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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue

DEPARTMENT

G.O. No.	1733	Press
B.P. No.		Mis.
Dated	16 ¹⁵ May 1977	

Not to be folded or roughly handled

1733

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

16th May 1877, No. 1,733.

Read the following papers :—

No. 322. Endorsement of the Chief Secretary to Government, dated Fort St. George, 7th March 1877, No. 559.

Read the following letter from T. E. FRANCK, Esq., Secretary and Treasurer, Bank of Madras, to the Chief Secretary to the Government of Madras, dated 7th March 1877, No. 139.

As a question has arisen in connection with the opinion expressed by the late Mr. H. G. Prichard, Government Solicitor, Madras, in his letter addressed to this Office, under date the 15th December 1874, No. 637 (copy enclosed), as to who are the duly authorised parties to deal with Government Promissory Notes standing in the name of a deceased proprietor of an estate of which the Court of Wards has the management, I have the honor to request that you will be good enough to cause the opinion of the Advocate-General to be obtained as to whether the Court of Wards or the Manager of the estate of an incapacitated person has the power to effect transfers or sales of Government

To Government Solicitor, Madras, dated 21st July 1873, No. 270.

From Government Solicitor, Madras, dated 22nd July 1873, No. 456.

To Government Solicitor, Madras, dated 10th December 1874, No. 306, with copy of Messrs. Prichard and Barclay's letter, dated 21st August 1874.

Securities under the provisions of Regulations V of 1804 and X of 1832, and Acts XXI of 1855 and XIV of 1858, or under those of any other enactment.

2. I also annex copies of the letters indicated in the margin, which bear on this subject.

TRANSFERRED to the Revenue Department for disposal.

(Signed) W. HUDLESTON,
Chief Secretary.

THE Government Solicitor will obtain the Advocate-General's opinion accordingly.

8th March 1877.

(Signed) D. F. CARMICHAEL,
Secretary to Government, R.D.

No. 323. From E. BARCLAY, Esq., Government Solicitor, Madras, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, dated Madras, 8th May 1877, No. 218.

I HAVE the honor to acknowledge receipt of the Order of Government, dated 7th March 1877, No. 559 (made on letter from the Secretary and Treasurer, Bank of Madras, to Government, dated 7th March 1877, No. 139), requesting the Acting Advocate-General's opinion on the question whether the Court of Wards or the Manager of the estate of an incapacitated person has the power to effect transfers

Revenue Department, 16th May 1877, No. 1,733.

or sales of Government Securities under the provisions of Regulations V of 1804 and X of 1831 and Acts XXI of 1855 and XIV of 1858 or under those of any other enactment.

2. I submitted the matter for the consideration of the Acting Advocate-General, and I now forward herewith a copy of his opinion, and return the papers forwarded to me in connection with this matter.

OPINION

It appears to me that the Manager appointed by the Court of Wards is the proper person to deal with Government Promissory Notes standing in the name of a deceased proprietor, leaving an heir or survivor who has been made a ward of the Court of Wards by reason of minority or other cause. But the Manager ought to have the permission, in writing, of the Court of Wards to deal with such Promissory Notes. This seems to be the effect of Sections 12 and 15 of Regulation V of 1804; where the Government Securities are purchased during the wardship from the savings of the estate of the ward. The Collector of the district is, by Section 16 of the Regulation, entitled to receive the interest upon them, and to grant discharges for the same.

If, however, the Court of Wards obtain a certificate under Act XXVII of 1860, authorising them to deal with Government Securities belonging to a deceased proprietor, of course they may do so; but without such certificate I do not find any authority of this kind conferred upon them. This was no doubt an unintentional omission, but it can only be supplied by the Legislature. It may be thought that the large powers conferred on the Court of Wards must be taken to include such a power as that now in question; but I am unable to adopt that view. The Regulation confers powers on the Court of Wards, upon Collectors, upon Managers, and upon Guardians, but the powers are in each case prescribed and limited, and the safer course for the Bank of Madras is, to see what are the powers expressly conferred by the Regulation, and to require a compliance with its terms.

MADRAS,
7th May 1877.

(Signed) P. O'SULLIVAN,
Acting Advocate-General.

No. 324.

ORDER THEREON, 16th May 1877, No. 1,733.

Miscellaneous.

COMMUNICATED to the Secretary and
Treasurer, Bank of Madras, and to the
Court of Wards.

