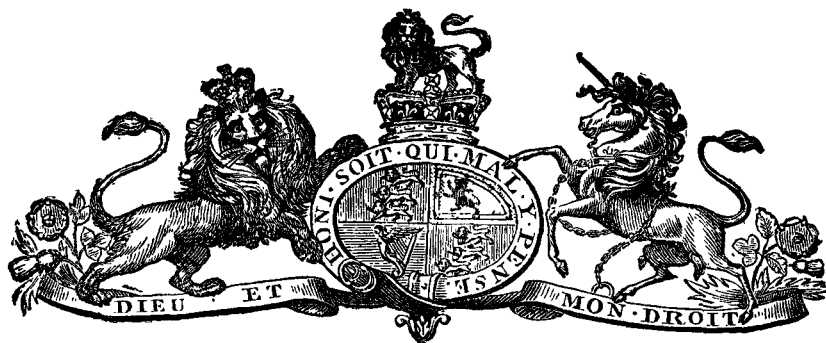


NEW ZEALAND.



TRICESIMO TERTIO ET TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXII.

ANALYSIS.

- | | |
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| <p>Title.
Preamble.
1. Short Title.
2. No rule or order requisite in case of estates under £50.
3. If estate found to be £50 or more ordinary proceedings to be taken.</p> | <p>4. Indemnity in respect of past transactions. Small estates now under administration to be wound up without order.
5. If no relation of an inmate of any hospital &c. estate if under £50 to go to funds of institution.</p> |
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AN ACT to amend "The Intestate Estates Act 1865." Title.
[12th September 1870.]

WHEREAS by "The Intestate Estates Act 1865" it is among Preamble.
other things enacted that Curators of Intestate Estates shall not be bound to obtain any rule or order to administer under the said Act in the case of any estate the assets of which to be administered shall be under the value of fifty pounds

And whereas many Curators of Intestate Estates have interpreted the said enactment to mean that Curators may administer estates the assets whereof to be administered are under the value of fifty pounds without any rule or order And whereas doubts have arisen as to whether by so acting they have not incurred divers penalties and become subject to divers civil liabilities as persons wrongfully intermeddling with the assets of deceased persons and it is expedient to remove such doubts and to amend the said Act

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be "The Intestate Estates Short Title.
Amendment Act 1870."
2. Any Curator of Intestate Estates may administer any estate No rule or order
the assets whereof to be administered shall be under the value of requisite in case of
fifty pounds without any rule or order. estates under £50.
3. If at any time after commencing to administer any estate If estate found to be
under the preceding section the assets to be administered shall be £50 or more ordinary

Intestate Estates Amendment.

proceedings to be taken.

found to be of the value of fifty pounds or upwards the Curator having the administration of the estate shall within one month after he has notice thereof file in the Supreme Court a memorandum under his hand stating that fact and proceed in the ordinary manner to obtain a rule or order for the administration of the estate. And every Curator who shall fail to file any such memorandum when required by this Act shall be liable on conviction to pay a penalty of ten pounds.

Indemnity in respect of past transactions.

4. No action suit or proceeding in any Court or before any Justices of the Peace shall be commenced or carried on against any Curator or against the heirs executors or administrators of any Curator or against his or their estate or effects for the recovery of any penalty or for the recovery of money or for the possession of any land or goods by reason only of such Curator having before the passing of this Act intermeddled with the assets of any deceased person by administering to the same without any rule or order to administer in the case of any estate the assets whereof to be administered were under the value of fifty pounds but every such Curator and the successor in office of every such Curator shall be deemed to have been and to be henceforth duly authorized to administer to every such estate the administration whereof shall have been already commenced without any rule or order to administer.

Small estates now under administration to be wound up without order.

5. Whenever the deceased intestate shall at the time of decease be an inmate of any hospital asylum or other charitable institution the net proceeds of his estate if under fifty pounds shall be paid by the Curator to the funds of such institution if there be no surviving relatives of the deceased lawfully entitled thereto.

If no relative of an inmate of any hospital &c. estate if under £50 to go to funds of institution.

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