**A COMMISSION OF INQUIRY**

**INTO HISTORIC LAND LOSSES**

**IN BERMUDA**

 **CHAIRMAN**

 **MR. WAYNE PERINCHIEF, JP**

 **COUNSEL**

 **MR. DIRK HARRISON**

 **COMMISSIONERS**

 **MS. MAXINE BINNS (via Zoom)**

 **MS. LYNDA MILLIGAN-WHYTE**

 **MS. FREDERICA FORTH**

 **MR. JONATHAN STARLING**

**TRANSCRIPT OF PROCEEDINGS**

**LOCATION: WARWICK CAMP**

**THURSDAY, JANUARY 21, 2021**

**MORNING SESSION (a)**

**Mr. Perinchief (Chairman)** 0:01 Good morning, good morning all, we are resuming the Commission of Inquiry and Counsel, if you would proceed with the matter for the day.

**Mr. Dirk Harrison (Counsel)** 0:15 Good morning Chairman, Commissioners all persons present. I would like to start with the matter at hand. It is claim 00 1.

**Mr. Dirk Harrison (Counsel)** 0:30 It is a claim on behalf of the descendants of the late James Richardson.

**Mr. Dirk Harrison (Counsel)** 0:38 I'd like to ask to have the witness sworn or affirmed, depending on his conviction.

**Mr. Dirk Harrison (Counsel)** 0:52 There are two persons seated at the witness table. One is just there to give moral support and one person will give evidence.

**Mr. Dirk Harrison (Counsel)** 1:22 I believe also, Chairman, that Commissioner Binns is joining us by way of Zoom.

**Mr. Perinchief (Chairman)** 1:32 Yes, just for the record, Commissioner Binns is with us on Zoom, so we do have a full quorum.

**Mr. Dirk Harrison (Counsel)** 2:05 Hold the Bible in your right hand and raise your right hand.

**Gladstone Lightbourne** 2:10 I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Mr. Dirk Harrison (Counsel)** 2:16 Thank you. You may be seated, sir.

**Mr. Dirk Harrison (Counsel)** 2:23 Could you state your name, sir?

**Gladstone Lightbourne**  2:25 My name is Gladstone Craig Lightbourne.

**Mr. Dirk Harrison (Counsel)**  2:28 Just a moment, sir.

**Mr. Dirk Harrison (Counsel)** 3:07 Thank you.

**Mr. Dirk Harrison (Counsel)** 3:12 You reside in what parish, si?.

**Gladstone Lightbourne** 3:15 Southampton, sir.

**Mr. Dirk Harrison (Counsel)** 3:19 You submitted a claim to the Commission of Inquiry dated the 10th of March, 2020.

**Gladstone Lightbourne** 3:26 Yes.

**Mr. Dirk Harrison (Counsel)** 3:28 And you submitted a claim in respect of what you have referred to as the Richardson Trust, James Richardson, correct?

**Gladstone Lightbourne** 3:38 Correct, sir.

**Mr. Dirk Harrison (Counsel)** 3:40 And the claim you submitted, you had signed the document that you had submitted.

**Gladstone Lightbourne** 3:44 Yes I did.

**Mr. Dirk Harrison (Counsel)** 3:46 And if you see your signature again, would you recognize it?

**Gladstone Lightbourne** 3:48 Yes, I will.

**Mr. Dirk Harrison (Counsel)** 3:50 I'm going to ask you to have a look at a document that is being handed to you.

**Mr. Dirk Harrison (Counsel)** 4:04 Now what is that, sir?

**Gladstone Lightbourne** 4:07 This is the letter that I submitted to the Secretary of the Commission.

**Mr. Dirk Harrison (Counsel)** 4:12 And you see your signature there?

**Gladstone Lightbourne** 4:14 Yes, I do.

**Mr. Dirk Harrison (Counsel)** 4:15 I'm going to ask that that document, Chairman, be tendered and admitted as Exhibit CL 1.

**Mr. Perinchief (Chairman)** 4:28 Yes, so indexed.

**Mr. Dirk Harrison (Counsel)** 4:30 Could you please read the document for us, sir?

**Gladstone Lightbourne** 4:37 The Secretary of the Commission, Sofia House, 4th floor, 48 Church Street, Hamilton HM 12.

