

suggested that these provisions might well be adopted by other parts of the Empire either in whole or in part, with any modifications which in any particular State or Dominion might be desirable or expedient.

74. A number of the mental-patient estates under administration have overseas assets, and during the year it was necessary in several instances to take appropriate steps to protect the interests of the incapacitated owners.

75. It should not be overlooked that in connection with the administration of these estates the provision for advisory trustees also applies. Section 10 of the Public Trust Office Amendment Act, 1913, extends the principle of advisory trustees to mental-patient estates, making it possible in suitable cases for a relative or some other person to be appointed in an advisory capacity.

76. A point of interest arose recently in connection with the legislation dealing with the Cook Islands, in the case of a European who had been committed from that territory to a mental hospital in New Zealand. As I have pointed out earlier in this report, Part VIII of the Mental Defectives Act, 1911, provides for the administration of a mental patient's estate either by a committee appointed by the Court (who can, of course, be the Public Trustee), or where no such committee is appointed, then by the Public Trustee. It is true that section 587 of the Cook Islands Act, 1915, provides that Part VIII of the Mental Defectives Act shall in New Zealand extend and apply to property situated in the Cook Islands belonging to a European of unsound mind, but it specifically excepts from the operation of the section interests in Native land. Thus it seems that there is no provision for the protection of a mental patient's interest in Native leases in the Cook Islands, and that it can only be left to the mercy of the lessor or the creditors to take such action as they think fit. The attention of the proper authorities has been drawn to this matter with a view to any requisite action being taken by way of supplementary legislation or otherwise.

77. The administration of mental defectives' estates entails a great deal of work and responsibility. When a person is committed to a mental hospital it devolves upon the Public Trustee to make inquiries as to his assets in order that appropriate action may be taken to protect his interests. In numbers of cases a great deal of inquiry and investigation has to be made, and steps have to be taken in regard to personal effects and assets of a nature for which little or no remuneration can be obtained. The service performed is necessary and useful, and it should be recognized that if it were not undertaken by the Public Trustee, then it would be necessary for the Government to set up some other authority for its conduct.

78. For no justifiable cause, and merely by reason of the nature of their mental disability, a number of mental patients cause endless trouble and stir up prolonged agitation in connection with the administration of their estates. Some harbour imaginary grievances, and others simply maintain a stout opposition to any interference or outside control of their affairs. All these features render the work of administration more trying and difficult. The powers, duties, and functions of the Public Trustee in regard to the estate of a patient cease when the patient is discharged in accordance with the Mental Defectives Act, 1911, and when it appears from the notice of discharge that he is competent to manage his own affairs. When a patient is completely recovered the Mental Hospital authorities issue a "discharged recovered" certificate, upon receipt of which the Public Trustee hands over to the discharged patient the control of his estate as a matter of course.

79. There are, however, a number of persons who have been inmates of mental hospitals and, although they will never completely recover, have recovered to such an extent as to justify their liberation from the institutions. In cases like this the Mental Hospital authorities would not be justified in issuing a "discharged recovered" certificate. At the same time, the mental condition of some of these persons may be such that they are capable of managing themselves and their own affairs with ordinary prudence, and that their mental disability will not put them at a disadvantage in dealing with their normal fellows.

By the Mental Defectives Amendment Act, 1914, it is provided 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