

INFANTS' SHARES.

66. It frequently happens that executors, administrators, or trustees desire to close the administration of an estate or trust, but are unable to do so because one or more of the beneficiaries are infants and cannot give a legal discharge for their interest. Subsections (2), (3), and (4) of section 17 of the Public Trust Office Amendment Act, 1913, authorize any executor, administrator, or trustee to pay into the Public Trust Office any share or legacy payable to an infant. The simple procedure laid down in section 17 of the Amendment Act, 1913, and section 57 of the Public Trust Office Amendment Act, 1921, is all that is necessary to vest such share or legacy in the Public Trustee, and it is now being largely used by executors and administrators.

DISCHARGES OF MORTGAGES

UNDER SECTION 75 OF THE PROPERTY LAW ACT, 1908, AND SECTION 117 OF THE LAND TRANSFER ACT, 1915.

67. Another statutory function performed by the Public Trustee is the discharge of mortgages under these two sections. Often mortgagees go abroad without leaving a duly authorized agent in New Zealand, or die, and for some reason the taking-out of administration of their estates in New Zealand is delayed. In the meantime mortgagors may desire to repay their mortgages on or after maturity date. By virtue of section 75 of the Property Law Act, 1908, and section 117 of the Land Transfer Act, 1915, the Public Trustee is authorized to discharge a mortgage where (a) the mortgagee is absent from New Zealand (or under the Land Transfer Act, 1915, is dead); (b) so far as the mortgagor is aware there is no person in New Zealand authorized to give a discharge of the mortgage debt at or after the time appointed for the redemption of the mortgage; (c) payment of the amount due under the mortgage has been made, after the Public Trustee has been satisfied by sufficient proof to him of the amount due and owing. The money received is to be held on trust for the mortgagee or other person entitled to it. The foregoing statutory provisions are of assistance to mortgagors in cases like those outlined above, and are frequently availed of by them. During the past year thirteen mortgages were discharged under this section, and principal and interest amounting to £7,203 7s. 10d. was collected by the Office.

LIFE INSURANCE ACT, 1908.

68. The Public Trustee has also certain statutory duties to perform in connection with policies over the lives of minor policyholders. By virtue of section 75 of the Life Insurance Act, 1908, as amended by section 4 of the Amendment Act, 1920, a minor of the age of fifteen years may, with the consent of the Public Trustee, surrender, give a discharge for, dispose of by will, or otherwise deal with his policy as if he were of full age. The object of this provision is to ensure that the interests of minors are adequately protected, and that by reason of his infancy a minor is not put in a position of disadvantage in dealing with a life policy. Every application for permission to deal with a life policy in the cases covered by this section has to be submitted to the Public Trustee, who makes careful inquiries into the circumstances of each individual, because before the required consent is given an endeavour is made as far as possible to carry out the spirit of the section. The number of applications is considerable, 183 having been dealt with during the past year. The following list shows the nature of the various applications:—

Surrender	107
Loans	42
Assignments	30
Reduction of amount of policy	2
Payment of proceeds on maturity	1
Consent to make a will disposing of life policy	1

The investigation of such applications and the taking of steps to see that minors' interests are protected involve the performance of a large amount of service for which no adequate remuneration is provided. A nominal fee of 5s. is charged