**Mr. Dirk Harrison (Counsel)** 4:42 I’m going to ask you not to read too fast.

**Gladstone Lightbourne** 4:45 Sorry, sir.

**Mr. Dirk Harrison (Counsel)** 4:46 But go ahead.

**Gladstone Lightbourne** 4:47 March the 10th, 2020. Re: The Richardson Trust, James Richardson. Good day, we are presenting this application to the Commission of Inquiry into the Historic Losess of Land on behalf of the descendants of the late James Richardson. There have been ongoing issues in reference to the Richardson Trust and the land in question. The land is located on the South Road in Paget. Part of the property is located to the south of South Road on the same side as the Coral Beach and Tennis Club. The other part of the property, now known as Honey Hill, is located on the northern side of South Road, opposite Coral Beach and Tennis Club and I submitted a plot plan for the area in question. In total, there are approximately 20 acres in question. The land was subject to a court case in 1932 where the applicant at that time Catherine Amanda Williams, the daughter of James Richardson, a relative of the current applicants, was told by the Supreme Court that she was to take possession of the land in question. Catherine Amanda Williams passed away shortly after the court case and never took possession of the land and therefore never received any documents for the land. In 2010, relatives of Catherine Amanda Williams brought forth another court case against the Trustees of the Richardson Trust. See attached court case document 392. Based on a 1932 judgment from the Supreme Court of Bermuda, we the descendants of James Richardson and Catherine Amanda Williams nee Richardson ask that the Commission of Inquiry into Historic Losses of Land to further investigate this outstanding matter. If the Commission of Inquiry Into Historic Losses of Land does requiring additional information, please contact us and I listed the numbers. They can contact us at.

**Mr. Dirk Harrison (Counsel)** 7:13 Thank you very much Mr. Lightbourne. No, sir, you gave another statement to the Commission of Inquiry.

**Gladstone Lightbourne** 7:23 Yes, I did.

**Mr. Dirk Harrison (Counsel)** 7:25 And you signed it the 20th of January 2021?

**Gladstone Lightbourne** 7:29 Yes I did.

**Mr. Dirk Harrison (Counsel)** 7:30 If you see that statement would you recognise it?

**Gladstone Lightbourne** 7:33 Yes I will.

**Mr. Dirk Harrison (Counsel)** 7:35 And you recognise it by what means?

**Gladstone Lightbourne** 7:37 By the signature and the content.

**Mr. Dirk Harrison (Counsel)** 7:39 Thank you.

**Mr. Perinchief (Chairman)** 7:47 Just for clarity, would you repeat the date that you submitted that second statement, sir.

**Gladstone Lightbourne** 7:53 The second statement.

**Mr. Perinchief (Chairman)** 7:54 Yes sir.

**Gladstone Lightbourne** 7:55 The 20th of January, 2021.

**Mr. Dirk Harrison (Counsel)** 8:00 Just for clarification, Chair, he had said question was signed it as again submitted.

**Mr. Perinchief (Chairman**) 8:07 Could you repeat?

**Mr. Dirk Harrison (Counsel)** 8:08 The question to him was the date he signed the statement. As again submitted.

**Mr. Perinchief (Chairman)** 8:14 Thank you for that clarification.

**Mr. Dirk Harrison (Counsel)** 8:16 Now what do you have there, sir?

**Gladstone Lightbourne** 8:27 I have the witness statement, my witness statement on behalf of James Richardson and Catherine Amanda Williams.

**Mr. Dirk Harrison (Counsel)** 8:33 And you see your signature there?

**Gladstone Lightbourne** 8:35 Yes, I see my signature there at the bottom of two pages and at the top of the third page.

**Mr. Dirk Harrison (Counsel)** 8:41 So it's three pages.

**Gladstone Lightbourne** 8:45 Three pages in total.

**Gladstone Lightbourne** 8:47 Chairman, I'm just going to ask that the witness statement dated the 20th of January, 2021, consisting of three pages, the statement of Mr. Craig Lightbourne, that it's tendered and admitted as Exhibit CL 2.

