

Trust Office in the conduct of this work. Except where the Court has appointed otherwise, the Public Trustee has the custody and control of the estates of all mentally defective persons within the meaning of the Act, and may also be appointed by the Court committee of any such estate. Moreover, the Public Trustee exercises certain supervision over the accounts and administration of private committees. During last year the estates of 434 mental patients, having assets valued at £447,014, were reported for administration, making a total at the 31st March, 1930, of 1,652 such estates, of an aggregate value of £1,981,987, under the control of the Public Trustee.

When the Public Trustee is acting as statutory committee of a patient's estate his powers and duties apply merely to that portion of it which is situated in New Zealand. If the patient possesses estate elsewhere the appointment of a committee or administrator lies with the competent jurisdiction in the *situs* of the foreign assets. It appears that unless the Courts of the territory where the overseas estate is situated authorizes such a course, the administrator or committee could probably not obtain possession of it. Nevertheless, it is the practice of the Public Trustee to endeavour to arrange for adequate steps to be taken to protect the foreign interests of mental patients and for any requisite administration action to be completed in respect of such assets.

72. This leads to the question of the advisability of providing, within the British Empire, a means of facilitating the administration of mental patients' affairs. Many persons resident in the United Kingdom or in the overseas dominions own property situated in various parts of the Empire. With expanding immigration and travel, increasing population in the dominions, and the extending of the range of property interests nowadays, it is to be expected that this spread of ownership of property throughout the Empire will increase in the future. When through the mental incapacity of a person owning property in any part of the Empire it becomes necessary or advisable for the committee or administrator of his estate to deal with or to protect such property, points arise which it is considered could be regulated by reciprocal legislative provisions, or working agreements, or other bilateral arrangements within the Empire. If this could be done the administration would be facilitated, with benefit to the incapacitated owners and their dependants.

73. The disability of a mental patient does not diminish his needs; in fact, in some respects, it increases them, and unintended hardship is often inflicted on him through the inadequacy of the legal provision whereby he may, through his curator, committee, or administrator, obtain the control of his whole estate with a minimum of expense and delay. As is well known, jurisdiction in lunacy is altogether independent of the question of domicile or nationality, and arises through the mere presence or temporary residence within the dominions of the Crown of the person whose mental disability is asserted. Thus the Court in lunacy has jurisdiction to order an inquiry into the state of mind of a foreigner domiciled abroad but temporarily resident in England or New Zealand, and, as a necessary consequence of such inquiry, to undertake the care of his person and property in England or New Zealand. Both the domicile of the person and transient nature of his presence in the part of the dominions of the Crown where he is detained may be immaterial to the exercise of the discretion of the Court in its lunacy jurisdiction. In order to enable curators, committees, or administrators of mental patients in one part of the Empire to receive and deal with assets belonging to such person situated in another part of the Empire, and to make for the mutual recognition of orders in lunacy made by Courts in different portions of the British Dominions, the means of providing useful reciprocity has been established in New Zealand by sections 10-13 of the Mental Defectives Amendment Act, 1921-22. It is not necessary to set out at length here the precise nature of this legislation. It is sufficient to say that the carrying-out of the provisions with respect to any part of the Empire other than New Zealand is dependent upon similar reciprocal legislation being in force in such other part of His Majesty's Dominions. There are two States of the Empire outside New Zealand having legislation substantially similar to the foregoing—namely, Victoria, where the legislation is contained in Divisions 2 and 3 of Part VIII of the Lunacy Act, 1915, and South Australia, where the relative provisions are contained in the Mental Defectives Amendment Act, 1914. It is