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BRITISH GUIANA

R E P O R T

O F T H E

S U P R E M E C O U R T A N D D E E D S R E G I S T R Y

F o r T h e Y e a r

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DEEDS REGISTRY,

Georgetown,

30 September, 1961.

Sirs,

I have the honour to submit the Annual Departmental Report on the Deeds Registry and the Supreme Court Registry for the year 1960. As ex officio Registrar of the Supreme Court, and ex officio Registrar of the following: Joint Stock Companies, Trade Marks, Patents and Designs, Business Names, Life Assurance Companies, Industrial and Provident Societies and Trade Unions, this Report deals with those matters also. With the coming into force of the Land Registry Ordinance on the 1st January, 1960, the Registrar of Deeds now also functions as Registrar of Lands.

2. The Magistrates are under the control of the Honourable the Chief Justice, but subject to his direction the administration of the Magistrates' Department is the responsibility of the Registrar.

PART I/...

The Honourable  
 The Chief Secretary,  
 Member for the Supreme Court Registry.

The Honourable  
 The Attorney General,  
 Member for the Deeds Registry.



PART I - STAFFTHE JUDICIARY

The Chief Justice, Sir Frank Holder, retired from the public service on the 31st day of October, 1960. Mr. Justice Luckhoo was appointed to act as Chief Justice as from the 30th December, 1959, inclusive.

2. Mr. Justice Bollers whose last appointment as an acting Judge commenced on the 16th December, 1959, was confirmed in that appointment as from the 15th September, 1960, vice Mr. Justice Phillips who had been transferred to Jamaica.

3. Mr. P.R. Jailal continued to act as a Puisne Judge throughout 1960.

4. Mr. H. Aubrey Fraser, Barrister-at-Law, was appointed to act as an additional Judge as from the 1st day of March, 1960, and he acted as such to the end of the year.

SUPREME COURT REGISTRY

5. Mr. R.S. Persaud, Registrar of Deeds and of the Supreme Court was seconded to act as Commissioner of Title from the 1st January, 1960, and performed those duties throughout the year.

6. Mr. A.T. Singh, Deputy Registrar of the Supreme Court, acted as Registrar throughout the year.

7. Mr. Hassan Bacchus, Principal Officer, who was on vacation leave resumed duty on the 8th August, 1960, and was appointed to act as Deputy Registrar of the Supreme Court and he acted as such to the end of the year.

8. Mr. L.P. Kerry, Conveyancing Officer, was

/appointed...



3.

as  
appointed to act/Deputy Registrar of the Supreme Court  
from the 1st January, 1960, to the 8th April, 1960.

9. Mr. J.E.N. Earl, Judicial Officer, acted as  
Deputy Registrar of the Supreme Court from the 9th April,  
1960, to the 8th August, 1960, when Mr. Bacchus resumed  
duty.

10. Mr. K.W. Barnwell, Clerk to the Chief Justice  
acted as Judicial Officer for the whole of 1960.

11. The following officers were on vacation leave  
during the year -

Mr. H. Bacchus

" J.C.J. Sagar

Miss A.M.F. McWatt

" L.G. Heath

#### DEEDS REGISTRY

12. Mr. L.P. Kerry, Conveyancing Officer, acted as  
Deputy Registrar of Deeds from the 9th April, 1960,  
to the 18th December, 1960, inclusive, vice Mr. J.E. Murray,  
on vacation leave.

13. Mr. B.B. McG. Gaskin, Notarial Officer, acted  
as Principal Officer, from the 9th April, 1960, until  
the 18th December, 1960.

14. Mr. M.R. Chase, Assistant Conveyancing Officer acted  
as Conveyancing Officer for the whole year.

15. Miss N.A. Manget, Senior Clerical Assistant was  
transferred to the Government Information Services as  
from the 8th January, 1960.

16. The following officers were on vacation leave  
during the year -

Mr. J.E. Murray

" G.D. Meerabux

Miss B.M. Miller



PART II - DEEDS REGISTRYCONVEYANCING

17. The Land Registration Ordinance, No. 18 of 1959 came into force as from the 1st January, 1960, and the report of the Commissioner of Title for the period 1st January, 1960, to 28th June, 1961, appears at Appendix O.

18. As will be seen from the figures for 1960 there was an increase in both transports and mortgages over the previous year.

19. It is noted that the value of property transported has increased by over \$5 millions and the total amount loaned on mortgages increased by nearly \$3 millions.

20. A return showing the business transacted in the Conveyancing Section of the Deeds Registry appears at Appendix A.

COMPANIES

21. The pressure of work in this Section of the Deeds Registry together with the inadequacy of trained staff prevents the Department from taking action against defaulting companies as promptly as is desirable but it is hoped that in due course it will be found practicable to institute more prosecutions and so ensure that companies more strictly comply with the requirements of the Ordinance, especially in regard to the filing of their annual returns.

22. There were 38 companies incorporated in the colony, on the register on 1st January, 1960. Forty-one new companies were incorporated in 1960, and twenty-five were struck off the register.