**Mr. Perinchief (Chairman)** 9:07 So indexed as CL 2.

**Mr. Dirk Harrison (Counsel)** 9:11 Could you read that for us please, sir?

**Gladstone Lightbourne** 9:13 Yes.

**Gladstone Lightbourne** 9:15 Witness statement of Craig Lightbourne on behalf of James Richardson and Catharine Amanda Williams. I Craig Lightbourne of 3 Coral Acres Drive, Southampton will say as follows: I am a descendant of James Richardson and Catherine Amanda Williams. James Richardson was subject to the historic losses of property in Bermuda. My great grandfather four times removed, James Richardson, was born in 1798 and passed away in June 1876 at the age of 78. James Richardson acquired the property located on South Road, Paget in the 1800s. Part of the property is located on South Road on the same side of Coral Beach and Tennis Club, the other part of the property, now referred to as Honey Hill, is located on the northern side of the South Road which is opposite of the Coral Beach and Tennis Club. In total the land in question is estimated to be 20 acres, which are shown using Google Maps aerial view. Catherine Amanda Williams, Catherine is the daughter of James Richardson. Catherine was born in 1847. I am unsure of the actual date. In 1932, Catherine pursued legal action against Reginald Gray, J.T. Gilbert and Edmond Gosling Gray, Trustees of the Estate of James Richardson. Shortly after this 1932 Supreme Court case, Catherine passed away in 1932. In a 1933 judgment to the Supreme Court, sorry, the Supreme Court ordered that Catherine Williams was to take possession of 20 acres of land in question, E Exhibit 1. Shortly after this 1932 Supreme Court case, Catherine passed away and never received those documents or had taken possession of the 20 acres of land. In 2010, Dilton Lightbourne, Lester Denmark Lightbourne and Calvin O'Brian Lightbourne brought a claim to the Supreme Court of Bermuda against the Trustees of Richardson Trust, Exhibit 6. To my knowledge, Dilton Lightbourne is the nephew of Catherine. My understanding of the 2010 Supreme Court matter is that the courts were merely concerned with lineage. To my knowledge, the Supreme Court did not award anything at that time. It was put forward that there are concerns on whether I am a direct descendant of James Richardson. I take this time to point out Janet Richardson is the daughter of James Richardson and great grandma three times related to myself. Therefore I do not see how any lineage can be of concern. A further note, it is believed the correct spelling of my family name is Ligtbourn, LIGHTBOURN without an ‘e’. This is supported by the birth certificates of my grandfather, Aston Denmark, showing my great great grandfather's name spelled without an e. It is believed that the adopted spelling of Lightbourne with a ‘e’ is purely based on a clerical error from the Registrar. It's my understanding that it is believed that I am not a direct descendant due to the incorrect spelling of the surname Lightbourne. I, Craig Lightbourne, for the purpose of giving evidence to the Commission of Inquiry into Historical Losses of Land in Bermuda, rely on the following documents:

**Mr. Dirk Harrison (Counsel)** 13:12 Now the documents, thank you sir. The documents that you intend to rely on, you have exhibited them on page two of your statement?

**Gladstone Lightbourne** 13:23 Yes.

**Mr. Dirk Harrison (Counsel)** 13:24 The first one is a letter of application made that was Exhibit CL 1. The second one there stated is a Supreme Court Judgment 2010, Number 392. Is that correct, sir?

**Gladstone Lightbourne** 13:45 Yes, it's correct.

**Mr. Dirk Harrison (Counsel)** 14:00 But just to be clear, the judgment you refer to is a 1932 Judgment of the Supreme Court of Bermuda?

**Gladstone Lightbourne** 14:10 Yes. That's the document in question. Yes.

**Mr. Perinchief (Chairman)** 14:23 Counsel.

**Mr. Perinchief (Chairman)** 14:26 For the proper identification of the documents that are presented, how do you intend to handle the indexing of these Exhibits?

**Mr. Dirk Harrison (Counsel)** 14:41 I intend to…

**Mr. Perinchief (Chairman)** 14:43 Based on our further discussions a couple of days ago.

**Mr. Dirk Harrison (Counsel)** 14:47 I hope to list individually because this judgment is only two pages, so it is not as long as ones that we have previously had. So I'm just going to ask that the witness be shown the document and then I'm going to ask that my application is considered for it to be made an exhibit and the document is numbered so I just asked that the initials can be placed on each page.

**Mr. Perinchief (Chairman**) 15:15 I was just assuming that in anticipation of clarity and brevity.

**Mr. Dirk Harrison (Counsel)** 15:20 Thank you. Now what do you have there, sir?

**Gladstone Lightbourne** 15:49 I have the Civil Jurisdiction 2010 #392 between Dilton Lightbourne, Lester Denmark Lightbourne and Calvin O'Brian Lightbourne on behalf of the descendants of the late James Richardson and the Trustees of the James Richardson Trust.

**Mr. Dirk Harrison (Counsel)** 16:13 Chairman, my application is that the judgment referred to, which is a 1932 Judgment #4.. crave your indulgence.

**Mr. Dirk Harrison (Counsel)**  16:51 It is number 32, #4, parties ??? between Catherine Amanda Williams and Sir Reginald Gray, Joseph Trounsell Gilbert and Edmund Gosling Gray, the Trustees of the Estate of James Richardson. I'm just going to ask that this tendered and exhibited as CL 3. It comprises of two pages.

