

REPORT OF THE OFFICIAL RECEIVER,
PUBLIC TRUSTEE AND CROWN SOLICITOR for the Year 1959.

Sir,

I have the honour to submit the Report on the above-named department for the year 1959:

OFFICIAL RECEIVER'S DEPARTMENT

INSOLVENCY

1. This department received ten Receiving Orders against debtors and four Orders of administration in insolvency of the estates of persons dying insolvent during the year 1959, which figures show a decrease as against the number of estates undertaken for the previous year by three receiving Orders and three Orders of administration in insolvency of the estates of persons dying insolvent.

2. Ten debtors were adjudged insolvent during the year and there were no applications for discharges.

3. At 31st December, 1959, forty-one estates were being administered in insolvency or under administration orders as compared with twenty-seven at the end of the previous year.

4. The sum of ₦22,209.67 remained at the credit of forty-one estates at the close of the year as against ₦9,383.03 at the end of the previous year for the twenty-seven estates in hand at that time.

COMPANIES IN LIQUIDATION

5. Two Companies in liquidation were being administered at 31st December, 1959, with the sum of ₦9,169.41 at their credit.

PUBLIC TRUSTEE'S DEPARTMENT

GENERAL AND TRUST ESTATES

6. During the year under review the administration of one hundred and fifty estates were undertaken viz., one hundred and thirty-three estates of deceased persons, fifteen estates of minors and two absentee estates.

7. At the end of the year 1959 six hundred and fifty estates were being administered by this department comprising three hundred and forty-seven estates of deceased persons, two hundred and sixty-four estates of minors and nineteen of absentees, fifteen of lunatics and five trust estates.

8. The amount at credit of these estates at the end of the period under review was ₦111,905.90 and the estimated value of immovable property together with other securities and investments comprised therein was ₦140,000.00 as against the figure of ₦130,000.00 and ₦157,325.53 respectively for the previous year.

9. Seventy-four estates were completely administered and closed during the period under review. This shows an increase of fifty more estates to be administered than the

previous year and that twelve estates less were completely administered and closed during the said period.

10. The sum of ₦51,932.05 was deposited to the credit of the Guardians' Fund comprising two hundred and three minors, eighteen absentees, nine lunatics, one deceased person and five Trusts.

11. The amount of ₦34,173.83 inclusive of interest in the Post Office Savings Bank at the credit of the Public Trustee as Custodian of Enemy Property was withdrawn thereby closing the said account. This sum was paid over to the Accountant General.

CROWN SOLICITOR'S DEPARTMENT

12. During the year 1959 a total of ₦360,411.98 passed through the Crown Solicitor's cash books, which sum includes a balance of ₦7,017.95 from the previous year i.e. ₦353,454.03 was collected. Of this amount the total sum of ₦357,062.21 was paid out leaving a balance of ₦3,409.77. The amounts received represented revenue as fees, customs duties, telephone rents, income tax, royalty, Transport and Harbours Department freight charges, entertainment duty and film rental tax and other taxes and dues demanded, sued for and/or otherwise collected on behalf of various Government departments. Money transactions are also involved in matters pertaining to compensation, gratuities, purchase price of properties, etc.

13. One hundred and forty-seven civil actions were instituted in the Magistrate's Court against persons for monies due to Government on behalf of several Government Departments including the Inland Revenue, Lands and Mines, Forest, Agriculture, Customs and Excise, Post Office, Public Trustee and Official Receiver, Transport and Harbours and Government Technical Institute. Excluded are many cases which have been settled out of Court and monies recovered through other steps taken by the Crown Solicitor and paid directly to the respective department and not brought to account in the Crown Solicitor's Books.

14. For failure to submit returns and information for Income Tax purposes and failure to file returns before the prescribed date to the Commissioner of Inland Revenue there have been two hundred and nineteen prosecutions against persons.

15. Seventy-one actions for the recovery of Income Tax and other monies on behalf of Government Departments concerned were filed in the Supreme Court and judgments obtained.

16. During the year under review eighty-nine bonds were prepared for which fees were collected and paid into revenue.

17. Most transports, leases, mortgages, transfers and surrenders, in which the Government is a party are arranged by the Crown Solicitor and ninety-six transports and six mortgages have been finalised during 1959.

18. Ten summary summations were issued on behalf of the Accountant General and the Drainage and Irrigation Department for the recovery of entertainment tax and drainage rates.

19. By far the most time consuming work of the Crown Solicitor is that of giving written opinions and advice on various problems and matters arising within the various Government Departments involving some question of law. Most of these problems and matters embrace claims by and against the Government which eventually engage the attention of the Magistrate's and Supreme Courts requiring the appearances of the Crown Solicitor on behalf of the Crown.

Besides, interviews are given almost daily to members of various Government departments for the purpose of settling agreements or letters or of obtaining advice on the correctness of action being taken or desired to be taken in certain matters. A large amount of Workmen's Compensation matters chiefly involving the Transport and Harbours Department come in for such advice at the various stages until in most cases, when not settled, a Court hearing and appearance of the Crown Solicitor in the Magistrate's Court become necessary,

Pleadings in Supreme Court matters have to be drafted and have to be draft-typed and fair-typed in this office. Applications to the Judge in Chambers are many - almost every Saturday - involving not only preparation of applications and affidavits in the office but also appearances in Court by the Crown Solicitor. All bonds for Government are settled and approved by the Crown Solicitor.

STAFFING

20. The work in this department has been increasing considerably from year to year particularly due to the Ministerial system of Government and will continue to increase with new constitutional changes and development programmes. The staffing as approved in the Estimates was during 1959 and still is inadequate to cope with the volume of work.

Proposals for increased staff and for regrading of same are being put up to the Angel Committee appointed to review the structure of the Public Service.

21.

SUMMARY OF ASSETS

INSOLVENCY AND COMPANIES IN LIQUIDATION

Unrealised assets valued at	\$700,000.00
Cash	22,209.67

TRUST AND OTHER ESTATES

Immovable property valued at	\$ 50,000.00
Cash	111,905.90
Securities and Investments	90,000.00

22. REVENUE AND EXPENDITURE

The revenue earned by the department during the period under report was:

Fees ₨21,073.47

Official Publications 793.12

while expenditure in running the department amounted to ₨27,259.00 made up as follows:

Personal Emoluments ₨26,766.00

Petty Expenses 493.00

I have the honour to be,
Sir,
Your obedient servant,

D.P. Debidin

OFFICIAL RECEIVER, PUBLIC TRUSTEE
& CROWN SOLICITOR.

The Hon. Chief Secretary,
Public Buildings,
Georgetown.