

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
19th July, 1907.

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Rt. Hon. Sir J. G. Ward.

PUBLIC TRUST OFFICE AMENDMENT.

ANALYSIS.

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| Title. | | |
| 1. Short Title. | | 3. Outgoings to be a first charge on property. |
| 2. Powers of Public Trustee in respect to uncared-for property. | 4. | 4. Public Trustee to advertise notice of intention to act. |

A BILL INTITULED

AN ACT to amend the Public Trust Office Consolidation Act, 1894. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Public Trust Office Amendment Act, 1907, and shall form part of and be read together with the Public Trust Office Consolidation Act, 1894. Short Title.

2. Where the owner of any real or personal property is absent from New Zealand, or his whereabouts are unknown, and such owner has left no one in charge of such property, the Public Trustee may take possession thereof, and do all acts and things which in his opinion are necessary for the maintenance and preservation thereof, and may,— Powers of Public Trustee in respect to uncared-for property.

- (a.) Repair or insure against fire or accident any such property :
- (b.) Pay rates, taxes, assessments, insurance premiums, and other outgoings relating thereto :
- (c.) Bring any action, suit, or other proceeding against any person damaging such property or trespassing thereon :
- (d.) Take criminal proceedings touching or concerning such property ; and for the purpose of such proceedings the property shall be deemed to be the property of the Public Trustee :
- (e.) Sell live-stock or perishable goods by public auction, public tender, or private contract :
- (f.) Lease any lands or houses for any term not exceeding one year :
- (g.) Demand, sue for, and take possession of any title-deeds or other documents relating to such property :
- (h.) Apply moneys arising from the property, whether income or capital, in or towards the maintenance, education, or

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advancement of any person of whom the absent owner is a "near relative," as defined by the Destitute Persons Act, 1894 :

(i.) Do all such acts and things and execute all instruments necessary to carry into effect the powers and authorities hereby given. 5

Outgoings to be a first charge on property.

3. All moneys expended by the Public Trustee under the powers conferred upon him by this Act shall be a first charge upon the real and personal estate dealt with by him, and until repayment shall bear interest not exceeding five pounds per centum per annum. 10

Public Trustee to advertise notice of intention to act.

4. On taking possession of any property under this Act the Public Trustee shall insert a notice in the *Gazette*, and in some newspaper circulating in the district in which the property is, stating his intention to exercise the powers conferred on him by this Act, and calling upon the owner of the property within three months after the gazetting of the notice to establish his title to the property to the satisfaction of the Public Trustee. 15