

the Mental Defectives Amendment Act, which provides that in the case of any person discharged or deemed to have been discharged under the Act, if the Public Trustee upon such evidence as he may require is satisfied that such person is able to manage his own affairs, control of his estate may be handed over to him. Accordingly the question for the Public Trustee to determine is whether such persons should be allowed to manage their own estates. This discretionary power is very carefully exercised, in order that the persons themselves and those dependent upon them will be properly protected. A number of cases under this provision came up for consideration during the year.

AGED AND INFIRM PERSONS PROTECTION ACT.

67. As its title implies, this Act was drawn for the protection of those persons who by reason of advanced years, bodily or mental infirmity, or other causes, are unable to manage their own affairs, or are likely to be subject to undue influence in dealing with their property. Where it is established to the satisfaction of the Supreme Court that such a state of affairs exists, the Court may make a protection order under the Act in the prescribed form. The Public Trustee may be appointed to act as manager, and by reason of the organization and the facilities for administration of estates afforded by the Office he is frequently approached to do so. During the past year the Public Trustee has been appointed manager in a number of cases, the figures for which are included under the heading "Miscellaneous," in the statistics relating to new estates. Where a private manager is appointed by the Court, the Public Trustee has a duty to perform in regard to the estate similar to that rendered in the estate of a mental patient where a private committee is appointed. The manager is required to file, at such times as may be prescribed, in the Supreme Court a statement of his administration, and to deliver a copy to the Public Trustee, who scrutinizes the accounts, files a report in the Supreme Court, and transmits a copy of the report to the manager. The Public Trustee must satisfy himself that the accounts are in order; that the management during the period covered by the accounts has been conducted in a satisfactory manner and in the best interests of the protected person; and that there was proper authority for all investments arranged and for all disbursements made.

As I have pointed out on numerous occasions in the past, under the existing legislation the Public Trustee has no means of knowing when an appointment of a private manager is made, and therefore cannot be certain that all private managers are complying with the important statutory requirements regarding the rendering of accounts. Indeed, every now and then cases come under notice where the requirements are not complied with, sometimes for a number of years.

Some of the estates of protected persons are large, and contain interests of an involved and difficult nature. The administration problems which are met with in the management of the property are often those common to estates of all classes, although at times it is found that a protected person has, by reason of his infirmity, muddled or mismanaged his affairs, or become involved in transactions disadvantageous to him and therefore requiring most careful attention and at times having to be set aside. Very often it is difficult to decide what is best in the interests of the estate in these matters. The question of allowances for the maintenance of protected persons and dependants is also important. During the past year a number of difficult complications were dealt with in connection with some of the estates administered under the Aged and Infirm Persons Protection Act, 1912.

CONVICTS.

68. Under the provisions of Part III of the Prisons Act, 1908, the custody and administration of the estates of convicts are to be entrusted to such persons as the Governor-General may by writing under his hand appoint. In practice, all such estates are administered by the Public Trustee pursuant to a general authority given by His Excellency the Governor-General. An exception is made in the case of Natives within the meaning of the Native Land Act, 1909, whose estates are administered by the Native Trustee. The Prisons Act, 1908, defines