23. At the 31st December, 1960, there were 384 companies on the register.

24. The companies registered in 1960 are listed at Appendix B.



LIFE ASSURANCE COMPANIES

25. In accordance with Section 11 (3) of the Life Assurance Companies Ordinance, Chapter 329, I did on the 1st day of June, 1961, forward to His Excellency the Governor my annual report on life assurance companies in respect of documents filed during 1960. There were 13 life assurance companies on the register on the 1st January, 1960. Two new life assurance companies were registered during the year 1960 -

Number on register 1st January, 1960	-	13
Number registered in 1960	-	3
Number taken off register in 1960	-	0
Number on register on 31st December, 1960	-	16

TRADE UNIONS

26. On the 1st January, 1960, there were 50 trade unions on the register. During the year 2 trade unions were registered, and certificates of 8 were cancelled. No notice of dissolution was filed by any trade union in 1960. At the 31st December, 1960, there were, therefore, 44 trade unions on the register.

27. The unions registered in 1960 were the British Guiana Teachers' Association and the British Guiana Women's Public Health Officers Association.

28. The certificates of registration of the following unions were cancelled on the ground that the unions had wilfully, and despite notice from the Registrar, violated the provisions of Section 35 of the Trade Unions Ordinance, Chapter 113.

<u>Regd. No.</u>	<u>Name of Union</u>
13	The Moulders and Mechanics Union
41	The British Guiana Teachers' Association
67	Helena and Supply Ratepayers' Association
96	Building Contractors Association
101	The Quarry Producers' Association of British Guiana.



<u>Regd No.</u>	<u>Name of Union</u>
109	The Master Builders, Masons and Decorators Association of British Guiana
111	Guianese Miners Development Association
113	The British Guiana Garment Manufacturers' Association.

29. The Director of Audit continues to make unfavourable comments on the annual accounts submitted by several unions. It is recognised that there is a great need for stricter control of unions' funds, but the remedy would appear to be in the hands of the members of the unions, for as long as unions persist in appointing persons as treasurer who are totally unqualified for such a post so long will the accounts be kept in a slipshod fashion and the receipts and expenditure be inaccurately reflected in their balance sheets.

30. In compliance with section 36 of the Trade Unions Ordinance, a report on matters transacted by the Registrar of Trade Unions for the year ending 31st December, 1960, will be forwarded separately to the Honourable the Attorney General.

#### TRADE MARKS

31. The need for trained officers to deal with this very specialised branch of the law is again emphasized. It is very desirable that training courses in the United Kingdom be afforded periodically to officers, so that they may be better equipped to deal with the many problems that arise in this branch of the law.

32. Information extracted from the register is given at Appendix D.



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PATENTS AND DESIGNS

33. Along with training courses in the law and practice of trade marks officers should also be afforded the opportunity of doing some study of the law and practice in respect of patents and designs.

34. Considerable hardship is experienced by applicants because of the lack of persons in the colony properly qualified to examine patent specifications. Under Section 80 of Chapter 328, the Governor may appoint fit and proper persons to be examiners. In order to expedite business in this respect, it would seem convenient and expeditious that this power be delegated to the Registrar of Patents and Designs, so that ad hoc appointments may be made for each application.

35. The examiner's fee is still \$25.00 as it was fixed 60 years ago and is hardly enough to induce a non-official to accept appointment as an examiner, hence recourse has always to be had to suitably qualified Government Officers.

36. Appendix E gives the number of patents and designs registered during the year.

BUSINESS NAMES

37. In terms of section 12(1) of the Business Names Ordinance, Chapter 332, 70 notices requiring persons to furnish particulars to the Registrar were sent out. The result was that 3 were re-registered, 11 notified the Registrar that they had ceased to carry on business and 6 were converted into limited liability companies.



38. Appendix F gives particulars of business names registered during the year.

INDUSTRIAL AND PROVIDENT  
SOCIETIES

39. Under the provisions of the Industrial and Provident Societies Ordinance, the Registrar continues to keep a register of these societies..

40. Appendix G gives the number of societies on the register.

DEEDS

41. A return showing the number of the various deeds and documents lodged in the Deeds Registry in 1960 appears at Appendix H.

PART III - SUPREME COURT

SUPREME COURT -

42. The upward trend of business in the Supreme Court continues. The number of causes filed in the last 5 years indicates a continuous annual increase:

<u>Year</u>	<u>Number of causes filed</u>
1955	1756
1956	1968
1957	2352
1958	2426
1959	2498
1960	2567

43. The numerical strengthening of the Judiciary within the last 2 years and the longer hours of sitting in the courts has resulted in a not inconsiderable reduction in the arrears of matters for hearing and though the backlog is still formidable and the time is not yet foreseeable when matters will be heard

/with...



with the speed that is desired yet litigants have cause for gratification over the diminishing lists.

4. In my last Report attention was drawn to the situation caused in the Supreme Court Registry by the resignation of many partly trained officers within recent years and the consequent ill effect it has had on the efficient working of the Department. Resignations continue and there is nothing that can be done about it as they appear to be due to the desire of officers to qualify in law or some trade or profession. In that case an increase in emoluments would hardly be a solution to the problem.

45. Inevitably responsible duties have to be assigned to officers not qualified to perform them and a greater burden of supervision is cast upon their seniors.

