

DISPOSAL OF SHARES IN NEW ZEALAND COMPANIES BELONGING TO ENEMY NATIONALS.

16. Under the War Regulations dated 2nd May, 1916, it is provided that if the Attorney-General is satisfied that any share in a New Zealand company belongs, or at any time since the commencement of the war with Germany has belonged, in law or in equity to an enemy, or to an enemy company, or to an alien enemy, other than a natural-born British subject, the Attorney-General may, by order signed by him and published in the *Gazette*, order and declare that such share shall be vested in the Custodian of Enemy Property. The Custodian of Enemy Property is required to sell such share or shares, and to hold the proceeds in trust for all persons having any interest in such shares, income, or proceeds in accordance with their respective interests. The purpose of these regulations was to eliminate on the grounds of public policy all enemy interests from companies incorporated in New Zealand. In the case of companies incorporated outside New Zealand, but having branch registers in New Zealand, the disposal of shares on the local registers was not a matter for the New Zealand authorities, but for the Custodian of Enemy Property in the country where the company was incorporated.

17. As satisfactory evidence has been produced that certain of the shares so realized were held in trust for British nationals subject to a life interest in favour of German nationals, authority has been received for the Custodian of Enemy Property to release the capital amount of such shares for payment to the trustees. The remaining amounts, with the exception of the proceeds of certain shares, in regard to which the rights of enemy subjects under the trust instrument have not yet been definitely determined, have been credited to the German Liquidation Account in accordance with the terms of the Treaty.

ADMINISTRATION OF NEW ZEALAND ESTATES OF ENEMY SUBJECTS DYING DURING THE PERIOD OF THE WAR.

18. It is provided in the War Regulations dated 22nd February, 1916 (which are continued in force by the War Regulations Continuance Act, 1920), that, save with the consent of the Attorney-General, no person shall, whether on his own behalf or on behalf of any other person, make, or be concerned in making, any application to the Supreme Court for probate of the will or for letters of administration of the estate of any person who at his death was an alien enemy, wherever resident, or for the rescinding in New Zealand of any such probate or letters of administration granted elsewhere. In order to ensure compliance with the foregoing requirements, additional regulations under the Judicature Act, 1908, were made by the Governor in Council on the 10th July, 1916, and gazetted on the 13th July, 1916. The rules of the Court require an affidavit to be filed respecting the birth and nationality of the deceased. In accordance with the policy adopted, the Attorney-General required the estates of deceased alien enemies to be administered by the Public Trustee, and consent to administer was refused to all other persons and corporations.

19. Under paragraph 4 of the foregoing regulations the distribution or payment of any part of the assets of an estate to any beneficiary or creditor who was an alien enemy, wherever resident, or to any other person on his behalf, is prohibited save with the consent of the Attorney-General. Considerable difficulty has been experienced in administering these estates, on account of lack of definite information as to nationality, domicile, existence or non-existence of a will, and the next-of-kin of deceased aliens. Much correspondence has been involved in endeavouring to obtain this information, either by letters forwarded direct to the beneficiaries or by inquiries instituted through the London Legation of the country of which such beneficiaries were believed to be nationals. In those cases where satisfactory evidence has been produced that the beneficiaries in the estates of deceased alien enemies are not of enemy nationality, or have acquired the nationality of an Allied or Associated Power under one of the principal Treaties of Peace, application has been made to the Attorney-General for authority to pay to such beneficiaries the amount of their shares.

20. Under the various Treaties of Peace the New Zealand Government has the right to retain and liquidate all property, rights, and interests within New Zealand belonging, at the date of the coming into force of the respective treaties, to German, Austrian, Hungarian, Turkish, or Bulgarian subjects, or to companies controlled by such subjects. Where the administration of such estates has been completed the net credit balance has been transferred to the German or to the Austrian Liquidation Account concerned. As far as it has been ascertained at present there is only one small amount due to a Hungarian national. No estates in which Turkish or Bulgarian beneficiaries are interested have been reported to the Public Trustee.

CONTROL OF PROPERTY OF PRISONERS OF WAR.

21. In order to prevent undue loss arising on account of the detention of aliens who were interned in New Zealand during the war, provision was made in the War Regulations dated 24th July, 1916, for the appointment of the Public Trustee as custodian of the property of a prisoner of war, either by the prisoner himself or by the Attorney-General in any case where he considered it necessary that a custodian should be appointed. Wide powers were conferred on the Public Trustee under the regulations, and, in the case of the prisoners of war who were repatriated from New Zealand, the Public Trustee was empowered to sell the whole or any part of the real or personal property in New Zealand of that prisoner, and to execute in his name and on his behalf all proper instruments of assurance. The amounts collected on behalf of the prisoners of war who, on their release from internment, were permitted to remain in New Zealand were paid to such prisoners on their release. In the case of the prisoners of war who were repatriated from New Zealand, the amounts held on their behalf were remitted to the High Commissioner for New Zealand in London, who was requested