**Mr. Perinchief (Chairman)** 17:37 So indexed as document as CL 3.

**Mr. Dirk Harrison (Counsel)**  17:42 I'm just going to ask the witness just to... could you read it for us, please?

**Gladstone Lightbourne** 17:49 Yes.

**Gladstone Lightbourne** 17:53 In the Supreme Court of Bermuda 1932, #4 between Katherine Amanda Williams and Sir. Reginald Gray, Joseph Tounsell Gilbert and Edmund Gosling Gray, Trustees of the Estate of James Richardson, deceased. Action for the declaration of right of and possession by Plaintiff of certain real estate. Before His Honour Sir Sidney Orme Rowan-Hamilton, Chief Justice, and our own R.C. Hollis Hallett, Esq., Assistant Justice. A.C. Smith and C.W. Keeley for the Plaintiff. Donald C Smith for the Defendant. Judgment: This is a somewhat unusual case, involving as it does the question as to whether the intents expressed in the will of the Testator who died in 1877 have been carried out by the Trustees, if not, to whom does the property go to. The Testator by his will left a portion of the land to be set aside to be divided into lots,which lots were to be leased for any life or to lives of poor persons who would erect buildings thereon, but not any longer. Further, he gave the rents, issues and profits of the other parts of his estate to be applied for the benefit of the Church of England in Paget and the schools in connection with the Church by increasing the stipend of the Rector or in any other matter, as the Trust might decide. In his lifetime, the testator settled two families on a portion of the estate in question and in 1914 their children were granted permission by letter from the Trustees to remain on. Apart from this, the Trustees have done nothing beyond paying the taxes. And the question before the court is to have the provisions of the will with regard to this part of become null and void and the gift lapsed. And secondly, if so, to whom would the property descend? This charitable gift to the poor is not clear and certain. With regard to the Lessees in possession, it must be remembered that the leases to these Lessees were made in the Testator’s lifetime and that probably these Lessees had no knowledge of the content of the Testator's will when the leases were made.

**Gladstone Lightbourne** 22:07 I have come to the conclusion that the Trust cannot be carried. It is a somewhat amazing will for the Testator, though he provides land, expects the poor people to build huts or cottages thereon, provided that they have been unable to buy or to obtain land elsewhere. By the provision that, this is to continue for two lives only reduces the conditions almost to a farce. Why anyone should build a house on another man's land for it to revert to the Testator’s estate after two lives is an absurdity. These two lives might be a matter of a few months only. Nor do I see how the very poor for whom this charity was intended could afford to build a house. By the poor building houses, it appears that the Testator contemplated that the poor were to augment the charitable gift by providing houses to the charity alive.

**Gladstone Lightbourne** 23:44 A circumstance over which he had no control on the face of it observed . No cases were quoted in court and I know none bearing on the subject. Perhaps the nearest to the AG for Northern Ireland versus Ford, Cani 1932 1, but unfortunately the report is not to be obtained here. That being my view, I have formed the opinion that the Trust is incapable of being carried out and therefore the gift fails. The property will devolve on the next of kin. No order as to cost. Dated April 7, 1933.

**Mr. Dirk Harrison (Counsel)** 24:46 And the other part that’s there, the words to the right?

**Gladstone Lightbourne** 24:52 ‘Chief Justice’. I can't make out the rest.

**Mr. Dirk Harrison (Counsel)** 24:54 That's fine.

**Mr. Dirk Harrison (Counsel)** 24:55 Now earlier when you had read the documents which are exhibited as CL 1 and CL 2, you had set out there what is basically your claim. You are placing reliance on this court judgment to say what? What exactly are you asking the Commissioners to?.

**Gladstone Lightbourne** 25:24 We are placing our knowledge based on a court judgment dated 1933 to come to some conclusion with this land case. It’'s been going on since the late 1980s to now so we’re just trying to come to some conclusion as to how it should tidy up.

**Mr. Dirk Harrison (Counsel)** 25:52 And you use this, you place reliance on this judgment asking the Commissioners to say that it is proof that it is your land or not your land. What exactly are you using?

**Gladstone Lightbourne** 26:03 Based on the document, I'm basing it that the court stated that the land should have been returned to the next of kin. So, therefore the family should take possession of the land.

**Mr. Dirk Harrison (Counsel)** 26:15 Thank you. Now, you have also...

**Mr. Dirk Harrison (Counsel)** 26:30 Now you have also in your statement, as we spoke of earlier, made reference to a number of documents that you wished to rely on.

**Gladstone Lightbourne** 26:45 Yes.

**Mr. Dirk Harrison (Counsel)** 26:57 And these documents you rely on speak specifically to the fact that the Lightbournes and the Trustees of the James Richardson Trust. There was some litigation in the courts. Is that correct?

**Gladstone Lightbourne** 27:19 That is correct.

**Mr. Dirk Harrison (Counsel)** 27:24 So I just direct them to the documents that you ask us to have a look at, a document dated the 16th of July, 2013 you submitted to us, 16th of July 2013 from lawyers, from a law firm Amicus Law Chambers Limited dated the 16th of July, 2013. You have a look at it please.

**Mr. Dirk Harrison (Counsel)** 28:24 That's the document dated the 16th of July, 2013 you asked us to place reliance on just in proof of the fact that there was litigation between the Lightbourne family and Trustees of Richardson Estate.

**Gladstone Lightbourne** 28:40 Yes.

**Mr. Dirk Harrison (Counsel)** 28:41 Just ask that document dated July 16, 2013 be tendered and admitted as Exhibit CL 4. Thank you.

**Mr. Perinchief (Chairman)** 28:59 Litigation document dated 16th of July, 2013 from Amicus Law Firm entered as Exhibit CL 4.

**Mr. Dirk Harrison (Counsel)** 29:09 Thank you.

**Mr. Dirk Harrison (Counsel)** 29:15 Also document dated the 5th of Septembe,r 2013 from Amicus Law Chambers Limited. You wish to place reliance on this document also to indicate that there was litigation between the Lightbourne family and the Trustees of the James Richardson Trust.