46. A return of suits, appeals and other causes filed in the Supreme Court in 1960 appears at Appendix J to this report.

47. A return of criminal causes instituted in 1960 appears at Appendix K.

48. A statement of miscellaneous Judicial matters is at Appendix L.

49. A statement showing the matters dealt with in the Marshals' Branch of the Registry appears at Appendix M.

COURT REPORTERS

50. The situation as regards court reporting which I noted in my last Report was the same in 1960 except that the device of engaging shorthand writers to act as relief court reporters completely broke down and was the cause of much embarrassment in the hearing of criminal appeals.

/The...



The urgency of having a fully qualified permanent staff was very clearly established if the criminal appeal court is to function properly.

51. A study course to qualify as a court reporter was granted to one of the senior clerical assistants in the Registry and perhaps by an extension of this scheme suitably qualified persons may be recruited for the vacant posts which exist.

#### JURORS

52. In my last Report I remarked that the hardship felt by persons serving as jurors in the criminal courts caused by inadequate remuneration for attendance may have an adverse effect on the quality of their jury service. Unfortunately, the situation continued throughout 1960, but it is hoped that a revision of the appropriate schedule of remuneration for witnesses as well as jurors may be made without more delay.

53. So much time and patience have to be used in convincing dissatisfied witnesses and jurors that in those matters the Registrar has no discretionary power.

#### APPLICATIONS BY POOR PERSONS

54. Applications of this nature numbered 61 in 1960, an increase of 18 over the previous year. The majority were for divorce. Of the applications 18 were granted, 27 refused and 16 were pending at the end of the year.

55. The difficulty always experienced in obtaining the services of solicitors willing to assist in these matters, and the long delays which occur in the prosecution of poor person matters, makes it very necessary that in this colony we should adopt a system of legal aid similar to that in practice in England. Everywhere it is

/recognised....



recognised that no person should be prevented from enforcing and asserting his rights because he is without means.

#### LEGAL PRACTITIONERS COMMITTEE

56. In 1960, 108 complaints were filed against legal practitioners, as against 76 in 1959. The committee held 45 meetings during the year and dealt with 56 applications. That can hardly be considered satisfactory. The rapid determination of these matters is as important as that of any other class of suit in the courts, important as much to the legal practitioner involved as to the complainant. Therefore, it would seem necessary to adopt measures to ensure a more expeditious hearing of these matters than at present exist.

#### FEDERAL SUPREME COURT

57. There were four sessions of The Federal Supreme Court of the West Indies during the year 1960. The Court sat in the exercise of its criminal jurisdiction on every occasion of its visit to the Colony and in the exercise of its civil jurisdiction on three occasions. The visits of the court to the colony were made in March, June, September and November, 1960. In the September session the Court dealt with criminal matters only.

#### CIVIL JURISDICTION

58. The Court dealt with forty-one (41) appeals during the year 1960. These appeals were dealt with in the manner set out hereunder:

/...



Number of appeals dismissed	-	16
Number of appeals allowed	.	7
Number of appeals withdrawn	-	6
Number of appeals in which decision reserved	-	1
Number of appeals abandoned	-	1
Number of appeals reported settled	-	4
Number of appeals in which application for leave to appeal was refused	-	6

There were twenty(20) appeals pending at the end of the year.

CRIMINAL JURISDICTION

59. The Court dealt with fifty-six(56) appeals during the year under review. The appeals were dealt with in the manner set forth below:-

Appeals allowed	-	15
Appeals dismissed	-	27
Appeals abandoned	-	7
Number of appeals in which leave to appeal was refused	-	6
Number of applications for extension of time to appeal	-	1
Number of appeals pending at 31.12.1960	-	26

PART IV - REVENUE AND EXPENDITURE

60. The revenue collected for the year 1960 was \$524,543.48 of which \$16,126.18 was collected in the Sub-Registry at New Amsterdam as estate duty. The difference between the revenue collected in 1959 and 1960 shows an increase of \$86,587.35 some indication of the increase in the volume of business done in the year 1960.



61. Duty collected on transports, mortgages, etc., was \$219,851; showing an increase of \$59,675.87 on the amount collected in 1959.

62. The revenue collected under sub-head IV Fees of Court - 37 Registrar, shows an increase of \$29,460.10 on the amount collected in 1959.

63. The sum of \$524,543.48 does not accurately reflect the revenue collected by this department, for a considerable amount of stamp duty is collected on documents filed or recorded in this Registry. I understand that the suggestion made by me with respect to the introduction of embossing machines has been favourably accepted by Organisation and Methods. There can be no doubt that the use of such a machine would save considerable time and expense.

64. A comparative statement of Revenue and Expenditure for the years 1959 and 1960 appears at Appendix N.

#### PART V - GENERAL

65. Plans are said to have been approved for the construction of a new eastern wing in the Victoria Law Courts compound to provide accommodation for the Commissioner of Title and new quarters for the Department of Lands and Mines which will vacate that portion of the western wing of the building which it has occupied for many years. It is proposed that the Deeds Registry would move into that vacated section and so relieve the congestion which at present exists in this office.

66. This reconstruction and re-arrangement would be a first step towards the separation of the Supreme Court and Deeds Registries which is now overdue and of which mention was made in my last Report.



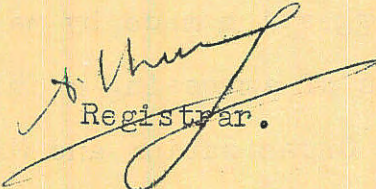
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67. Until this separation is effected and also some means have been found to induce officers to make their careers in this Department a matter to which I have already referred, neither Registry can be expected to function with maximum efficiency.

