

cause of the mental derangement. In conducting these inquiries, and indeed generally in carrying out the administration of mental patients' estates, it is realized that the relatives and friends are often very much distressed over the mental malady of the patient. The necessary duties are therefore carried out by the Office as delicately and considerately as possible. It is the aim of the Public Trustee to be as useful as possible, but at the same time to refrain from obtruding unnecessarily or officiously into private and domestic affairs. At times, however, the Office has to take a firm stand in obtaining information from persons unwilling through adverse interests, misunderstanding, or other reasons to supply it. On all these occasions, however, the Department is animated by the desire to carry out faithfully the important duties which the Legislature has seen fit to impose upon it.

In reference to the appointment of private committees, it is the practice of the Supreme Court to make such appointments only in cases where very special circumstances warrant it. Where this step is taken the committee is obliged to render to the Public Trustee annually a statement of account of his administration, and it is the duty of the Public Trustee to satisfy himself that the statement discloses that the administration has been properly conducted in accordance with the powers conferred by the Court upon the committee and the law governing the administration of estates of this nature.

One matter in which I find that private committees frequently omit to comply with the legal requirements is in regard to the investment by them of the estate funds coming within their control. Regulations gazetted in the *New Zealand Gazette* for 1913 (No. 37, page 1508), issued in pursuance of section 138 of the Mental Defectives Act, 1911, prescribe the classes of securities upon which private committees may invest the patients' funds. Generally speaking, the investments permitted are the same as those which trustees are permitted by the Trustee Act, 1908, to select. The regulations, however, provide that the Public Trustee's prior consent must be obtained to any proposed investments; but this requirement is frequently not observed.

AGED AND INFIRM PERSONS PROTECTION ACT, 1912.

47. This Act reminds us of the curatorship of the *prodigi interdicti* in the Roman law and the law of prodigals in France. Under the provisions of the Act the Supreme Court may be approached to appoint a manager of the estate of any person who by reason of advanced years, bodily or mental infirmity, or certain other causes is unable properly to manage his affairs or is likely to be subjected to undue influence in respect of his property. The application for the appointment of a manager is usually made by the relatives of such person or by the Public Trustee at the instigation of the person concerned or the relatives.

The Public Trustee is capable of being appointed to act as manager of estates of this nature, and is frequently approached to do so. Even where private managers are appointed he has certain duties to perform—similar, in point of fact, to those rendered in mental patient estates where private committees are appointed. The managers are required to file annually in the Supreme Court a statement of their administration, and to deliver a copy of it to the Public Trustee. The Public Trustee causes the statement to be examined, files a report in the Supreme Court, and transmits a copy to the managers.

As I have pointed out in previous reports, however, whilst it was doubtless the intention of the Legislature that the administration of all private managers should be so scrutinized, nevertheless under the existing legislation the Public Trustee has no means of ascertaining those persons who have been appointed managers, and so cannot satisfy himself whether all private managers are complying with the statutory requirements or not.

INTESTATE ESTATES.

48. During the year 635 estates, of a total value of £425,563, were placed with the Office for administration. In my report for last year I mentioned the experience of the Office that the proportion of persons dying intestate was gradually decreasing. Although the new business for the year showed a marked increase