(True Extract.)

(Signed) C. G. MASTER,
Offg. Secretary to Government.

To the Secretary and Treasurer, Bank of Madras,
.. the Court of Wards.

Ed. F. R. Boulleman.

Opinion.

It appears to me that the Manager appointed by the Court of Wards is the proper person to deal with Government Promissory Notes standing in the name of a deceased proprietor leaving an heir or survivor who has been made a Ward of the Court of Wards by reason of minority or other cause. But the Manager ought to have the permission in writing of the Court of Wards to deal with such Promissory Notes. This seems to be the effect of sections 12 and 15 of Regulation V of 1804. Where the Government Securities are purchased during the Wardship from the savings of the Estate of the Ward the Collector of the District is by Sec: 16 of the Regulation entitled to receive the interest upon them and to grant discharges for the same.

If however the Court of Wards obtain a Certificate under Act 27 of 1860 authorising them to deal with Government Securities belonging to a deceased proprietor of course they may do so, but without such certificate I do not find any authority of this kind conferred upon them. This was no doubt an unintentional omission, but it can only be supplied by the Legislature. It may be thought that the large powers conferred on the Court of Wards must be taken to include such a power as that now in question, but I am unable to adopt that view. The Regulation confers powers on the Court of Wards, upon Collectors, upon Managers and upon Guardians but the powers are in each case prescribed and limited and the safer course for the Bank of Madras

Under the provisions of the Act of 1860, the Court of Wards is empowered to deal with the property of a deceased proprietor leaving an heir or survivor who has been made a Ward of the Court of Wards by reason of minority or other cause. The Manager appointed by the Court of Wards is the proper person to deal with Government Promissory Notes standing in the name of a deceased proprietor leaving an heir or survivor who has been made a Ward of the Court of Wards by reason of minority or other cause. But the Manager ought to have the permission in writing of the Court of Wards to deal with such Promissory Notes. This seems to be the effect of sections 12 and 15 of Regulation V of 1804. Where the Government Securities are purchased during the Wardship from the savings of the Estate of the Ward the Collector of the District is by Sec: 16 of the Regulation entitled to receive the interest upon them and to grant discharges for the same.

NO. 322-324.

MAY

40, 1864 May 1877, N. 1877.

Red

2nd May 1864.

Red

Ac. Sec. Ac.

BANK OF MADRAS

THE SECRETARY AND TREASURER,

REVENUE.

Govt of (1877) Madras.

is to see what are the powers expressly conferred by the Regu-
lation and to require a compliance with its terms.

(Signed) P. O'Sullivan
Acting Advocate General

Madras, 4th May 1877.

(True Copy)
James Hauley
Government Solicitor.

No. 139

Public Debt Office,
BANK OF MADRAS,
Madras, 4th March 1877.

To

The Chief Secretary
to the Government of Madras.

Sir,

As a question has arisen in connection with the opinion expressed by the late Mr. R. Prichard, Government Solicitor Madras, in his letter addressed to this office under date the 15th December 1874 No. 637 (copy enclosed), as to who are the duly authorized parties to deal with Government Promissory Notes, standing in the name of a deceased proprietor of an estate of which the Court of Wards has the management, I have the honor to request that you will be good enough to cause the opinion of the Advocate General to be obtained as to whether the Court of Wards, or the Manager of the estate of an incapacitated person, has the power to effect transfers or sales of Government Securities under the provisions of Regulations 5 of 1804, and 22 of 1831, and Acts 21 of 1855 and 16 of 1858, or under those of any other enactment.

I also annex copies of the letters indicated in the margin which bear on this subject.

I have the honor to be
Sir,

Your obedient servant

W. H. S.

Secretary & Treasurer.

To Government Solicitor Madras of 21st July 1873 No. 170.
From " " 22nd " " " 606.
To " " 10th December 1874 No. 306.
With Copy of Mr. Prichard's letter of 15th Dec 1874.

Enclosure on Mr. R. Prichard's letter to the Chief Secretary to Government of 21st July 1873 No. 170. dated 1st March 1877.

Ad. W.

N^o 637

Madras, 15th December 1874.

From

H. G. Prichard

Government Solicitor

To

Madras.

J. C. Franck Esq^{re}

Off^{ce} Secretary and Treasurer

Bank of Madras.