I have the honour to be,

Sirs,

Yours obedient servant,

  
Registrar.



APPENDIX A

CONVEYANCING

1. Transports

Total number advertised . . . . .	3,667
Passed . . . . .	4,307
Total value of property transported . . . . .	\$ 17,114,139.06
Duty on Transports . . . . .	90,585.63
Highest value of single property	355,000.00
Applications for copies of lost transports . . . . .	127

2. Mortgages

Total number advertised . . . . .	1,067
Passed . . . . .	1,927
Total amount raised on mortgages \$	12,114,186.11
Highest single mortgage . . . . .	,440,000.00
Duty on mortgages . . . . .	1,354,906.70
Applications for copies of lost mortgages . . . . .	1

3. Cancelments

Total passed . . . . .	1,297
Total amount involved . . . . .	\$5,293,032.69

4. Leases and Transfers

Total number advertised . . . . .	231
Passed . . . . .	195

5. Oppositions

Entered . . . . .	216
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APPENDIX B

COMPANIES

INCORPORATED IN BRITISH GUIANA

No. on Register	Name of Company	Share Capital
663	International Trading Co. Limited	\$ 100,000:
664	M.P. Fernandes Limited	300,000:
665	H.H. Cabbell Trading Company British Guiana Limited	50,000:
666	Ramjohn Katun and Sons Limited	75,000:
667	Windes & South American Agencies Limited	15,000:
668	Guiana Leather Manufacturing Company Limited	100,000:
669	Boyer and Company Limited	100,000:
670	Pharmco B.G. Limited	100,000:
671	Eagle Farming Corporation Limited	50,000:
672	Overseas Distributors Corporation Limited	10,000:
673	Carib Hotels Limited	150,000:
674	B.G. Stone and Lumber Company Limited	250,000:
675	Tucan Poultry Industries Limited	25,000:
676	Lionel Rodrigues and Sons Limited	200,000:
677	Associated Timber Industries B.G. Limited	500:
678	India Overseas International B.G. Limited	10,000:
679	Demerara Leather Works Limited	50,000:
680	Food Manufacturers British Guiana Limited	200,000:
681	M.A. Azeez Limited	50,000:
682	Pomeroon Development Limited	50,000:
683	Starlite Aluminium & Steel Furniture Manu. Co. Limited	50,000:
684	Louis Chung Manufacturing Company Limited	250,000:
685	Torginol B.G. Limited	25,000:
686	Continental Trading Company Limited	10,000:



No. on Register	Name of Company	Share Capital
687	Echilebar Development and Trading Company Limited	\$ 10,000:
688	Victory International Pools Limited	£ 2,000:
689	Rincopharm Limited	\$ 60,000:
690	L. Gomes and Company Limited	25,000:
691	Confectionery B.G. Limited	25,000:
692	Colgate-Palmolive British Guiana Limited	85,000:
693	Thomas Houston Limited	100,000:
694	The Swan Manufacturing Company Limited	500,000:
695	B.G. Stockfeeds Limited	500,000:
696	Craig Furniture and Farmers Manufacturing Co. Limited	30,000:
697	B.G. Clay Products Limited	175,000:
698	Guiana Contractors Limited	100,000:
699	Sincere Company Limited	10,000:
700	Commercial Cessionates Limited	2,000:
701	Guiana Industrial and Commercial Investments Limited	3,900,000:
702	Davidson Enterprises Limited	200,000:
703	Kaitur Travel Service Limited	25,000:
Number of Companies on register 1st January, 1960		368
Number of Companies struck off in 1960 under Section 216		23
Number of Companies dissolved by Court in 1960 under Section 187		2
Number of Companies Registered in 1960		41
Number of Companies on register 31st December, 1960		384



INCORPORATED OUTSIDE BRITISH GUIANA

No. on Register	Name of Company	Country in which Incorporated	Share Capital
200	First Mortgage Association of British Guiana	Republic of Panama	\$ 220,000:
201	Guiana Housing Corporation	Panama	55,000:
202	Shell Antilles and Guianas Limited	England	£ 250,000:
203	The Canada Life Assurance Company	Canada	\$ 200,000:
204	Prudential Trust Company Limited	Canada	1,000,000:
205	Caribbean Atlantic Life Insurance Company Limited	Nassau Bahama Islands	£ 210,000:
206	Marun-Pakarima Diamond Mining Company Limited	Canada	\$ 100,000:
207	The National Insurance and Guarantee Corp. Ltd.	England	£ 1,000,000:
208	First Federation Life Ins. Co. Ltd.	Bahamas Islands	£ 100,000:
209	Esso Standard Oil S.A. Ltd.	do	£ 13,000,000:
210	Caribbean Engineering Company Ltd.	Trinidad	\$ 100,000:
211	Transmission Contractors Limited	Trinidad	\$ 1,000,000:

Number of companies on register 1st January, 1960 133

Number of companies struck off register in 1960 -

Number of companies registered in 1960 12

Number of companies on register 31st December, 1960 145



APPENDIX C

TRADE UNIONS

Number on register 1st January, 1960	-	50
Number registered in 1960	-	2
Number struck off register in 1960	-	8
Number on register 31st December, 1960	-	44

