Title
Executors of the Estate of Allen and Francis Bright and outstanding/current account transactions. Genealogical research into the estate of Francis Bright. Transactions on the estates of Rev. Francis Randolph; Slade Baker's brother; Lowbridge Bright. Correspondence to Richard Bright from Dr. Randolph; Smith Payne & Smith. Accounts and crop map relating to the Jamaican properties, including Meylersfield Estate. (1 of 30)

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University of Melbourne Archives, Executors of the Estate of Allen and Francis Bright and outstanding/current account transactions. Genealogical research into the estate of Francis Bright. Transactions on the estates of Rev. Francis Randolph; Slade Baker's brother; Lowbridge Bright. Correspondence to Richard Bright from Dr. Randolph; Smith Payne & Smith. Accounts and crop map relating to the Jamaican properties, including Meylersfield Estate. (1 of 30), 1980.0075.08358
The Act does not define in what Cases Emblements Shall or Shall not arise, but says that in all cases of Emblements, a suit shall be in the name of the person so accused. The Act also provides for the ascertainment of Emblements by a Jury. But from the way in which the Act is framed, it is not clear that this was the only Case of Emblements in the contemplation of the Legislature. The 5th Clause of the Act, which provides that the Emblements shall be confined to the time next preceding the death of the person accused, where the same shall be already determined by an Act of the Senate or House of Representatives, also makes it clear that this clause is to be understood in the same sense as the previous one. And it is evident that the Emblements of the Tenant for Life, as defined in the Act, should be considered as such.

The Act also provides that the Emblements of the Tenant for Life should be confined to the time next preceding the death of the person accused, where the same shall be already determined by an Act of the Senate or House of Representatives, also makes it clear that this clause is to be understood in the same sense as the previous one. And it is evident that the Emblements of the Tenant for Life, as defined in the Act, should be considered as such.
entitled under the Act, it is beyond all question (and this must be laid down) that they can claim an allowance for thirds of the
plant-Cane under the arrangement which applies to the Tenant for the
only.

Mr. Meyley died on the 21st or 22d March 1818 and it appears in
to be Care of Entitlements it will be important to know that his death
happened during the Crop. In that Case the sugar of that Crop made
after his death would belong to the heir male or sole to Entitlements in
respect thereof, but not in respect of the Expense of cutting in Plant-Cane
for the succeeding Crop. But it is want that Mr. Meyley died during
the Crop in the only of the Estates, the Crop of the other having been half
taken off before his death. If so it will be contended that with respect to
his Estate his Representations will be entitled to the Entitlements
of the succeeding Crop of this year. Admitting the Competency of this claim
it would be material to know what part of the succeeding Crop was
planted after the death of Mr. Meyley for out of that part of the Crop
the Entitlements could arise, the Consideration or ground of the Claim
being the planting or ordering the ground in his life time.

It would be well also to be provided with AccurateTake of the
Sugar of last Crop made after Mr. Meyley’s death (According to which
that Sugar will be accounted for to Mr. Young) with a view to prevent
any over valuation of the Entitlements arising out of it and for which
Mr. Young will have to pay the personal Representations.

Signed Francis Robertson.
letter from Henry John Ho to Thomas Robertson

Kingston 14 December 1818

My Dear Sir,

Your letter of the 9th October 1818 to Mr. Cowell on the subject of Embellishments has been put into my hands for the purpose of being submitted to General Sir W. Bridge. As it appears you are not aware of the Island Act relating to Embellishments passed in the year 1812, immediately after the decision of the Grand Court in Miller's Case (which was determined after argument of counsel and after the court took time to consider), I took the liberty to forward a copy of that act to you, as it may be of use in this business.

Yours ever respectfully,
Henry John Ho.


An Act to explain and amend an Act for the Ascertaining and Regulating of Embellishments (passed 11 December 1812)

Whereas doubts have arisen touching an Act passed in the Year 1812, and intitled "An Act for the Ascertaining and Regulating of Embellishments" for removal of such doubts, be it enacted by the same Act, that the said Act did not purport to affect the title or right to embellishments to the use of the Tenant or Administrator of a tenant for life, or to confirm or confirm the title of any person or persons entitled to or claiming embelishments, nor did it affect the rights of any other parties, according to the laws of that part of the united Kingdom of Great Britain and Ireland called England, but that the said Act was made and passed for the purpose only of defining the manner in which embellishments should be ascertained and set out to the party or parties entitled thereto.

2. And be it further enacted by the authority aforesaid, that the regulations contained in the fifth and sixth clauses of the said Act shall extend to the case of any person or persons, who may be entitled to embellishments, according to the laws of England as aforesaid, as well as to the case of any person or persons claiming under a tenant for life.