

The administration of intestate estates by the Public Trustee is, however, most useful to the public, for it keeps the administration clear of domestic quarrels and jealousies, and the Office spares no pains to seek out the next-of-kin and faithfully distribute the assets amongst those entitled.

61. The administration of intestate estates entails the usual responsibility in the getting-in of the assets, the payment of the debts, funeral expenses, and all other of the lawful liabilities of the deceased, but presents an additional important feature in the establishment of the next-of-kin and the determination of the distribution of the estate. Once the next-of-kin have been established, the distribution is governed by certain statutory provisions and involves the application of fixed principles of law. The domicile of a person has a direct influence upon the distribution of his estate under intestacy, and must be taken into account when the distribution is being considered. This involves at various times the application of the laws governing the distribution in many countries. Questions of domicile affecting not only the British dominions, but also most of the European countries, China, the United States of America, and the South American republics, have had to be dealt with in the intestate estates under administration by the Public Trustee.

Often the details of family history available to the administrator are most meagre, and the search for the next-of-kin involves a large amount of correspondence and advertising. Frequently the advertisements published in efforts to trace the next-of-kin elicit replies from all parts of the world. All claims received must be scrupulously investigated and checked against the available details of family history.

62. There is current an erroneous impression regarding the distribution of intestate estates that has frequently come under my notice. I refer to the belief which is held by many people that in such estates the Public Trustee or the Crown confiscates either the whole or varying proportions thereof. It is difficult to understand how so totally an erroneous idea could have such a widespread currency, but as it recurs so frequently I take this opportunity of stating that it is entirely without foundation. The Public Trustee charges nothing beyond his scale fees for administration, and the Crown levies no more death duties in an intestate estate than it would do had the deceased left a will disposing of his property in the manner provided in the statutes governing the distribution on intestacy.

It may be that there is confusion in some minds between the distribution and levies in intestate estates and the law of *bona vacantia* as applicable to these estates. On intestacy where there are no next-of-kin the Crown is, of course, entitled to the balance of the estate of the deceased as *bona vacantia*, whoever may be the administrator.

MENTAL PATIENT ESTATES.

63. The Office performs a very useful and necessary service in connection with the administration of the estates of mentally defective persons. It is essential that proper provision be made for the estates of those persons who by reason of their helpless condition are unable to attend to their own affairs. The Mental Defectives Act, 1911, and the amendments thereof make full and careful provision for this important work. So that early attention may be given to these estates, the Act requires that every Magistrate making a receiving-order and every other person who makes any order for the reception and detention or confinement of any person shall send forthwith to the Public Trustee notice of such order. The Act further imposes upon the Public Trustee the conduct of the administration of the estates of all mental patients, except in those cases where a private committee or administrator has been appointed to act. Even in those cases where a private committee is appointed the Act requires him to render to the Public Trustee, at such times as shall be prescribed, an account of the affairs of the mental patient and of all the transactions of such committee. Thus the Public Trustee must exercise with respect to mental-patient estates not administered by him a supervision the effect of which cannot but be wholesome and advantageous to the estates concerned. The Public Trustee makes careful scrutiny of the accounts of all private committees to ensure that the administration is being properly conducted, having regard to the powers conferred on the committee by the Act and the law regulating the administration of these estates.