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APPENDIX D

TRADE MARKS

Part A of the Register

Number on register 1st January, 1960	-	3,199
Number struck off register in 1960	-	115
Number of applications filed during 1960	-	232
Number on register 31st December, 1960	-	3,300

Part B of the Register

Number on Register 1st January, 1960	-	8
Number of applications filed in 1960	-	-
Number struck off register in 1960	-	-
Number on register 31st December, 1960	-	8

Part C of the Register

Number on register 1st January, 1960	-	667
Number of applications filed during 1960	-	37
Number struck off register in 1960	-	-
Number on register 31st December, 1960	-	704

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APPENDIX E

PATENTS

Number on register 1st January, 1960	-	179
Number registered in 1960	-	27
Number on register 31st December, 1960	-	162

DESIGNS

Number on register 1st January, 1960	-	19
Number registered in 1960	-	1
Number on register 31st December, 1960	-	19

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APPENDIX F

BUSINESS NAMES

Number on register 31st December, 1959	-	407
Number registered in 1960	-	131
Number lapsed for non-payment of renewal fees in 1960	-	70
Number on register 31st December, 1960	-	474

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APPENDIX G

INDUSTRIAL AND PROVIDENT SOCIETIES

Number on register 1st January, 1960	-	6
Number registered in 1960	-	Nil
Number on register 31st December, 1960	-	6

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APPENDIX H

NOTARIAL BRANCH

Attestation and Registration of Deeds, etc. - Statistics 1960

	Attested	Attested and registered in Deeds Registry	Attested outside and registered in Deeds Registry	Deposited	Recorded	Filed	TOTAL
Articles of Clerkship	-	3	-	-	-	-	3
Bills of Sale and Charges (including renewal and transfers of Bills of Sale).	-	-	-	-	-	338	338
Bonds	-	122	1	-	-	-	123
Certificates	-	2	-	-	-	-	2
Contracts and leases	-	277	61	120	-	-	458
Deeds of trust	-	23	4	1	-	-	28
Deeds of Gift	-	9	1	-	-	-	10
Deed Polls	-	351	244	-	1	-	596
Deed of Separation	-	-	-	-	-	-	-
Discharges	-	1	3	-	-	-	4
Friendly Societies Rules	-	-	-	8	-	-	8
Noting Ships Protests	-	4	-	-	-	-	4
Plans	-	-	-	230	-	-	230
Powers of Attorney	4	157	147	4	99	-	409
Revocations and Renunciations	-	11	12	-	5	-	28
Substitutions and Assumptions	-	4	7	-	4	-	15
Transfers	-	125	27	-	-	-	152
Miscellaneous	-	26	9	2	-	-	37
	4	1115	516	365	109	338	2,445







APPENDIX J (CONT'D)

RETURN OF SUITS INSTITUTED BEFORE THE SUPREME COURT  
APPELLATE JURISDICTION

Appeals from Magistrates	...	297
Rent Assessment Appeals	...	5
Partition Appeals	...	-
Income Tax Appeals	...	4
Appeals Judges Supreme Court	...	10
Criminal Appeals	...	-
Rice Assessment Appeals	...	<u>28</u>
TOTAL		<u>344</u>

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APPENDIX K

PERSONS DEALT WITH BY THE SUPREME COURT, 1960  
 DEMERARA, ESSEQUEBO AND BERBICE

OFFENCES	Total arrested or summoned to Court	Acquitted	Found insane before trial	Nolle prosequi	Awaiting trial at 31.12.60	CONVICTED
<u>AGAINST LAWFUL AUTHORITY</u>						
Against Public Order	-	-	-	-	-	-
Perjury	5	-	-	2	1	3
Escape and Rescue	-	-	-	-	-	-
<u>AGAINST PUBLIC MORALITY</u>						
Rape and Indecent Assault	36	6	-	13	6	11
Unnatural Offences	2	-	-	-	-	2
Other	6	1	-	2	2	1
<u>AGAINST THE PERSON</u>						
Murder and Manslaughter	40	10	-	1	4	25
Attempted Murder and Suicide	7	2	-	-	-	5
Grievous harm, Wounding etc.	51	11	-	3	19	18
Assault	7	4	-	1	1	1
Other	19	6	-	3	6	4
<u>AGAINST PROPERTY</u>						
Thefts and Other Stealings	37	10	-	3	3	21
Robberty and Extortion	55	8	-	12	8	27
Burglary, House and Store-breaking	76	17	-	13	9	37
False pretences; Cheating; fraud, etc.	24	7	-	5	4	8
Receiving stolen property	12	7	-	1	1	3
Arson	6	1	-	-	2	3
Other	10	4	-	3	3	-
<u>AGAINST PENAL CODE</u>						
Forgery and Coinage	32	3	-	4	8	17
Other	5	1	-	1	2	1
<u>AGAINST LOCAL LAWS</u>						
Against Traffic Ordinance	3	-	-	-	1	2
Against Township Ordinance	-	-	-	-	-	-
Against Liquor Ordinance	-	-	-	-	-	-
Gambling	-	-	-	-	-	-
Other	-	-	-	-	-	-
	133	97	-	67	80	197



