

1913.
NEW ZEALAND.

PUBLIC TRUST OFFICE

(PARTICULARS RELATIVE TO FEES EARNED BY THE LEGAL BRANCH OF THE) FOR
TWELVE MONTHS ENDED 31ST MARCH, 1912.

*Laid on the Table of the House of Representatives pursuant to Order of the House dated the
9th July, 1913, on Motion of Mr. Hanan.*

RETURN SHOWING—(1) THE FEES EARNED BY THE LEGAL BRANCH OF THE PUBLIC TRUST OFFICE FOR THE TWELVE MONTHS ENDED 31ST MARCH, 1912; (2) THE CLASSES OF WORK FOR WHICH FEES WERE CHARGED; (3) THE CLASSES OF WORK FOR WHICH NO FEES WERE CHARGED; (4) THE COST OF THE LEGAL BRANCH.

1. *Fees earned by the Legal Branch of the Public Trust Office for the Twelve Months ended
31st March, 1912.*

£2,559 13s. 11d.

2. *The Classes of Work for which Fees were charged.*

(1.) *Court Work :—*

- (a.) Appearances by Office Solicitor in contested matters in Supreme Court and Court of Appeal.
- (b.) *Ex parte* applications to Supreme Court for orders to sell, lease, mortgage, to presume death, and other applications of a similar kind.
- (c.) Charging-orders, writs of sale and execution.

(2.) *Conveyancing and General Work :—*

- (a.) Transfers and conveyances to purchasers of land from estates, the usual charge being £1 1s.
- (b.) Assignments of leases, mining privileges, and the like to purchasers from estates (usual fee, 10s. 6d. to £1 1s.).
- (c.) Transfers and mortgages prepared for members of land-settlement associations, at a special scale of which the maximum charge is £5 5s. for both documents.
- (d.) Ordinary mortgage securities in respect of loans from the common fund and estates; renewals and adjustments in connection therewith.
- (e.) Securities in respect of loans raised by local bodies from the Public Trustee. A scale charge of 2s. 6d. per £100 of the loan (with a minimum charge of £3 3s.) is made.
- (f.) Leases under the West Coast Settlement Reserves Acts and the Native Reserves Acts.
- (g.) Other leases, for the preparation which the Office regulations provide a fee of £1.
- (h.) Agreements to lease and for sale and purchase.
- (i.) Preparation of documents for and conduct of sales by the Public Trustee as mortgagee.
- (j.) Consents to dealings by lessees and mortgagors where the Public Trustee is lessor or mortgagee respectively.
- (k.) Assignments by way of mortgage from beneficiaries obtaining advances on account of their shares in estates.
- (l.) Bills of sale and chattel securities.

3. *The Classes of Work for which No Fees were charged.*

(1.) *Court Work :—*

- (a.) Applications for probate and administration.
- (b.) Resealing foreign grants of probate and administration where the Public Trustee administers the estate.
- (c.) Applications for appointment of Public Trustee in place of existing trustees.
- (d.) Applications for vesting-orders under the Trustee Act.
- (e.) Applications for orders under Part II (unclaimed lands) and Part III (unclaimed property) of Office Act.
- (f.) Applications for appointment of Public Trustee as guardian under the Infants Act and guardian *ad litem* in contested matters.
- (g.) Applications for appointment of Public Trustee as committee under the Mental Defectives Act.
- (h.) Applications to Arbitration Court for apportionment of compensation-moneys among dependants of deceased workers.
- (i.) Actions in the Arbitration Court.
- (j.) Actions in the Magistrate's Court for rent, interest, possession of tenements, debts, &c. (for this work nothing is charged beyond any fees actually recovered from the defendants).
- (k.) Native Land Court applications for—
 - (i.) Probate and administration;
 - (ii.) Trustee orders;
 - (iii.) Succession orders;
 - (iv.) Partition orders;
 - (v.) Other orders incidental to administration of Native estates and trusts.
- (l.) Applications under Destitute Persons Act.
- (m.) Preparing papers in support of applications to Courts in other countries.

(2.) *Conveyancing and General Work :—*

- (a.) Transfers and conveyances to beneficiaries of lands to which they are entitled by will or under intestacy.
- (b.) Deeds of family arrangement.
- (c.) Preparation of wills of people proposing to appoint the Public Trustee executor.
- (d.) Perusing wills submitted for deposit, and advising thereon.
- (e.) Trust deeds and deeds of appointment.
- (f.) Conditions of sale and leasing by auction and tender.
- (g.) Examining and passing proofs of kinship in intestacy estates.
- (h.) Perusing mortgage securities prepared for the Public Trustee by outside solicitors.
- (i.) Perusing draft documents prepared by outside solicitors.
- (j.) Perusing and certifying as correct all documents of a legal character submitted for execution by the Public Trustee.
- (k.) Attending on taxation of solicitor's costs.
- (l.) Passing stamp accounts.
- (m.) Checking claims for death and stamp duties and advising thereon.
- (n.) Transmissions.
- (o.) Completing defective titles.
- (p.) Applications to bring land under the Land Transfer Act.
- (q.) Searching titles in Land Transfer Office, Deeds Registry Office, and Native Land Court; also searching in Supreme Court and Magistrates' Court offices.
- (r.) Powers of attorney in favour of the Public Trustee.
- (s.) Exemplifications of grants of probate and administration, and instructing agents abroad to obtain administration and act on Public Trustee's behalf.
- (t.) Agreements between master and servant, and partnership documents.
- (u.) Deeds of composition and trust deeds in connection with benefit funds.
- (v.) Distraint for rent.
- (w.) Appearances before Maori Land Board in support of applications for confirmation of dealings.
- (x.) Miscellaneous services incidental to the foregoing classes of work.

(3.) *Opinion Work :—*

Advising the Public Trustee and his officers on all questions of law arising in connection with estates, trusts, or other matters in the office, such as the Public Trustee's right to administration in any particular case, the desirability or otherwise of accepting any trust, the interpretation of wills and deeds, the incidence of death duties, besides questions coming within the scope of commercial law, general law, conveyancing, equity, and Native-land law.

4. *The Cost of the Legal Branch.*

The salaries paid to the legal staff for the period named amounted to £1,543.

FRED. FITCHETT, Public Trustee.

Public Trust Office, Wellington, 17th July, 1913.

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