

The Public Trustee, however, has power to lease—

- (a) For any term not exceeding twenty-one years (section 68 (d) Public Trust Office Act, 1908):
- (b) Subject to the same conditions as reserves under the West Coast Settlement Reserves Act, 1892, may be leased (section 68 (e) Public Trust Office Act, 1908.)

A difficulty might arise were leases granted under the last-mentioned authority, in that leases under the West Coast Settlement Reserves Act, 1892, confer upon the lessees a right of perpetual renewal at a rental to be fixed by arbitration, whereas the Public Trustee is merely a trustee in respect of unclaimed lands, and holds them subject to the owner appearing at any time within twenty years of the date of vesting in the Public Trustee and claiming to have the land restored or the proceeds accounted for. It is anticipated, however, that the powers conferred by section 68 (d) will be adequate for any cases in which the necessity for leasing may arise.

EDUCATION RESERVES.

61. In terms of the Education Reserves Amendment Act, 1910, the cash and investments held prior to that Act by the various School Commissioners throughout New Zealand for administration for the benefit of secondary and primary education were transferred to the Public Trustee.

The assets under administration by the Public Trustee as at 31st March, 1927, in pursuance of the Act were as follows:—

	Primary Schools.			Secondary Schools.		
	£	s.	d.	£	s.	d.
Cash held in Common Fund ..	18,822	15	1	796	4	2
Mortgages	3,050	0	0	Nil.		
	<u>£21,872 15 1</u>			<u>£796 4 2</u>		

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

62. During the year ten mortgages were discharged under the Public Trustee's statutory powers, and principal and interest amounting to £9,175 16s. 8d. collected.

THE LAW RELATING TO LEGITIMACY AND LEGITIMATION.

63. A notable point of distinction between the laws of the Dominion and England in the past has been the different treatment accorded in the two countries to illegitimate persons. The matter is of special interest in considering the succession to estates of deceased persons. In the case of England, prior to the passing of the Legitimacy Act, 1926, persons born out of wedlock could enjoy no rights of succession to the intestate estates of their parents or the ancestors or collateral relations of their parents. Furthermore, English law did not permit a person born out of wedlock to be legitimated upon the subsequent marriage of the parents, although it recognized and acted upon the status declared by the law of the domicile—*i.e.*, it recognized the fact of legitimation by subsequent marriage in cases where the persons concerned were domiciled at all material times in countries the laws of which accorded that consequence to the marriage.

In New Zealand more humanitarian principles prevailed in regard to both the legitimation of the child, and the succession on the one hand of the illegitimate person to the mother's intestate estate, and on the other hand of the mother and the next-of-kin of the mother to the illegitimate's estate upon his or her intestacy. The Legitimation Act, 1908, consolidating the provisions of the original statute of 1894, provided for the legitimation of a child born prior to the marriage of its parents by its father going through certain forms, whereupon the child acquired the status and all the rights and privileges as from the date of its birth of a legitimate child. It could succeed to a share of the intestate estates of its parents, or of the ancestors or collateral relations of the