**Gladstone Lightbourne** 29:40 Yes, I do.

**Mr. Dirk Harrison (Counsel)** 29:41 Just have a look at it.

**Mr. Dirk Harrison (Counsel)** 29:49 Is that the document you wish us to place reliance on dated the 5th of September, 2013.

**Gladstone Lightbourne** 29:59 Yes, I do.

**Mr. Dirk Harrison (Counsel)** 30:01 So that document dated September 5, 2013 be tendered and admitted as Exhibit CL 5.

**Mr. Perinchief (Chairman)** 30:10 So indexed as Exhibit CL 5.

**Mr. Dirk Harrison (Counsel)** 30:22 You also wish us to place reliance on a document from the lawyers Conyers Dill & Pearman dated the 28th of August, 2013. In proof of the fact that there is litigation between Dilton Lightbourne and the Trustees of the James Richardson Trust, sir.

**Gladstone Lightbourne** 30:45 Yes, I do.

**Mr. Dirk Harrison (Counsel)** 30:55 Is that the document sir?

**Gladstone Lightbourne** 31:00 Yes, it is.

**Mr. Dirk Harrison (Counsel)** 31:01 I ask that that document dated the 28th of August, 2013 be tendered and admitted as CL 6.

**Mr. Perinchief (Chairman)** 31:14 Document from CD&P dated 28th of August, 2013 indexed as Exhibit CL 6.

**Mr. Dirk Harrison (Counsel)** 31:25 Now, you have submitted in aid of what you are, in terms of your claim a plot plan and plot plan grid. Is that correct?

**Gladstone Lightbourne** 31:36 Yes.

**Mr. Dirk Harrison (Counsel)** 31:38 Is that the plot plan that you wish us to place reliance on in support of your claim regarding the Richardson Trust?

**Gladstone Lightbourne** 32:29 Yes, I do.

**Mr. Dirk Harrison (Counsel)** 32:30 And what does that plot plan depict that is now being projected on the screen?

**Gladstone Lightbourne** 32:38 That will be the southern portion of land on the Coral Beach side. It it goes right to the shoreline.

**Mr. Dirk Harrison (Counsel)** 32:48 And the area you mentioned earlier, the area of 20 acres in question, does this plot plan show all of the area or is it a part?

**Gladstone Lightbourne** 33:03 That is just part of the acreage.

**Mr. Dirk Harrison (Counsel)** 33:07 What is displayed, your claim is in respect of all of which is displayed even though that represents a part, is that correct?

**Gladstone Lightbourne** 33:16 Yes.

**Mr. Dirk Harrison (Counsel)** 33:24 I ask that the plot plan that is referred to and has been relied on, that it be tendered and admitted as Exhibit CL 7.

**Mr. Perinchief (Chairman)** 33:40 So indexed as Exhibit CL 7, plot plan designated 10 acres of land on the south side of South Shore.

**Mr. Dirk Harrison (Counsel)** 33:52 Thank you. Now you wish to rely on another document a plot plan grid. Do you see it there in front of you, sir?

**Gladstone Lightbourne** 34:02 Yes I do.

**Mr. Dirk Harrison (Counsel)** 34:05 I'll ask that that plot plan grid is tendered and admitted as Exhibit CL 8. What does that display, sir? Can you say?

**Gladstone Lightbourne** 34:19 Yes, that indicates the land located on the northern side of South Shore.

**Mr. Dirk Harrison (Counsel)** 34:25 Before you had showin us the one that refers to the southern side, CL 7.

**Gladstone Lightbourne** 34:30 Yes.

**Mr. Perinchief (Chairman)** 34:32 Just index plot plan grid, Exhibit as CL 8 on the north side of the South Road.

**Mr. Dirk Harrison (Counsel)** 34:44 Mr. Lightbourne, what is displayed or projected on the screen, is your claim in respect of a part of it or all of what is displayed?

**Gladstone Lightbourne** 34:54 All of it in reference to the judgments, sir.

**Mr. Dirk Harrison (Counsel)** 34:56 Thank you. Now you also wish to place reliance on a document from Ashes Management and Consulting dated the 5th of June, 2020?

**Gladstone Lightbourne** 35:23 Yes,

**Mr. Perinchief (Chairman)** 35:30 How do you describe that, Counsel?

**Mr. Dirk Harrison (Counsel)** 35:32 It is a letter from Ashes, A S H E S, Ashes, Ashes Management and Consulting dated the 5th of June, 2020 to the Commission of Inquiry.

