

former letters. The danger of removing the difficulty by authorising for the purpose the borrowing of money by mortgage giving a power of sale is the danger to the beneficiaries of losing their estate.

“As to the resolution that Mr. Barnard’s charges for surveys should be paid out of the funds in my hands, and that other necessary surveys should be ordered and paid for in the same manner, it is a matter of regret to me that the meeting was not aware that I should not be justified by such a resolution in paying those charges; and in my letter to Messrs. Rees and Day of the 30th April I have given the reasons for this conclusion.

“With the resolution that £100 should be paid to Messrs. Rees Brothers on account of their costs for incorporating the owners, I am unable to comply, in view of the opinion of my office solicitor, which was conveyed to you in my letter of the 22nd November, 1894—namely, ‘The question of costs (meaning those you refer to) is one of a liability which was solely incurred antecedent to the passing of the Act, and is similar to the preliminary expenses of a company incorporated under the Companies Acts, and the Act being silent herein, I am of opinion they are not payable out of the moneys to be received under the Act.’

“The remaining resolutions, like the latter portion of the first, are resolutions in favour of fresh legislation. With these I may have no direct concern, if they do not propose to give rights prejudicial to the general interest of the Public Trust Office, though the suggestion from me may not be unprofitable that my correspondence with you on the subject of your application on behalf of the committee for an advance of £10,000 should be carefully considered by the committee. The committee requires capital to carry out the administration for which the owners have been incorporated, as without capital the condition of things preceding the incorporation, even if not more unsatisfactory, can scarcely have been improved. Capital, however, can hardly be expected without a more attractive security than can be offered at present.

“The vesting of the title and management in some authority possessed of the capital necessary to render the property reproductive, with profit both to the Native owners and to the employment of the capital, and the granting of power to so apply this capital, would save the property from the risks which would attend a mortgage with a right of sale.

“I am, &c.,

“J. K. WARBURTON,

“W. L. Rees, Esq., Solicitor to Mangatu No. 1, Gisborne.”

“Public Trustee.

CONCLUSION.—I should remark in conclusion that the administration of the Public Trust Office, and the exercise of the large and various powers which, during the last five years, have been conferred upon the Public Trustee, furnish matter which might enable me to furnish a paper of much greater length, if not a series of separate papers; but, valuable as the work would be for the purposes of reference, and interesting to the student of the progress and development of such offices as this, the impatience of readers in general is such that a voluminous report might defeat the purpose of exciting a wide-spread interest in the business of the office.

I am, &c.,

J. K. WARBURTON,

Public Trustee.