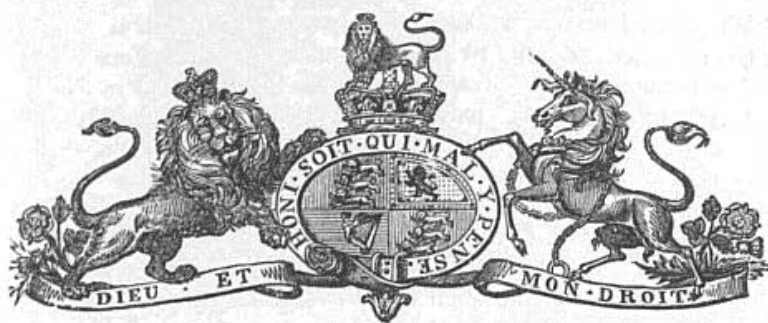


TASMANIA.



1857-8.

ANNO VICESIMO-PRIMO

VICTORIÆ REGINÆ,

No. 37.

AN ACT to alter the Fees payable on obtaining Probate and Letters of Administration, and to levy certain Sums on Estates administered by the Curator of Intestate Estates.

[25 February, 1858.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 Before Probate of any Will of personal Estate is granted, or Letters of Administration are committed, by the Supreme Court of *Tasmania* to any person, the following Fees shall be payable and paid by such person to the Registrar of the said Court, instead of the Fees now payable for drawing and affixing the Seal of the said Court to such Probate or Letters of Administration:—

Regulates the Fees to be paid on obtaining Probate or Letters of Administration.

In the case of Probate of any Will of personal Estate, the sum of £2 10s. *per centum* upon the gross value of the personal Estate of the Testator, without deducting anything on account of debts owing by him:

In the case of Letters of Administration, the sum of £3 *per centum* upon the gross value of the personal Estate of the deceased, without deducting anything on account of debts owing by him.

Proportion of
Fee to be returned
in certain cases.

2 Where an Executor or Administrator has paid debts due and owing from the deceased, payable by Law out of his personal Estate, whereby the value of the personal Estate upon which the Fee on Probate or Letters of Administration was paid has been reduced, if such Executor or Administrator, within Eighteen Months after the date of the Probate or Letters of Administration, delivers to the said Registrar a particular Inventory and Account and Valuation of the personal Estate of the deceased verified by affidavit, and an Account of such debts verified by affidavit and proper vouchers, showing that the actual value of the personal Estate after deducting such debts is less than the value upon which such Fee was paid, the Executor or Administrator shall be entitled to be repaid the amount of the Fee paid on the difference between such value as last aforesaid and the amount to which the actual value of the personal Estate is so reduced as aforesaid: Provided, that in no case shall the Fee on Probate or Letters of Administration be reduced by such repayment to a less amount than would have been payable if this Act had not been passed; and the said Registrar shall in any such case grant a Certificate stating the amount of the Fee to be repaid, and the same shall be repaid to the Executor or Administrator out of the General Revenue by Warrant under the hand of the Governor.

Curator of Intestate Estates to retain 3 per cent. upon value of Estates hereafter administered.

3 The Curator of Intestate Estates shall retain in his hands, out of the Proceeds received by him as such Curator, the sum of Three Pounds *per centum* upon the nett estimated value, without any deduction whatever, of all Estates committed to his management and administration as such Curator after the commencement of this Act.

Curator to retain 3 per cent. upon sums received in Estates now under administration.

4 The said Curator shall retain the sum of Three Pounds *per centum* upon all sums in his hands as such Curator at the time of the commencement of this Act, or which shall hereafter be received by him in respect of Estates, exceeding the value of £100, committed to his management and administration as such Curator before the commencement of this Act.

Appropriates moneys received under Act.

5 All such Fees paid to the Registrar of the said Court, and all sums so retained by the Curator of Intestate Estates, shall be paid over to the Colonial Treasurer, and shall form part of the General Revenue.