**Mr. Dirk Harrison (Counsel)** 36:03 I'll ask that it be tendered and admitted as Exhibit CL 9.

**Mr. Perinchief (Chairman)** 36:09 So, indexed letter from Ashes Management, dated 5th of June, 2020 as Exhibit CL 9.

**Mr. Dirk Harrison (Counsel)** 36:23 Could you read that document for us, sir?

**Gladstone Lightbourne** 36:43 Ashes Management and Consulting. Dear Justice Wade-Miller Re: In the matter of the Estate of James Richardson, deceased, James Richardson Trust. The Testator of this estate, the late James Richardson died in or around 1876. He was a slave who worked as an ocean navigator. Upon his retirement in around 1872. He settled the above named James Richardson Trusts. He was permitted to buy his way out of slavery and purchase land. The parcel of land that he purchased is that land that borders on the east by Stovell Lane in Paget, opposite the entrance to the Coral Beach Club, to the south by the high water mark of the South Shore, to the west by Harvey Road and to the north by Ord Road. It is a term of the Trust that the property to what is now known as South Shore Road to the north of said road was to be left for poor people to build temporary homes until they saved sufficient funds to afford to purchase lots of land north of the allotted land, that land where we now see the farmland used for commercial farming. The land to the west of Coral Beach, including the two cottages to the immediate west of Coral Beach gate, belong to the James Richardson Trust. There's a sign stating that the Audubon Society owns the land, but they do not and have stated so. The Trustees over the years have sold multiple parcels of land between the northern side of the gardens and Ord Road. Those funds were held by the trustees in the name of James Richardson Trust. It was contended that upon his death in 1876, that his family, predeceased him. This was by our research incorrect. His wife passed thirteen years after him, in or around 1889, and seven of his nine children survived him. To our knowledge, they were all illiterate. In fact, James Richardson himself made his mark by his hand making an ‘X’ as the Testator. In or around 1926/27, one of his daughters bought an action against the Trustees and the court said that the provision of land for free temporary housing was unworkable and ordered that the parcel of land was to be conveyed to the Plaintiff. She passed away before this was done and there has been no effort to convey the property to her descendants. It was also a term of the Trust that portions of the proceeds of the sale were to be paid to Paget Parish Church and Paget Glebe School. This was never done until Mr. Kirk Kitson or a company controlled by him purchased that parcel of land now known a Honey Hill, which is north of the South Shore Road between the white pillars just east of Harvey Road. In fact, about 40 yards up that drive sits the ruin of the old Slave House of Mr. James Richardson. Upon that sale, a cheque in the sum of $500,000 was paid to Paget Parish Church known as St. Paul's Church in Paget. This was confirmed during our research by Lady Lloyd, the widower of the late Deputy Governor, Sir Peter Lloyd, who I knew well. I noticed that she was picking up the same books in the Archives that I just replaced and I realised that we were following the same evidential trail. A few days in a temperature controlled records room revealed that every year since 1872, the land tax has been paid by the James Richardson Trust. We met with one now the late Mr. Durham Stevens

**Gladstone Lightbourne** 41:44 who was once the collector of taxes for the poor people. A few detailed and pointed questions later, a sudden bolt of dementia kicked in and we had to leave his residence. We will never afford another meeting with him prior to his death. The late James Richardson's family tree has provided anecdotal evidence and can be seen through the flow of unusual names through the generations. We were told that the Paget Parish Archives were damaged by fire, so that the births, marriages and deaths cannot be followed from that source. We also traced one of James Richardson's daughters, now the late Ruth-Anne Stovell. It is believed that her great grandchildren are known to me. Unfortunately, funding was not available to continue with the in-depth research although I remained in touch with my then client, the now late Mr. Dilton Lightbourne. Mr. Lightbourne had collected his file as his niece wanted control of the case, but to my surprise, the case proceeded no further, sadly. The files should be in the possession of his widow, Mrs. Lightbourne. I will be more than willing to further assist in this matter. Signed by Eugene Rick Woolridge, Ashes Management Consulting. Dated 5th of June, 2020.

**Mr. Dirk Harrison (Counsel)** 43:22 Thank you, sir. Now you also wish us to place reliance on an aerial view of South Road which is taken by a Google Map impression. That's correct, sir?.

**Gladstone Lightbourne** 43:38 Yes, it is.

**Mr. Dirk Harrison (Counsel)** 43:39 Could you just have a look at the document that I've provided to you, sir, which is also projected on the screen. Is that what you wish us to place reliance on, sir.

**Gladstone Lightbourne** 43:53 Yes..

**Mr. Dirk Harrison (Counsel)** 43:54 I'll ask that that document which is an aerial view of South Road, it is taken from Google Maps, Mr. Lightbourne would like us to place reliance on it. I'll ask that it be tendered and admitted as Exhibit CL 9, 10, I'm sorry.

**Mr. Perinchief (Chairman)** 44:14 It’s Google Map showing property,. aerial Google Map showing South Shore Road and properties. indexed as Exhibit CL 10.

**Mr. Dirk Harrison (Counsel)** 44:29 Thank you. Mr. Lightbourne I'm not sure if you can from what is projected, but could you just assist us to indicate what area on the map you're referring to, because quite a few properties are represented there?

