

*whakapapa.* I am not the only adopted child. There were four of us; myself, Tiweka, Karauri Tiweka, and Te Miro Peretio. I was the only adopted child living with Takimoana at date of death. Te Miro was also there. Do not know how old Karauri was when he left. He was not twenty years old. He was staying with her for about twelve years, including schooling periods. Takimoana sent Karauri to school; she also paid his schooling. Te Miro is about ten years old. He wasn't a year old when Takimoana took him. Te Miro always stayed in Takimoana's house. We both supplied him with clothes. I was quite a baby when Takimoana took me. Takimoana left Te Miro out of will because I was looking after child. Te Miro is my nephew. Takimoana left Karauri out because he never remained with her. I did the cultivating because there were no others there to do it. Do not know why testator did not employ a ploughman. Sometimes a man helped me. I worked because of my filial duty towards her. I did not work for my living. I borrowed money to pay the man who helped me. Takimoana did not always have money. I got money from sale of corn. Takimoana paid her debts from rents and purchase-money—food, not ploughing. Takimoana was about sixty years. Do not know where she learned to read. She could read the Bible and books. Have seen her read testaments. She had a Bible—a Maori Bible. She could read and understand Maori. Allison spoke in Maori, to Takimoana. The will was not read over to her. Allison asked her if she knew the contents of the will. She said she did. I was overworked when I went to Gisborne. Mr. Rutledge sent me. On his advice I went, also Dr. Scott's when he was at Raukokore. Do not know what he prescribed. I instructed Nolan and Skeet to prepare a will as instructed by Takimoana. Nolan and Skeet only told me as to witnesses necessary. Takimoana was all alone one and a half weeks before she died. Mr. Rutledge attended her during her illness. She never expressed any fear that she was going to die.

*To Court.*] It was about two months before she died that I went to Gisborne. I stayed there about a week or week and half. I wrote the words "Taki Moana" to the will. I wrote it when we were all present.

*Re-examined by Mr. Poananga.*] Takimoana was there when I wrote her name. The J.P. told me to write it. Takimoana told me to sign.

J. H. D. RUTLEDGE (recalled by Mr. Poananga): I remember Paretio going to Gisborne. It was the result of an examination by Dr. Scott when at Raukokore. It was an ovarian trouble occasioned by overwork. I have seen her ploughing.

HENARE POANANGA (sworn): Solicitor. I obtained certain documents from daughter of Mr. Allison showing a similarity between signature on will and other documents signed by her father.

MR. FORD: Signature of Mr. Allison to will is admitted.

MR. POANANGA: My case is closed.

(Case adjourned until 2 p.m.)

[*Extract from Te Kaha Minute-book 5, Folio 274.*]

WILL OF TAKIMOANA.

WEIHANA DELAMERE (called by Mr. Ford—sworn): Farmer, of Whitianga. Was well acquainted with late Mr. Allison over twenty years. He had no knowledge of the Maori language. About 1912 a will case came before the Court at Raukokore. I opposed will. Allison was a witness. During my cross-examination of Allison I asked him if he had a knowledge of the Maori language. He replied, "Not a bloody word." Evidence on his oath. I have never known him to understand the Maori language. Do not consider, owing to his age, that he could have learnt from that time to the time he died. Allison was a storekeeper, retired. He used a "lingo" understandable by the young Maoris but not by the old Maoris.

*Cross-examined by Mr. Poananga.*] Most of his customers were Natives. Allison could use certain trade terms. Married a Maori woman who could not speak English. They could understand each other. Do not know whether that fact applied as between Takimoana and Allison. Will case was in connection with Eruera's wife's mother. Opotiki minute-books. Whitianga thirty miles from Raukokore.

*To Court.*] I am not a licensed interpreter. Mr. Allison could read and write English.

WILLIAM ALLISON (called by Mr. Ford—sworn): Farmer, Raukokore. Believe father an attesting witness. Father's knowledge of Maori was poor—almost nil. He could make himself understood in a sort of a way to my mother, my sister, and myself—in Maori—but not good enough for outsiders to understand. Had to use a bit of Maori and bit of English to the old Maoris. Do not think he could explain the contents of a will in Maori to a Maori. I knew Takimoana; lived very close to her. Do not know anything about her making a will.

*Cross-examined by Mr. Poananga.*] Father was a J.P. Mother a Maori. Knows no English. I am thirty-seven years of age. Father could say, "*Kui kaore akoe e mohio*"; failing that he used to say "*Taurekareka*." Do not think he would sign a will without appreciating its contents. He probably would sign if he thought it was necessary to sign.

*Cross-examined by Mr. Ford.*] Do not think father could pick up will [produced] and read it and understand its contents. If the will was in English he could not explain it to Takimoana in Maori. [Witness's evidence was given in English without the aid of an interpreter.]

HUINGA MATE (called by Mr. Ford—sworn): Takimoana could not read or write. I have known her for forty or fifty years. I have never seen her reading. We lived at the one home since we were children. I have never seen her read or write anything. There were no schools here. Testator never went to any school. Never had any instruction from any one in reading.