

to the exclusion of the next-of-kin. Though opposed to Maori custom, these wills, judged by English precedents, are good in law when made with the prescribed formalities. But the precedents of a civilised people who have been will-making for a hundred generations are of little value as applied to a people with different modes of thought, and very different methods as to the devising of property. A Maori of the old school usually takes an exaggerated view of a personal obligation, and, if a *rangatira* is prepared to make great sacrifices of property in return.

I am of opinion that Maori will-making should be limited to those who are educated, and have a good knowledge of the English language, and that no European should be a beneficiary.

With regard to ordinary succession to tribal or hapu land, where the next of-kin is not nearer than, say, five removes, I think that the estate in question should go to the hapu, or be used for its benefit.

---

PER JUDGE JOHNSON.

I do not think that there is anything in the Act of 1894, or amending Acts, to prevent the adoption of any child, whether European or Maori, so long as the Court is satisfied that the adoption was *bona fide*, and “in accordance with existing Native custom.”

In the case of an European child so adopted, it would have the same right to succeed to the adopting parents’ property as would a natural child of the body, unless there should be a special Act in force in any particular district restricting succession to Maoris and half-castes.

---

PER JUDGE SIM.

No adoption by a Maori of an European is under any circumstances an adoption according to Maori custom, and no such adoption can confer any right of succession to lands of deceased Maoris.

*Approximate Cost of Paper.*—Preparation, not given; printing (1,500 copies), £2 4s. 6d.

---

By Authority: JOHN MACKAY, Government Printer, Wellington.—1908.

Price 3d.]