

If it is necessary in the interests of the protected person to sell, mortgage, or otherwise dispose of his estate or any part thereof, or to continue any act of benevolence which he was accustomed to make in favour of a person wholly or partially dependent upon him, or to exercise any other power for the protection of the estate, the manager can make application to the Court, which has jurisdiction to make an order.

84. The principles involved in the administration of the estate of a protected person are akin to those pertinent to the control and management of the estates of mental defectives. The constitution and organization of the Public Trust Office is eminently suited for that class of work, and by reason of these special advantages the Public Trustee is appointed manager in a large number of cases. If necessary, an advisory manager can be appointed to co-operate with the Public Trustee, who can thus have associated with him in an advisory capacity a relative, or business associate, or solicitor, or intimate friend whose judgment is valued by the protected person.

85. The Office has under administration a number of these estates, and during the past year several new appointments of the Public Trustee as manager were made by the Court. In some instances where the Public Trustee has acted as manager under the Act for a number of years, the relatives of the protected person have been so satisfied with the manner in which affairs have been handled that on the death of the owner they have entrusted the administration of the deceased's estate to the Office.

CONVICTS.

86. An additional class of persons who are generally made incapable of exercising their rights of citizenship, including the rights of dealing with their property, are convicts. Nevertheless, notwithstanding his conviction, a convict remains the owner of his property, and has duties and obligations towards his family and others which he will not be able to discharge. The law appoints an administrator to protect such property and to carry out the convict's obligations is so far as the property permits. Accordingly, under Part III of the Prisons Act, 1908, the custody and administration of convicts' estates are entrusted to such persons as the Governor-General shall under his hand appoint. In practice all such estates are administered by the Public Trustee in pursuance of a general appointment made by 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 created by the Native Trustee Act, 1920.

I have already pointed out that by reason of certain defects in the existing legislation which have during the past two or three years become apparent difficulties are encountered in some cases in the administration of convicts' estates. There is uncertainty whether or not those persons who are sentenced on a number of charges to more than one term of imprisonment, each being less than three years but in the aggregate being more than three years, can be defined as "convicts" for the purpose of that portion of the Act dealing with the administration of convicts' estates. Representations in regard to this matter have been made to the appropriate authorities, and the question of amending legislation is now under consideration. Beyond this there is nothing in connection with the administration of convicts' estates calling for special mention on this occasion.

CLAIMS UNDER THE WORKERS' COMPENSATION ACT.

87. A prominent feature of modern social legislation in many civilized countries is that dealing with workers' compensation. In New Zealand the first Workers' Compensation Act was placed upon the statute-book in 1900, and marked a revolutionary departure in the law of master and servant in this country, inasmuch as it proceeded upon the arbitrary rule that if any person coming within the definition of a "worker" sustained personal injury by accident arising out of and in the course of his employment compensation should be payable to him, or, in the event of his death, to those who were dependent upon his earnings. The New Zealand Act was adapted from a corresponding statute passed in England in 1897. It is stated that the principle of workers' compensation was derived from a