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APPENDIX L

MISCELLANEOUS JUDICIAL MATTERS

Insolvency

1.	Petitions for Receiving Orders		
	(a) By creditors	...	7
	(b) By debtors	...	4
	Insolvency notices filed	...	11
	Petitions dismissed or withdrawn	...	2
	Receiving Orders Made:-		
	(a) Petitions filed in 1959	...	-
	(b) Petitions filed in 1960	...	11
	Receiving orders rescinded	...	-
	Public examinations held:-		
	(a) Petitions filed in 1958	...	-
	(b) Petitions filed in 1959	...	5
	(c) do in 1960	...	6
	Orders of Adjudication -		
	(a) Petitions filed in 1958	...	-
	(b) do in 1959	...	5
	(c) do in 1960	...	7
	Applications by assignees for release		-
II	Petitions or applications to administer estates in insolvency	...	-
III	Administration Orders		
	Made	...	8
	Refused or application withdrawn	...	-
	Rescinded	...	-
IV	Judgment Summons issued -		
	(a) Demerara and Essequibo	...	71
	(b) Berbice	...	8

COMPANIES WINDING-UP

	Petitions for	...	1
	Order made	...	-
	Application by liquidators for release		-

PARATE EXECUTION

	Fiats granted for recovery of		
	(a) Town Taxes	...	344
	(b) Village Rates	...	404
	(c) Rates and Taxes other than the foregoing granted		-
	Applications for substituted service granted		593

PETITIONS (other than those filed in Matrimonial Causes)

	Number filed -		
	(a) Demerara and Essequibo	...	58
	(b) Berbice	...	17

/...



APPENDIX L (CONT'D)

made up as follows -

(i)	for leave to levy on immovable property in pursuance of a Judgment of Magistrate's Court	5
(ii)	for admission by Barristers to practise	18
(iii)	for admission by Solicitors to practise	1
(iv)	For leave to marry	14
(v)	for declaration of title	14
(vi)	Others	23

PROBATE

Application for probate of wills -			
(i)	Demerara and Essequebo	...	282
(ii)	Berbice	...	121
Application for Letters of Administration -			
(a) To the Court			
(i)	Demerara and Essequebo	...	222
(ii)	Berbice	...	74
(b) To the Registrar			
(i)	Demerara and Essequebo	...	36
(ii)	Berbice	...	18

POOR PERSONS

Applications under Rules of Court 1955 (Poor Persons)	...	...	61
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DECEASED PERSONS ESTATES ADMINISTRATION ORDINANCE  
CHAPTER 46

Accounts filed by executors and administrators (section 46):-			
(a)	Demerara and Essequebo	...	23
(b)	Berbice	...	2
Applications to Registrar -			
(a) For leave to sell (section 42) -			
(i)	Demerara and Essequebo	...	18
(ii)	Berbice	...	1
(b) For leave to sub-divide (section 42(2)) -			
(i)	Demerara and Essequebo	...	3
(ii)	Berbice	...	2
(c) For assessment of remuneration of executors and administrators (section 48)-			
(i)	Demerara and Essequebo	...	2
(ii)	Berbice	...	1

/...



COMPLAINTS AGAINST LEGAL PRACTITIONERS	105
PROCEEDINGS UNDER THE CORONERS' ORDINANCE	190
DEPOSIT OF WILLS FOR SAFE CUSTODY Chapter 46	
(a) Safe custody with Registrar (section 5)	
(i) Demerara and Essequebo ...	240
(ii) Berbice ...	40
(b) Lodged (section 6 ) -	
(i) Demerara and Essequebo	33
(ii) Berbice ...	-
CAVEATS ENTERED	
(i) Demerara and Essequebo	47
(ii) Berbice ...	13
WRITS OF EXECUTION	
Issued against movable and immovable property	
(i) Demerara and Essequebo	267
(ii) Berbice ...	47
PUBLIC TRUSTES UNDERTAKING TO ADMINISTER ESTATES OF DECEASED PERSONS	41
DIVORCE	
Citations issued ...	299

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APPENDIX M

MARSHALS' BRANCH 1961

<u>Writs of Summons</u>	
Served by:	
Marshals ...	1,469
Bailiffs ...	791
Other than Marshal or Bailiff, person authorised by Registrar under Sec. 54 of the Supreme Court Ord. Ch. 7 ...	47
<u>Witnesses' Subpoenas in Civil Matters</u>	
Served by:	
Marshals ...	547
Bailiffs ...	146
Persons authorised by Registrar	45
<u>Number of Summations</u>	
Served by:	
Marshals ...	2,272
Bailiffs ...	179
Persons authorised by Registrar	Nil
Withdrawn ...	419



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Number of Judgment Summonses

Served by:

Marshals	...	...	59
Bailiffs	...	...	34

Number of Divorce Citations

Served by:

Marshals	...	...	19
Bailiffs	...	...	11

Miscellaneous

184

Number of Levies

Made By -

Marshals	...	...	1,043
Bailiffs	...	...	89
Persons authorised by Registrar			Nil
Withdrawn	...	...	191

Days in Attendance at Court

Appellant Jurisdiction	...	137
Civil Jurisdiction	...	996
Criminal Jurisdiction	...	603
Transport Court		101
Federal Court	...	46

Days spent on outdoor Duty

Whole Days	...	271
Part days	...	753

Execution Sales	...	481
Oppositions to Execution Sales	...	14

Amount received under Execution Sales	\$48,952.77
Unclaimed balance paid into Treasury	... 9,575.17

Witness Money Lodged	...	...\$2,958.72
Balance in Bank Unpaid	...	...\$3,358.66



APPENDIX N

REVENUE

Comparative statement of revenue collected for 1959 and 1960 under various heads.