**Gladstone Lightbourne** 44:47 Ah, yes. On the southern side of South Shore going to..

**Mr. Dirk Harrison (Counsel)** 44:51 Just a moment I was going to ask set the cursor could assist.

**Gladstone Lightbourne** 45:01 Oh, okay..

**Mr. Dirk Harrison (Counsel)** 45:04 I'm sorry. I’mjust going to ask you to,. I'm going to show the cursor at the, and would just ask if you could follow the cursor in the direction it goes. And you could just confirm that that is in fact the area that you are referring to. Do you see the cursor?

**Gladstone Lightbourne** 45:20 Yes.

**Mr. Dirk Harrison (Counsel)** 45:20 It's moving to the right.

**Gladstone Lightbourne** 45:22 It's moving to the right. Yes. That's the shoreline in South Shore.

**Mr. Dirk Harrison (Counsel)** 45:28 And now it's going northerly the cursor.

**Gladstone Lightbourne** 45:30 And going northerly now, yes.

**Mr. Dirk Harrison (Counsel)** 45:35 Then going to the east.

**Gladstone Lightbourne** 45:36 South Shore Road. Yes.

**Mr. Dirk Harrison (Counsel)** 45:38 Then going northern

**Gladstone Lightbourne** 45:40 That's across the road on the northern side. Yes.

**Mr. Dirk Harrison (Counsel)** 45:44 Going down to the west.

**Gladstone Lightbourne** 45:45 Going to the west, yes.

**Gladstone Lightbourne** 45:49 North and going south again yes.

**Mr. Dirk Harrison (Counsel)** 46:08 Now that is the area, that is wha,t the Exhibit itself has a clear impression, Chairman, with a marking that the cursor was trying to follow. That's the area Mr. Lightbourne that you refer to is, represents a claim that you have brought in respect of the Richardson Estate.

**Gladstone Lightbourne** 46:31 Yes.

**Mr. Dirk Harrison (Counsel)** 46:33 Now, I noticed that in respect of the representation, what is projected on this screen, there are a number of what appear to be houses on the land. Is that correct?

**Gladstone Lightbourne** 46:49 Yes. On the northern side, in particular, the Kitson Company has built condos in that area now known as Honey Hill.

**Mr. Dirk Harrison (Counsel)** 47:00 And that construction and those condominiums, in no way is it associated, but there's no benefit to the Richardson descendants or family.

**Gladstone Lightbourne** 47:15 Not at all.

**Mr. Dirk Harrison (Counsel)** 47:20 Are there any other persons who have either built or occupied on the 20 acres that you refer to?

**Gladstone Lightbourne** 47:30 On the northern side there were some cottages that were built and refurbished by what I understand, by Coral Beach. One cottage in particular never had an assessment number until maybe ten years ago, but it's occupied.

**Mr. Dirk Harrison (Counsel)** 47:50 You're saying the assessment was done after construction, that is your understanding?

**Gladstone Lightbourne** 47:55 Well, yes it was built and then renovated, but we've never found an original assessment number for it.

**Mr. Dirk Harrison (Counsel)** 48:09 In your view, I noticed that what is to the south of the, what is Exhibit CL10 is Coral Beach. In your opinion and I'm not certain if you have any expertise in real estate, so I just aske nonetheless, do you consider this prime real estate or it is not? What would you consider this acreage and the area that you have shown us on the north side and on the south side, what is your opinion?

**Gladstone Lightbourne** 48:41 In my opinion it is definitely prime real estate.

**Mr. Dirk Harrison (Counsel)** 48:55 Thank you. Now.

**Mr. Perinchief (Chairman)** 49:12 Counsel, it has been bought to my attention by Mr. Starling, a question at what point or should we issue any Adverse Notice to the persons named such as CoralBeach and Kitson Company.

**Mr. Dirk Harrison (Counsel)** 49:36 That could be done as we speak. I'll ask that it could be done right away.

**Mr. Perinchief (Chairman)** 49:42 And there is also mention of the Church of England. So it appears to me that at least three entities could be…

**Mr. Dirk Harrison (Counsel)** 50:00 My recollection of the evidence, Chairman is that the reference to the Church of England was in the will of the Testator. What he sought to do was to include the Church of England with a judgment from the Supreme Court in 1932. Had dealt with that in respect of the Church of England and I'm certain that it directly touches on concerns, but I'll be guided.

**Mr. Perinchief (Chairman)** 50:35 Yes. at this point could your articulate which two entities or which entities could be issued Adverse Notices, perhaps at this juncture.

**Mr. Dirk Harrison (Counsel)** 50:47 It will be the developers in respect of the Honey Hill Condominiums, Chairman, and also the Coral Beach facility. I'll ask that Adverse Notices be issued to them in respect of the claim that has been made.

**Mr. Perinchief (Chairman)** 51:09 That is purely for the record, and let it be noted that the Adverse Notices will be sent. Thank you, Counsel.

