

fit, but in order that they might have the means of doing so should circumstances render such a course necessary or expedient. A duty is imposed on the Public Trustee to ensure that so far as possible the interests of the minors are protected. Not infrequently minors decide, upon advice received from the Office, not to proceed with their applications; but, as may be imagined, some applicants by reason of their youth and lack of judgment cannot be brought to realize in what direction their best interests lie, and in some cases it is necessary that the Public Trustee's consent be withheld.

The applications very frequently involve a considerable amount of investigation and work, but in view of the nature of the services rendered and the circumstances of the applicants a nominal fee of 5s. only is charged. In cases where the Public Trustee's consent is not given or where the minor does not proceed with the application no fee is charged.

During the year the consents granted numbered 232, made up as follows: Surrenders, 101; loans, 67; assignments, 52; reduction in amount of policy, 1; exchange for another policy, 1; payment of proceeds on maturity, 5; consents to make wills disposing of policy-moneys, 2; cashing of bonuses, 3.

76. It is a well-established rule of English law that, apart from sailors and soldiers on active service, a minor cannot make a valid will. An exception to this rule is created by the Infants Act, which provides that a married male not under the age of nineteen years and a married female not under the age of eighteen years may make a will disposing of real and personal property. Another interesting exception is found in section 75 of the Life Insurance Act, 1908, which gives a minor power, with the Public Trustee's consent, to make a will disposing of the proceeds of a policy of insurance on his or her life.

It is considered that, according to the wording of the section, the Public Trustee's consent is a condition precedent, and that a will executed without this consent cannot afterwards be validated by obtaining the Public Trustee's approval. In considering applications for the Public Trustee's consent to the disposal by will of life-policy proceeds a certificate is required from the solicitor drawing the will that—

- (a) The disposition is the minor's free act;
- (b) That the minor is of testamentary capacity and understands the nature and effect of the disposition;
- (c) The disposition is equitable, having regard to the rights of those persons with claims on the minor's bounty;

and advice is required as to the minor's reasons for diverting the policy proceeds from the usual channels of distribution.

In a recent application for letters of administration by a father in respect of the intestate estate of his deceased son, a boy of nineteen years, the Judge dealing with the matter called attention to the provisions of section 75. The affidavit filed in support of the application for administration omitted the usual clause to the effect that a search had been made for a will, and the Judge indicated that in view of the provisions of the section he would require the usual evidence that there was no will, or evidence that the deceased's life was not insured.

#### UNCLAIMED LANDS.

77. In terms of Part II of the Public Trust Office Act, 1908, as amended by section 35 of the Public Trust Office Amendment Act, 1913, the Public Trustee is empowered to administer, as unclaimed, lands the owner of which has no known agent in New Zealand, or is unknown, or cannot after due inquiry be found. Unclaimed lands when accepted for administration are vested in the Public Trustee in trust for the missing owners. As the Dominion becomes more closely settled, the number of applications to have land administered as unclaimed is declining, but cases still arise, and a few have been dealt with during the past year.

On the 31st March last the value of such lands under administration was £3,958, whilst cash was held to the extent of £1,295, representing the proceeds of realizations previously made. Careful instructions have been laid down for the guidance of officers to ensure that the management of these lands when accepted for administration is properly carried out.