Sir,

1. I have the honor to acknowledge the receipt of your letter of the 10th December instant, N^o 306, together with its enclosures, and in reply to inform you that in my opinion, the Government Loan Department can safely recognize A. Sreenivasappa Row's right both to draw interest and also to sell and endorse the Government Promissory Note for Rupees 7000 forwarded with your letter, in the absence of a Certificate of Administration granted to him to the Estate of the late A. Trimul Row Saib.

2.

I return herewith the enclosures which accompanied your letter now under reply.

I have the honor to be

Sir

Your most Obedient Servant

Signed/ H. G. Prichard

Government Solicitor.

(True Copy)

M. A. Miles

Off^{ce} Secretary and Treasurer

Bank of Madras.

13322

By order of the
Commissioner of the
Revenue
H. G. Prichard
1874

Recd 15th Dec 1874
No 306

From
The Secy & Treasurer
Bank of Madras
1874

No 559

Forwarded to the Secy. of the Revenue

L. K. S. S. S.

Ch. M.

The Govt Secy will obtain the advice
of the General's opinion accordingly.
1874

N: 270

S.

The Government Solicitor,
Madras

Sir In forwarding the papers marginally indicated (to be returned), I have the honor to request that you will be good enough to inform me if under the enactments under which the Court of Wards exercise their functions or under any other act in force it will be necessary for them to obtain a Certificate of Administration under act 27 of 1860 when dealing with sales standing in the name of a deceased proprietor. I annex for immediate reference copy of Section 17 Chapter 21 of the Accountant General's Manual.

I am &c

Signed / A. Gibbie

Offg Dy Secy & Treasurer

Recd Department

N: 2852

Fort Saint George
Accountant General's Office
4th July 1873

From The Accountant General Madras,

To The Secretary & Treasurer of the
Bank of Madras
Public Debt Office

N: 1115 dated 26th June 1873 of the Court of Wards with
enclosure herein sent.

The undersigned has the honor to enquire whether in the
case referred to by the Court of Wards, it is necessary that a
Certificate should be produced before the Government
Securities belonging to Zemindary of Marangudi can be

Received from the Court of Wards 27th July 1873
Proceedings of the Court of Wards 27th July 1873 p. 506.

to be returned

Recd
July 1873

disbursed by the Collector.

(Signed) - J. L. Luchington
Accountant General

N. 586

Proceedings of the Court of Wards, dated 17th April 1873.
Read the following letter from J. P. Melville Esq^r, Acting Collector of
Vizagapatam, to the Secretary to the Court of Wards, dated 12th March
1873 N. 359.

The guardian of the minor Zamindar of Maranghim informs
me that, in order to enable him to get the Government Securities
belonging to the minor, valued at Rupees 30,000, renewed, and to draw
the interest thereon, it is necessary to enter them on the Receipts Certificate
already granted, and that a sum of Rupees 600 has to be paid in consequence
to the District Court as stamp duty.

2 I have, therefore, the honor to request you will be so good as to
obtain sanction of the Court for payment of the sum from the funds
of the estate.

The Collector will state more fully the necessity
for the proposed measure. The interest has, the Court believe, hith-
erto been paid on the old bonds on the Collector's endorsement,
and they do not see why the new bonds should not be issued
in the same name as the old ones. If this be so there is no
necessity for the course proposed by the Collector.

(A true copy and Extract)

(Signed) H. J. A. Goodrich
Acting Sub-Secretary

With the Acting Collector of Vizagapatam.

(Signed) J. P. Melville
Acting Collector

N. 1115.

1237/9

Proceedings of the Court of Wards, dated 26th June 1873.

Read again Board's Proceedings, dated 17th April 1873 N. 586

Read also the following letter from J. P. Daniel Esq^r, Acting Collector
of Vizagapatam, to J. Erice Esq^r, Secretary to the Court of Wards, dated
30th April 1873 N. 610.

In reply to the Court of Wards Proceedings N. 586, dated 17th
April 1873, I have the honor to give further explanation.
No interest has been paid on the Government Securities since the death
of the father of the present Minor; the bonds require renewal because
there is no room on the old bonds for endorsement of the receipt for
payment of interest.

2 The Court are mistaken in supposing that interest has
been either paid on the old bonds upon the Collector's endorsement.

3 Under Section 17 Chapter XI of the Accountant General's
Manual, the Treasury Officer is not authorized to pay interest
on Government Securities to the heir of a deceased Proprietor without
the production of Certificate under Act XXVII of 1860.