	<u>1959</u>	<u>1960</u>
Estate Duty	\$ 15,676.04	\$ 16,126.18
Duty on Transports, etc.	160,175.13	219,851.00
<u>Fees -</u>		
Notarial	\$ 21,135.82	\$ 25,986.92
Judicial	77,641.53	87,476.88
Conveyancing	113,384.28	132,812.73
Marshal	45,959.43	41,304.69
Affidavits	1,108.90	985.08
	<u>\$ 259,229.96</u>	<u>\$ 288,566.30</u>

EXPENDITURE

Comparative statement of expenditure for 1959 and 1960.

	<u>1959</u>	<u>1960</u>
Personal Emoluments	\$ 251,048.00	\$ 277,182.40
Other Charges	<u>94,457.00</u>	<u>124,531.72</u>
	<u>\$ 345,505.00</u>	<u>\$ 401,714.12</u>



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APPENDIX O

Victoria Law Courts,  
Georgetown,  
28th June, 1961.

Sir,

With reference to your memorandum No. L, 11/11/1<sup>II</sup> of the 8th June, 1961 I have the honour to submit a report on the work done by me as Commissioner of Title from the 4th January, 1960 to the 28th June, 1961.

REGISTRATION AREAS

Up to the present time 9 land registration areas have been designated. The first area was designated on the 30th December, 1959, and it includes 27 estates on the West Bank Demerara with a facade of 5 miles by a depth of 2 miles approximately. The last area was designated on the 14th June, 1961, and it comprises Pln. Bachelor's Adventure, East Coast, Demerara, with a facade of  $\frac{1}{4}$  mile and a depth of  $1\frac{1}{2}$  miles approximately.

Of the other 7 areas only one of them forms a complete block - Union/Ross, West Coast, Berbice which was designated on the 22nd October, 1960. That area comprises 6 estates and it has a facade of about  $2\frac{1}{2}$  miles by a depth of  $2\frac{1}{4}$  miles. The other 6 areas were designated as follows:-

<u>Registration Area</u>	<u>Date of Order</u>
Lot No. 9, West Coast Berbice	31st August, 1960
Lot No. 12, West Coast Berbice	31st August, 1960
Lot No. 10, West Coast Berbice	15th March, 1961
Lot No. 8, West Coast Berbice	15th March, 1961
Pln. Trafalgar, West Coast Berbice	15th March, 1961
Pln. Arcadia, East Bank, Demerara.	19th April, 1961.

APPLICATION FOR TITLE

661 applications for title have already been filed and 191 have been heard. Of these 191 applications, 103 were with respect to lands in the first registration area of Jacob's Lust/Zorg-en-Vliet, 50 are for lands at No. 9, West Coast Berbice and 38 for lands at Union/Ross West Coast Berbice.

It was not possible to hear more than the 191 applications because the surveyors' sketch plans with respect to the lands referred to in the remaining applications have not yet been prepared. 62 applications for title to lands at No. 8 West Coast, Berbice, have been fixed for hearing at New Amsterdam, on the 12th July, 1961, as it is expected that the sketch plan for No. 8 will be completed by the end of this month.

/The...



The 103 applications for title to lands in the first registration area Jacob's Lust/Zorg-en-Vliet were heard and determined at Sisters, La Grange, Vreed-en-Hoop, and Georgetown between the 16th March, 1960 and 29th August, 1960. The 50 applications for title to lands at No. 9 were heard and determined at New Amsterdam in April, and May, 1961 and the 38 applications for title to lands at Plantations Ross and Yeovil in the Union/Ross Registration Area were heard and determined at New Amsterdam and at Weldaad in May and June, 1961.

The majority of the 661 applications were prepared by lawyers and by lawyers' clerks. It has recently been decided to prepare applications for title in the Registry whenever the applicants so request because of the impecuniosity of the majority of them. No fee is charged for preparation of these applications. Of the 70 applications filed for title to lands at Arcadia, 59 were prepared in the Registry.

LANDS ON REGISTER

The declarations and records of title made with respect to the area of land comprising the three estates known as Jacob's Lust, Chantilly, and L'Hermonie, West Bank Demerara, were published in the Official Gazette of the 7th January, 1961, pursuant to section 31 of the Land Registry Ordinance. There were no appeals and the lands comprising these 3 estates have been brought onto the register and will hereafter be dealt with as registered land.

The land now on the register consists of 62 parcels. Of these 4 parcels were registered in the name of the Crown because no claimant established title to them.

SURVEYORS ON LAND REGISTRATION WORK

Throughout 1960 Mr. R.L. Dewar was the only surveyor engaged on land registration work. He was assigned to carry out the survey work in the first registration area Jacob's Lust/Zorg-en-Vliet. He completed the preliminary survey of the whole area as well as the final survey and plan for the area comprising the 3 estates known as Jacob's Lust, Chantilly and L'Harmonie.

