

length the powers to be given), after the manner of the Land Transfer Act, where the short expressions "will paint," "will insure," have a statutory meaning. In the same manner a letter appointing the Public Trustee trustee should give him all the usual powers of a trustee over the property named in the letter, except such as should be specially negatived therein. Again, much confusion and expense would be obviated, and an immense boon to families would be insured, if it were enacted that there should be implied in every will of which the Public Trustee is appointed executor the usual powers of investment, leasing, maintenance of minors, and other usual provisions, unless specially negatived. Great hardship constantly arises because testators have not called to their aid the services of a professional man, and the family suffers in consequence. The above provisions would greatly assist in the successful administration of this class of estate. In conclusion, I would remark in reference to the general administration of the office that, were I to state that the Public Trustee had never made a mistake or had never committed an error of judgment, I should assert that which no sane man would believe or could hope for; but what I do assert fearlessly and distinctly is, that there has been displayed by the office since its establishment a most earnest desire to conserve and protect the interests of its clients to the best of its ability, a careful attention to all the multifarious duties which have devolved upon it in connection with such conservation and protection, and an unswerving honesty and uprightness of purpose in the carrying-out of those duties. If the Commissioners will take into consideration the very defective state of the law governing the office, the absence of freedom of action which has hitherto hampered it, the frequent groundless attacks directed against it, either by interested parties or by the victims of a law which at the time of its enactment did not contemplate the dimensions to which it has attained, and which has therefore become unsuitable—if the Commissioners will further consider the delays and great inconveniences to which the office has been subjected by the statutable powers of control hereinbefore referred to, they will, I apprehend, agree with me when I assert that the wonder is, not that great dissatisfaction exists as regards the working of the office, but that the people of the colony have not long ago insisted on such statutory amendments as should obviate the friction inevitably arising from the defective laws referred to—laws which I entertain a fervent hope that the labours of the Commissioners will cause to be largely amplified, and placed on a basis which will enable the office to breathe freely, to carry out its work untrammelled, and to prove to the colonists of New Zealand one of the most useful and popular of its many noble institutions. It was stated in the House that the Public Trustee should make known the requirements of the office to the Government. I produce draft Public Trust Office Bills, which will show that in every year since 1881, with the exception of 1886, 1887, and 1888, there have been Bills before the Ministry of the day with a view to amendment of the law. In 1885 and 1889 the Bills arrived at the stage of being printed for consideration of Ministers; but no Bill was ever introduced to Parliament. In 1886 there was a Public Trust Office Act passed; but it had no reference to the state of the law. It merely dealt with the constitution of the Board. The point I wish to bring out is, that the Public Trustee has not neglected this particular branch of his duty.

94. *Mr. Loughrey.*] That is, that he has drawn the attention of the Ministry of the day to the defective state of the present Acts?—Yes.

95. *The Chairman.*] Were those Bills to which you allude prepared by your own direction?—Yes.

96. And without the knowledge of the Minister?—No; with the knowledge of the Colonial Treasurer of the day.

97. Were they prepared by his direction?—Yes.

98. Notwithstanding which, nothing further was done?—Nothing.

99. Then, they were prepared by the direction of the Colonial Treasurer of the day on your suggestion?—That is so.

100. Were they prepared in your own office?—No. The earlier ones were prepared by the Solicitor-General and Controller and Auditor-General and the Public Trustee; the later ones by the Solicitor-General and the Public Trustee.

101. Were any of them prepared by outside solicitors?—Yes; one was drawn by Mr. Stafford in 1883, and from time to time it has been amended and rearranged by the Solicitor-General and the Public Trustee.

102. Then, the Bill of 1883 to which you allude, as originally prepared, never became law?—No.

103. Notwithstanding which you have had occasion, I presume by direction of your Minister, to have it amended with a view of its becoming the law, on several occasions?—That is so.

104. How many Boards of Advice or directories have you in connection with the Public Trust Office?—Two.

105. What are they?—The Public Trust Office Board proper consists of the Colonial Treasurer, the Native Minister, the Attorney-General (for whom the Solicitor-General acts), the Surveyor-General, the Property-tax Commissioner, the Government Insurance Commissioner, and the Public Trustee.

106. How often does that Board meet?—Once a week, every Wednesday afternoon.

107. Now, perhaps you will tell us the functions of the Board when its members do meet?—No trust or will can be accepted without the sanction of the Board. No deed can be executed without the presence of the Board and the attestation of two of its members.

108. That is, a quorum of the Board?—Yes.

109. Then, I understand that two besides yourself will constitute a quorum?—Yes. No investment can be made without the sanction of the Board. No lease or agreement for sale or mortgage by the Public Trustee, or for any other disposal of any landed property, can be made without the approval of the Board. I think those are their main functions.

110. I presume you keep minutes of the Board's proceedings?—Yes.