4 By Section 8, Act XXVII of 1860 the Certificate shall describe
the Securities in respect of which powers are given. In the present case
the Certificate granted by the Court only authorizes the collection
of Judgment debts to the amount of Rupees 10,000; and it is therefore
necessary to take out a fresh Certificate in order to collect the interest
due on these Government Securities, Section 21, Act XXVII authorizes
the Court to extend the Certificate to Government Securities not
originally entered, and under Section 12 of the Stamp Act VI of 1870
the amount of fee payable is 2 per cent on the excess. The value of the
Government Securities is Rupees 30,000 and the fee therefore Rupees 600.

The Court doubt whether the rule in the Accountant General's
Manual, quoted by the Collector is intended to apply to such cases,
where the Court of Wards are the applicants. The Accountant General
or rather the Bank has always paid interest to the Court of Wards
without a Certificate, and under the terms of the Act itself (vide
Section 2) the Certificate is only required where the debtor,

1237/10

N^o 456

Madras, 22^d July 1873

From
Ernest Barclay
Actg Government Solicitor
Madras

To
J. Mc. Luer Esq^r
Secretary and Treasurer
Bank of Madras

Sir
1 I have the honor to acknowledge receipt of the officiating Deputy Secretary and Treasurer's letter of yesterday's date N^o 270 and to return herewith the documents which accompanied that letter.

2 I am of opinion that it is not necessary for the Court of Wards to obtain a Certificate under Act 27 of 1860 when dealing with Government Promissory Notes standing in the name of a deceased proprietor of an Estate of which the Court of Wards has the management. Regulation V of 1804 after providing for the appointment by the Court of Wards of Managers to Estates of minors and others provides by Section 12, that managers duly appointed shall have the entire charge of the Estates real and personal of the incapacitated persons including all houses tenements goods and moveable property. I am of opinion therefore that managers of Estates under the Court of Wards have power to deal with Government Promissory Notes without further authority than that contained in the Section I have quoted.

3 It appears to me that Act 27 of 1860 does not apply to Estates managed by the Court of Wards for the Regulation of 1804 was passed long before Act 27 of 1860 and similar Acts preceding it were passed so that before such Acts no such extra authority was needed, and there is nothing in Act 27 of 1860 which specially requires the Court of Wards to take out Certificates. It is true that Section 2 of Act 27 of 1860 provides that no debt of any deceased person shall be

has reason to dispute the title of the heir. In this case there is no such doubt, and the Court resolve to request the Accountant General to inform them whether the construction placed on Section 17, Chapter II of the Accountant General's Manual by the Collector of Vizagapatam is in his opinion correct.

1 A true copy and Extract
Signed / A. St. A. Goodrich
Acting Secy. Secretary

To The Accountant General
To the Acting Collector of Vizagapatam

1 True Copy
Signed / W. E. Gibbs
Offg Dy Secy & Treasurer
Bank of Madras

Section 17 Chapter II of the Accountant General's Manual

When a debt is sought to be effected, or interest to be drawn on any Promissory Note, by the Heir, Executor, or Administrator of a deceased proprietor, the Treasury Officer, in the case of that class of persons not specially designated, provided subjects call for a Certificate under Act XXVII of 1860 and in the case of British subjects of Probate or Letters of Administration from a Court of competent jurisdiction within whose limits and jurisdiction the deceased's estate is situated; and such Certificates, Probate, or Letters of Administration are registered in the form laid down in paragraph 13 for the Registry of Powers of Attorney, the fact being recorded on the Reverse of the said immediately under the endorsement, to the effect of which they are to testify, Changing only the words "Power of Attorney" to "Certificate under Act XXVII of 1860," or "Probate" as the case may be. Care should be taken that a Certificate to realize interest only is not admitted in support of a transfer independent.

be Compelled in any Court to pay his debts to any person claiming to be entitled to the effects of any deceased person or any part thereof except on the presentation of a Certificate or Probate or Letter of Administration, but the section goes on to say "unless the Court shall be of opinion that payment of the debt is withheld from fraudulent or vexatious motives and not from any reasonable doubt as to the party entitled." A point to be borne in mind that there can be no reasonable doubt as to the Court of Wards being the party entitled to deal with Government Promissory Notes belonging to an estate of which the Court of Wards has the management.

