

Waewae died leaving a will by which she devised all her devisable property both real and personal to him. When probate of the will was applied for, Tupito objected, but his objection was dismissed and probate granted to the beneficiary, Jim Tonganui, as the executor named in the will.

The beneficiary is a stranger in blood to these hapus to whom the Pariroa Reserve was awarded. Tupito's grievance is that it was never intended, when the reserve was made, that strangers in blood should at any time be admitted into the title. The Court explained to Tupito that if the original title had been allowed to remain as it was the land would have been inalienable by will, but the partition under section 15 had the effect of removing the restrictions and making the land alienable. He himself took a leading part before the Court in the proceedings on the partition, probably not realizing what the result would be.

The Court cannot help thinking, however, that his grievance is somewhat personal in that he was not allowed by Waewae and her sister to manage and arrange their matrimonial adventures and that he does not approve of Jim Tonganui, who, so far as the Court can learn, is a decent hardworking man and a skilled butter-factory hand.

JAS. W. BROWNE, Judge.

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