to	
	13th	"I will not give any statement"

No. 553741

C/Flacq C I D STATION

STATEMENT Mr. KHEMRAJ MOTEE alias Dhiraj

Occupation Taxi Driver

Aged: 27 years

Residing at Clemencia ,near Sivala

Religion: Hindu

On Friday 11th of January 1980 at 09.05 hours I met the abovenamed at Central Flacq C I D Office and he stated the following to me in creole.

Taxi Car No. AJ203 belongs to me. I myself work as driver in it. I am used to carrying passengers from Clemencia to Bel-Air or Flacq. On Sunday the 2nd December 1979 I was myself working in my car. I well know Popol MERTYLE who works as caterpillar driver at F U E L and who resides at Clemencia. Neither did Popol Mertyle (accused) travel in my car on Sunday the 2nd December, 1979, nor did I meet him on that day.

The above statement has been read over by me to Deponent..... and acknowledge it to be true and correctly recorded.

Signature of Maker: (sd) K Motee

(sd) B Sewgobind P.S1568

Signature of witnesses: (sd) N S Jhameer D.I

Signature of Recording Officer.

BALDWIN SEWGOBIND PS 1568

Name and Rank of Recording Officer

(in block letters)

Place, Date and Time: at C/Flacq C I D Office on 11.1.80 at 09.15 hrs.

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