I have &c
Signed / Ernest Parolay
Actg. Government Solicitor

Public Debt Office
Bank of Madras
Madras 10th December 1874

No 306

To The Government Solicitor
Madras

Sir

Referring to your letter of 27th August last I have the honor to enclose the Government Promissory Note indicated in the margin and to request that you will be good enough to inform me if the endorsement by the Acting Sub. Secretary to the Court of Wards, Madras in favor of A. Sreenivasa Row Sahib can be recognized by the Government Loan Department, as well as A. Sreenivasa Row Sahib's right to endorse. I herewith should be he desirous to sell it on the strength of a Certificate of Administration granted to him in the estate of A. Trimal Row Sahib. The last endorsement but one on the reverse of this Note stands in favor of A. Trimal Row Sahib, after whose death intestate it was drawn by the Bank of Madras as attorney at law secretary to the Court of Wards. The subsequent

The above is a copy of the original

Answer from the Public Debt Office of Bengal 27th Sept 1874 No 200
Reply to above 9th Oct 1874 No 200

Sreenivasa Row Sahib, the minor son of the said A. Trimal Row Sahib, on his attaining majority.

I may here mention for your information that the Calcutta Public Debt Office has recognized the right of the Secretary to the Court of Wards to endorse to A. Sreenivasa Row Sahib the Government papers belonging to the estate in question as also A. Sreenivasa Row Sahib's subsequent transfer thereof in the absence of a Certificate of Administration.

I also enclose copies of the correspondence noted in the margin which took place prior to the above recognition being accorded by the Calcutta Public Debt Office.

I have &c
Signed / J. E. French
Actg. Secretary & Treasurer

Public Debt Office
Bank of Bengal
Calcutta 25th September 1874

No 2169

Memorandum

No 010270. 4th of 1862/63 Rs 10000-

The Government Security Note in the margin received by the letter No. _____ of the 15th Sept 1874 from the Bank of Madras is herewith returned for the following reasons:-

The authority of the Commissioner's Presidency Division Madras empowering the Acting Sub Secretary Court of Wards to negotiate the Government Security appertaining to the estate of A. Sreenivasa Row Sahib should be cited on reversal of the Note.

I signed / J. Hector
Actg. Secy & Treasurer
Bank of Madras

N^o 268

S^r

Public Debt Office
Bank of Madras
Madras 22^d October 1874

The Secretary & Treasurer

Bank of Bengal

Public Debt Office

Calcutta

Sir

In retransmitting for renewal the Government Security described in the margin returned with your Memo of 25th Ultimus N^o 2169. I have the honor to forward herewith for your information Copy of the Proceedings of the Court of Wards dated 13th Instant to 746 as well as Copies of the two letters referred to in para 2 thereof.

I have &c

(Signed) J. C. French

By Secret^y & Treasurer

High Court of Wards

Madras 21 August 1874

Dear Sir

We have to acknowledge receipt of your letter of 17th Instant.

It appears to me that the Secretary of the Court of Wards has no power to transfer these shares to A. Sreenivasa Row Sahib. The shares stand in the name of A. Trimal Row and have never been transferred to or become vested in the Court of Wards, nor is there any provision in the Court of Wards Act, Regulation N^o 1844, to the effect that the property of incapacitated persons shall

become vested in the Court of Wards. The proper course would be for A. Sreenivasa Row Sahib to take out a Certificate or Administration to A. Trimal Row's estate, and thus obtain the necessary authority to deal with the shares.

We do not quite understand the object of your second question. The description of A. Sreenivasa Row Sahib as Jaghiredar of Arnee has no particular legal effect that we can see. It is mere matter of description, and should A. Sreenivasa Row Sahib cease to be Jaghiredar of Arnee, the shares would nevertheless be his. If he were to transfer the shares to a third party it would in our opinion be quite unnecessary for him to describe himself as Jaghiredar of Arnee.

We return the Share Certificate which accompanied your letter under reply &c

We are Dear Sir

Yours faithfully,

(Signed) Richard Barclay

J. McInnes Esq^r

Secretary & Treasurer
Bank of Madras

1 True Copy 1

M. H. Jones

By Secretary & Treasurer
Bank of Madras

Ady^r

Madras 16th December 1876. 1733/13

Dear Sir,

We have to acknowledge receipt of your letter of the 14th instant with its enclosures.

