

During the year a complete overhaul was made of the files relating to wills deposited in the Office. This was carried out as an additional check and it disclosed a very satisfactory condition.

As usual the periodical stocktaking of all the wills on deposit will be held during the ensuing year.

By section 4 of the Administration Amendment Act, 1911, it is provided that upon the filing in the Office of the Supreme Court of an application by a person other than the Public Trustee for probate or administration of the estate of a deceased person it shall be the duty of the Registrar to transfer to the Public Trustee a notification of such application. This is a wise provision, because where there is such a large aggregation of wills as that on deposit with the Public Trustee it is often found in the case of an application for probate a later will than that referred to in the application is held by the Office, or in the case of application for grant of administration on intestacy that the deceased has made a will and deposited it with the Public Trustee. As soon as notifications under this section are received from the Supreme Court the records are carefully searched and the respective Registrars promptly advised so that there may be no delay whatever on the part of the Office in the grant of probate or administration.

LEGAL DIVISION.

66. In the class of business undertaken by the Office a skilled legal staff must be provided. As intimated in previous reports, the Office Solicitor's staff is located at Head Office. His work consists largely in advising the Public Trustee on the multitudinous legal matters arising in the course of administration of estates under the control of the Office and in the other classes of transactions handled by it. Associated with him is a skilled staff who are able to undertake all classes of legal work.

As a natural outcome of decentralization at the principal offices throughout the Dominion a District Solicitor is attached to the staff. His chief duty is to attend to the local conveyancing matters, drafting local wills, Magistrate's Court proceedings, and a number of other legal duties which may be delegated to him from time to time.

The Legal Division in common with other divisions of the Office has experienced the effect of the increased business transacted during the past year. It will be readily understood that in a large trust and investment business like that carried on by this Department there must be constantly arising a number of legal problems, some of which are of great importance and far-reaching effect, and affect property of considerable value. It is essential, therefore, that a high standard of efficiency be maintained in respect to the legal staff. Every effort is made to do this, and I feel sure that it may be safely claimed that these efforts have met with undoubted success.

During the year under review there was again a considerable number of contentious proceedings in the Supreme Court to which the Public Trustee was an original party, or wherein he was appearing on behalf of infants, absentees, or other persons not *sui juris*. It must be borne in mind that the Supreme Court is empowered to direct service on the Public Trustee as representing persons beyond the Dominion, or persons whom from any other causes, such as infancy or mental deficiency, are unable to protect their own interests.

The following are the principal cases argued in the Supreme Court in which the Office was involved during the past year:—

(1) *Stevens v. Brown and Others* (1926 G.L.R. 34; 1926 N.Z.L.R. 170).—By his will a testator gave to his trustees so many units of fifty shares each in a bank as should correspond with the number of his daughters living at his death. He further provided that his trustees should stand possessed of each unit of fifty shares upon trust to pay the income thereof to one of such daughters during her life, in case of marriage without power of anticipation, and after the death of any daughter the trustees were to stand possessed of the unit of fifty shares in which such daughter had had a life interest in trust for such daughter, her executors, administrators, or assigns. There was a proviso that if a certain