

administration is, of all the branches of the Office business, the most burdensome and least remunerative. But in my opinion it is the most useful of them all to the public, for it keeps the administration clear from domestic quarrels and jealousies, and spares no trouble in searching out the next-of-kin, and faithfully distributing the assets.

As the speediest way of obtaining the opinion of the Court of Appeal, counsel advised application under section 30 of the Office Act, which appeared to provide for such cases. The Court, however, held that it had no jurisdiction, as the section did not apply.

So the matter stands at present, but steps will be taken to obtain the decision of the Full Court or Court of Appeal at the earliest possible moment, so that, if necessary, Parliament may have an opportunity of considering the whole question during the present session.

RELATIONS WITH LEGAL PROFESSION.

I regret to say that the relations between the legal profession and the Office are not free from friction.

In many quarters a perfectly honest misapprehension exists as to the nature and extent of the legal work done by the Office. It has been stated, for example, that anybody who has bought a section of land can come and get his transfer prepared; further, that in order to obtain the work, the Office charges much less than the ordinary costs. This is not so. No legal work is done except in connection with estates that are in the Office. If it is done for the estate, then, as a rule, no costs are charged at all. If it is done for a person who is dealing with the estate—*e.g.*, for a purchaser who has bought a section belonging to the estate, and wishes his transfer or conveyance prepared—the rule is to charge a nominal fee of £1 ls., to cover the time and trouble involved.

This class of work is done, not to make costs, but solely and wholly in the interests of the estate. In the case of small properties it often produces a better price. A man will offer more if he knows what the costs will be. Then it hastens the winding-up of the estate. The title is in the Office, and the transfer can be prepared at once. Creditors are pressing for their claims, beneficiaries for their shares, and the Office is anxious to satisfy them all as quickly as possible. Hence the practice.

I refer to this matter at some length in order to remove, if possible, the sense of grievance that exists. I am most anxious to work amicably with the profession. The operations of the Office undoubtedly press them hard, and this process must go on, but no unfair or illegitimate attempts are made to take work from them; quite the contrary. For example, where legal work connected with an estate has to be done outside the Office, the solicitor who acted for the estate is instructed. Again, the solicitor who prepares a will under which the Public Trustee is executor will be instructed to obtain probate. In one case, indeed—that of loans—the Office treats the profession more liberally than does any other lending institution in New Zealand. Other things being equal, a solicitor who introduces a loan is instructed to act for the Office in preparing the security. The fees so received amount to thousands of pounds in the year.

GENERAL.

The Office accounts for the year have been laid before Parliament, and appended hereto is a continuation of the comparative tables contained in previous reports.

I have, &c.,

FRED. FITCHETT,
Public Trustee.

The Hon. A. L. Herdman,
Minister in Charge of the Public Trust Office, Wellington.