We are of opinion on that under Section 12 of Regulation V of 1804 the Manager of an Estate under the Court of Wards is the proper person to deal with Government Securities, Bank Shares, or other property belonging to the Estate.

There is no provision in the Regulation which exact-ly vests the property of incapacitated persons in the Court of Wards. Section 12 of the regulation provides that the Managers duly appointed shall have the entire charge of the Estates, real and personal of the incapacitated proprietors including Lands houses tenements goods and moveable property (except as in the Section is excepted) and Section XV provides that it shall not be competent for managers of the property of Minors to dispose of any part of the property without the permission of the Court of Wards obtained in writing. It seems to us therefore that the Regulation contemplates the Manager of an Estate disposing of or dealing with the property of an Estate and not the Court itself.

We think that if Shares of your Bank have been taken over by a Manager of an Estate during his tenure of Office, he saw with the written permission of the Court of Wards transfer such shares to the proprietor of the Estate on the Estate being released by the Court, but that if the Manager has never taken over such shares whilst in office, the proper course would be for the representative of the former holder of the shares to obtain administration to his estate or a certificate under Act 27 of 1860 authorising such

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1876
Oct. 25-27-99

such representative to deal with such shares.

We agree with the opinion expressed in our late firm's letter of 21st August 1874 that the Court of Wards itself has no power to transfer the shares to A. Sre-
nivasra Row and we think that if the Manager of the Arnee Estate obtained possession of the shares during his tenure of Office he is the proper person to transfer them with the written permission of the Court. If he never had the shares whilst in office he can not well transfer them and we think there should be representation of A. Sremanal Row's Estate or a Certificate authorising the grantee thereof to deal with the shares. We also concur with the Government Solicitor that it is quite unnecessary for the Court of Wards to take out a certificate under Act 27 of 1860.

We return the papers which accom-
panied your letter under reply of

We are Dear Sir
Yours faithfully

(Signed) Barclay & Morgan

J. C. French Esq^r

Secretary and Treasurer
Bank of Madras.

(True copy)

accasudish

Offg Dy Secretary & Treas^r
Bank of Madras.

N^o 579

1733
14
14 December 1876.

To

Messrs Barclay & Morgan.
Madras.

Dear Sir,

With reference to the accompanying letter from Messrs
Richard & Barclay dated 21st August 1874 advising us that there
is no provision in the Court of Wards Act Regulation 5 of 1864, vesting
the property of incapacitated persons in the Court of Wards giving
authority under which shares in this Bank standing in the name
of the late Sremanal Row can be transferred by the Court to A. Sre-
manal Row I beg to draw your attention to the accompanying letter
from the Government Solicitor N^o 456 of 22nd July 1873 & N^o 637 of 15th Dec^r
1874 stating that Government Promissory Notes standing in the name
of a deceased proprietor whose estate is in charge of the Court of Wards
can be dealt with by the Court of Wards under Regulation 5 of 1864
and that such dealings can be safely recognized by the Public Debt
Department, and to enquire whether the provisions of the Act which
empower the Court to deal with such Government Securities do not
also extend to shares in this Bank similarly circumstanced.

Please return enclosures

I have &c

(True copy)

accasudish

Offg Dy Secy & Treas^r
Bank of Madras

(Signed) J. C. French
Secy & Treasurer.

N^o 218.

Madras, 8th May 1877.

From Ernest Barclay
Government Solicitor
Madras

To
The Honorable D. F. Carmichael
Offg. Chief Secretary to Government
Fort St. George

Sir,

1. I have the honor to acknowledge receipt of the Order of Government, dated 4th March 1877, N^o 559 (made on letter from the Secretary and Treasurer Bank of Madras to Government dated 4th March 1877, N^o 139) requesting the Acting Advocate General's opinion on the question whether the Court of Wards or the Manager of the Estate of an incapacitated person has the power to effect transfers or sales of Government Securities under the provisions of Regulations 5 of 1804 and 10 of 1831 and Acts 21 of 1855 and 14 of 1858 or under those of any other enactment.

2. I submitted the matter for the consideration of the Acting Advocate General and I now forward herewith a copy of his opinion and return the papers forwarded to me in connection with this matter.

I have the honor to be,
Sir,

Your most Obedient Servant
Ernest Barclay
Government Solicitor.

16-5-77-1700

16-5-77

