

contract or arrangement for remuneration. No doubt in some instances the hope or expectation of receiving a post-mortuary benefit in the form of bequests under the will to some extent prompts the performance of these acts. When these hopes are disappointed, claims in various shapes and forms are put forward by the benefactors. In most instances they have to be rejected by the personal representative of the deceased, and at times considerable resentment is shown on the part of the claimants. Several claims of the nature just described came up for consideration during the past year.

Speaking generally, I may state that it is often not recognized that, although the rule is one of practice rather than of law, claims against the estate of a deceased person usually require to be corroborated by evidence other than that of the claimant. It is often difficult or wellnigh impossible to obtain the necessary corroborative evidence, especially in cases of reticent persons who have no intercourse with near relatives, or friends residing in their localities.

56. The foregoing serve merely as illustrations of the difficulties which are encountered and which add to the correspondence and the work of investigation. Often, too, there is confusion between the debts owing and Crown levies, and the Office charges. Although the Office charges are clearly set out in the accounts, frequently legal costs, death duties, and other necessary disbursements, which would have to be paid whoever administered the estate, are lumped together by critics and quoted as the Public Trustee's charges.

In the criticism of delays of trustees in the administration of estates critics are not always careful or accurate. In common with other trustees, the Public Trustee is often unjustifiably blamed for the length of time which it takes to complete the administration of an estate. The Public Trustee, like any other trustee, can administer an estate only as he finds it. Winding-up may be delayed by many complications and difficulties. The estate may be possessed of onerous and unrealizable assets or faced with heavy liabilities, and may be called upon to pay heavy legal costs through unavoidable litigation. The progress of the administration may be hampered, too, by dissension amongst the beneficiaries.

Another matter worthy of mention is that the liability of mortgagors under their personal covenants often causes the Public Trustee, as well as other trustees, much concern, and in many instances seriously impedes the administration of an estate. It may happen that the success or failure of the sale of the security determines the solvency or insolvency of the estate. Again, the realization of the estate may be completed and the trustee be in a position to make a distribution to the beneficiaries, but because of the contingent liability he may be compelled to withhold payment for many months until the liability is definitely determined. Doubtful securities are often difficult to realize, and the length of time taken in effecting a satisfactory sale causes the beneficiaries much inconvenience and disappointment, and in some cases may even result in serious loss to them financially. It would be well if owners of land when arranging to mortgage their interests would give full consideration to the possibility of subsequent liability under the personal covenants into which they enter.

CORRESPONDENCE IN ESTATES.

57. The administration of estates is a special work, and it is only to be expected that its intricacies and technicalities are often but little understood by those who are not experienced in it. Around it has grown up an elaborate system of law, and to the inexperienced this labyrinth is a vast puzzle. In conducting the correspondence in estates it is essential that it should be lucid and explanatory, and be couched in language that will enable the most inexperienced of those to whom it is addressed to understand the position of the administration. The Office devotes very special consideration to the preparation and despatch of correspondence in estates, and this, with explanatory accounts, regularly rendered, is a source of much satisfaction to the beneficiaries.

PROTECTION OF BENEFICIARIES.

58. Any beneficiary in an estate in the hands of the Public Trustee is fully protected. Apart from the State guarantee, the Public Trustee is a public officer