Early this year Mr. Dewar was transferred for duty in Registration Area No. 9, West Coast, Berbice. He has completed the preliminary survey for that area and is now engaged on the preliminary survey for Registration Area No. 8, West Coast Berbice. It is expected that he will complete the preliminary survey for Registration Area No. 10, West Coast Berbice and Registration Area No. 12, West Coast Berbice about October, 1961, and the final surveys and plans for No. 8, No. 9, No. 10 and No. 12 West Coast Berbice before the end of 1962.

/At...



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At this stage it may be well to state that No. 11, West Coast, Berbice was not designated a registration area because it is subject to a partition order and the survey has already been completed. The plan will be prepared in such a manner that the lands in that area can be brought onto the Register pursuant to section 47 of the Land Registry Ordinance, 1959. Registration Block IX - West Coast Berbice comprises Lots No. 8 to No. 12 West Coast Berbice.

Mr. C.V. Collymore, recently qualified Government Surveyor, is engaged on the final survey of the remaining 24 estates in the first registration area. He has completed the final survey of 4 estates known as Drysdale, Concordia, Kilmanock and Catherina and is now engaged on the final survey of Sarah's Hope, Caradora and Strik-en-Heuval. He proposes to return to office about the end of July to prepare the final plan for the areas surveyed by him. He should return to the field during the latter half of September. It is not expected that the final plans for this first registration area will be completed before the end of 1962.

From April, 1961, Mr. C.M.F. Rayman, Government Surveyor, was engaged on survey work in Registration Area Union/Ross which includes Plantations Ross, Yeovil, Chester, Brittainia, Tempe and Union. He has completed the preliminary survey of Pln. Ross and Pln. Yeovil. He is now engaged on the preliminary survey of Pln. Chester. It is not likely that the final survey and plan for this area will be completed before the end of 1962.

Mr. M.A. Phang, Government Surveyor, is presently engaged on the preliminary survey of Registration Area Pln. Arcadia, East Bank Demerara. He will soon be proceeding on leave but before doing so he will deliver to me the sketch plan of the area to enable me to hear the applications for title. It is expected that the final survey will be done as soon as he returns from leave.

At a meeting held at the Ministry of Labour, Health and Housing on the 7th October, 1960 with the Honourable Minister presiding, it was agreed that Messrs. D.M. Edghill, and M.A. Phang, Government Surveyors, would be assigned to land registration work as soon as they completed the work they then had in hand. The Commissioner of Lands & Mines informed me that they would be ready to take up their new duties in April, 1961, but Mr. Edghill has not yet done so. I am, however, informed that he will complete the preliminary survey and prepare the sketch plan of Bachelor's Adventure which was declared a registration area on the 14th instant before he proceeds on leave in October, 1961. The applications for title to lands in this area will be heard and completed before Mr. Edghill returns from leave so that he can commence the final survey as soon as he resumes duty in or about May, 1962.

#### SOME REASONS FOR DELAY IN SURVEY WORK

In the registration areas in which Mr. Dewar and Mr. Rayman are working the lands have hitherto been divided into numerous long narrow lots. Each lot is usually owned and occupied by many persons. Some of these lots are 12 feet wide by about  $2\frac{1}{4}$  miles in depth. Most of the other lots are 24 feet or 36 feet wide by about  $2\frac{1}{4}$  miles in depth, only a few lots being more than 48 feet wide. These are shown exactly as they are occupied on a sketch plan by the surveyor for the purpose of determining the ownership of the land as at the present time.

/The...



The houses on these lands have for the most part been erected up to boundaries of the lots and some of them have even encroached on the adjacent lots. There is also no proper drainage or access to most of the rice and provision cultivation because the lots as laid out are all long narrow strips. There are no separate house lots and cultivation lots and no land has been laid out for community purposes such as playground or burial ground.

The result is that there must be a proper re-allotment of house lots and of the cultivated portions in order that tenure of long and narrow strips of land be avoided wherever it is possible to do so without causing undue hardships. This is made difficult by the inability of many of the applicants who are poor to pay compensation for additional land which may be allotted to them and the unwillingness of others to part with their small shares in land and accept compensation therefor.

In view of the above it is necessary for the surveyor to prepare a second sketch plan showing the proposed re-allotment by me for the continuation of the hearing at which objections by any of the applicants to such re-allotment would be considered and decided upon.

COMMISSIONER OF TITLE (ADDITIONAL POWERS)  
ORDINANCE, 1960

Since the passing of the above Ordinance, 77 partition appeals and 34 petitions for declaration of title have been heard and determined by me. At the present time there are about 10 partition appeals and about 9 petitions for declaration of title still to be heard. All partition appeals filed prior to October, 1959 have been disposed of.

CONCLUSION

It appears that the new system of land registration is welcomed by the vast majority of persons desiring titles to land. Apart from the fact that title under the new system is guaranteed by the Crown some persons have already obtained titles at a nominal cost. If substantial progress is to be made in the next few years it is essential that 10 surveyors and 4 clerks be assigned to land registration work. Of the 10 surveyors not more than 5 of them should be recently qualified and of the 4 clerks one of them should be of the status of a chief clerk because of the important specialised and administrative work he will be required to perform.

I have the honour to be,  
Sir,  
Your obedient servant,  
R.S. Persaud  
Commissioner of Title.

The Honourable  
The Attorney General,  
Attorney General's Chambers,  
Main Street,  
Georgetown.