**Mr. Dirk Harrison (Counsel)** 51:20 And the third would be the Trustees of the James Richardson Trust. The third Adverse Notice would be to the Trustees of the James Richardson Trust.

**Mr. Perinchief (Chairman)** 51:32 Thank you, Counsel, there will be three entities that will have Adverse Notices sent: Trustees of the Richardson Trust, the Coral Beach Club and the Developers of Honey Hill, Kitson and Company. Thank you.

**Mr. Dirk Harrison (Counsel)** 51:33 Thank you, Chairman.

**Mr. Dirk Harrison (Counsel)** 51:54 Now Mr. Lightbourne, in your opening presentation, you had indicated that a claim that you're making was on behalf of the descendants of the late James Richardson. You had also indicated earlier in your presentation that your great grandfather, in your words, four times removed, was James Richardson. You remember indicating that?

**Gladstone Lightbourne** 52:27 Yes.

**Mr. Dirk Harrison (Counsel)** 52:30 Now I'm just going to ask, there is a family tree, a pictorial of it, that you wish us to place reliance on?

**Gladstone Lightbourne** 52:40 Yes.

**Mr. Dirk Harrison (Counsel)** 52:45 I'm just going to show you this document. Just going to, you had given this to us?

**Gladstone Lightbourne** 52:52 Yes.

**Mr. Dirk Harrison (Counsel)** 52:56 This is a pictorial that you had handed to us?

**Gladstone Lightbourne** 52:59 Yes.

**Mr. Dirk Harrison (Counsel)** 53:00 I'm just going to ask you to sign that copy. I'll ask that this family tree which is representative of the James Richardson family tree, the witness Mr. Lightbourne asks us to place reliance on it. I'll ask that it be tendered and admitted as Exhibit CL 11.

**Mr. Perinchief (Chairman)** 53:27 Let it be noted that the family tree of the Richardson family be entered as Exhibit CL 11. So indexed.

**Mr. Dirk Harrison (Counsel)** 53:43 Now I know it's quite clear, I think even Stevie Wonder could see it, Mr. Lightbourne, that you are Lightbourne, but the person that you made the claim, the name is Richardson. Could you just explain the difference in name?

**Gladstone Lightbourne** 54:02 Yes, James Richardson, my great, great, great grandfather, his daughter, Janet Richardson, was my great great grandmother who married Peter Stovell. They had that one daughter, Clementine which would be my great, great grandma. Clementine had children for Samuel T. Lightbourne. That's where my Lightbourne name came from. He was a white man. From that union came other children, but Alonzo Lightbourne is my great grandfather. And from that union with Ruth Stovell came Astin Denmark Lightbourne, my grandfather and from there was my father and myself.

**Mr. Dirk Harrison (Counsel)** 54:56 What's your father's name?

**Gladstone Lightbourne** 54:57 Gladstone Lightbourne. My uncle Dilton also is in that same line.

**Mr. Dirk Harrison (Counsel)** 55:03 So what is Exhibit CL 11 which is projected on the screen, at the foot of that document, the name Astin Denmark Lightbourne appears, your grandfather.

**Gladstone Lightbourne** 55:19 Yes.

**Mr. Dirk Harrison (Counsel)** 55:20 Known as Denmark. Where would your father fall?

**Gladstone Lightbourne** 55:26 Just below him.

**Mr. Dirk Harrison (Counsel)** 55:27 And your father's name is.

**Gladstone Lightbourne** 55:29 Gladstone Lightbourne, Gladstone Denmark Lightbourne.

**Mr. Dirk Harrison (Counsel)** 55:35 And your full name is.

**Gladstone Lightbourne** 55:39 Gladstone Winston Craig Lightbourne.

**Mr. Dirk Harrison (Counsel)** 55:45 So yourself and your father have the same names, but you have middle names, Winston Craig.

**Mr. Dirk Harrison (Counsel)** 55:59 So just to go through again, at the top left hand corner, the name James Richardson, you have original owner property in question. Great, great, great grandfather. Your grandfather. Catherine Amanda Williams. What's the relation between Catherine Amanda Williams and James Richardson?

**Gladstone Lightbourne** 56:25 That was his daughter.

**Mr. Dirk Harrison (Counsel)** 56:26 Daughter.

**Gladstone Lightbourne** 56:29 And sister to Janet.

**Mr. Dirk Harrison (Counsel)** 56:31 And sister to Janet Richardson, so Catherine Amanda Williams, what's the relation between Catherine Amanda Williams and Peter Stovell?

**Gladstone Lightbourne** 56:43 That would have been, I guess, her brother-in-law, based on the lineage.

**Mr. Dirk Harrison (Counsel)** 56:53 Because Janet Richardson is her…

**Gladstone Lightbourne** 56:56 Her sister.

**Mr. Dirk Harrison (Counsel)** 56:58 So Janet

**END OF TRANSCRIPTION AT 56:58**