

In testate estates or trust settlements where the trusts are of a continuing nature—for example, where life-tenancies have been created or where there are minor beneficiaries entitled—the position is somewhat different. Shares and other interests in companies are not, of course, authorized trustee investments, and, in the absence of special provision to the contrary in the trust instrument, it becomes the Public Trustee's duty to convert them and to invest the proceeds in the manner provided for by the will or trust deed, or as authorized by law. Frequently the course of dealing with particular shareholdings is, however, laid down by the trust instrument, and the Public Trustee may be directed to retain such investments or authorized to do so at his discretion. Furthermore, in cases where there is no special provision in the trust instrument dealing with the matter, the persons entitled as beneficiaries may desire them to be retained and where sufficient protection is afforded by their directions or indemnities the Public Trustee is able to accede to their wishes.

25. From this brief summary it will be seen that important responsibilities and duties may be cast upon the Public Trustee in regard to the realization of shares and similar interests in companies or their retention over more or less protracted periods. It is only to be expected that in the course of the administration of the various estates entrusted to the Office and the performance of the other duties imposed upon him the Public Trustee will at times be controlling several holdings of stocks, shares, or debentures in the same company and that though individual holdings of shares and the like in a company may pass from his control, his interest in the company's affairs may continue or be renewed through the administration of estates committed to his care.

These interests may, especially in the case of larger companies the shares and securities of which are dealt with freely on the stock exchanges throughout the Dominion, be held as assets in estates under administration at different offices, so that there is an obvious economy of work to be effected in having the shareholdings under review in the one office and a definite advantage accruing to the individual estates through the comprehensive and varied knowledge to be gained by the Office of matters relating to share and other investments. This has long been recognized, and for many years past the practice has been followed of having proposals relating to dealings with shares reported upon by an officer at the Head Office specializing in this class of work and keeping in touch with developments affecting the companies in which the Public Trustee is controlling interests and conducting the periodical review of the holdings.

26. Though the foregoing statement deals mainly with shares and other interests in companies the duties of this officer have extended to other investments of a similar character, such as Government securities and the securities issued by local authorities which are authorized trustee investments but which are in a somewhat similar position to shares and other interests in limited liability companies as they are dealt with on the stock exchanges.

27. It is not, however, to be assumed that in these matters there has been any real departure from the principles of delegation of the administration of individual estates and funds to the local representatives of the Office, which is a cardinal feature of the Public Trust Office system and which has enabled such administrations to be conducted with the utmost expedition and with the greatest convenience to the persons beneficially interested. Where realization of such investments is required the actual sales are conducted by the local representatives of the Public Trustee either in the centres to which the administration is delegated or in other centres where the most favourable conditions for realization obtain. Care is taken not only to ensure that the individual estates benefit from the concentrated knowledge available at the Head Office, but also that the references to the latter are so arranged that favourable opportunities for sale are not prejudiced by delay of any kind.

28. In my report for last year I referred to the fact that as from the beginning of the year under review the duties relating to share and similar investments were to be transferred to a permanent officer of the Department in lieu of an independent