

ESTATE OF ATIMALALA (DECEASED)

The Samoan Public Trustee,  
A P I A.

I am the widow of the abovenamed deceased late of Magiagi who died without leaving a will and I am satisfied that he died intestate. I have made no application to the High Court of Western Samoa for a grant of administration in respect of my late husband's estate and as far as I am aware none of the next of kin have made application for such a grant or intend to do so.

I hereby request you to undertake administration of the deceased's estate.

D A T E D this 7<sup>th</sup> day of August 1956.

Lolo Atimalala-

"APPENDIX 2"

Mazungu.  
9th/8/56.

Mr. Clare.

I'm Mrs Atimalala's <sup>wife</sup> who ~~was~~ <sup>is</sup> dead.  
And all my children and I, that  
we are writing this Letter according  
the Land which belongs to Atimalala  
as Lanotoo and Malie, and so  
we are selection about it, and  
we approve so that the Name of  
Atimalala should be instead by  
his son as Suafa and Atimalala  
for the progress or future,  
and we expect you will be pleasure  
about this Matter.

Signing all by the family.

Switi  
Keiti  
Tina.  
Pala  
Jasauvaliga.

Lole. Atimalala

Atimalala's undertaking has  
got her to sign that she  
received competent and  
independent advice &  
is fully aware of the  
transaction which she  
has authorized.

CONVEYANCE BY Direction

"APPENDIX 3"

IN THE MATTER of "The Public Trust  
Office Act 1921"

A N D

IN THE ESTATE of ATIMALALA late of  
Magiagi in the Territory of Western  
Samoa, Samoan Medical Practitioner,  
deceased.

STATUTORY DECLARATION BY WIDOW

I, LOLE ATIMALALA, of Magiagi, widow, do solemnly and  
sincerely declare as follows:-

1. I am the lawful widow of ATIMALALA deceased  
who died intestate at Magiagi on the 26th day  
of November 1953.
2. I have been advised that under the Law relating  
to intestacy I am entitled to all the property,  
both real and personal, of which my husband was  
possessed at the date of his death, including  
the land situated at ~~Sanoto's~~ and described as  
Parcel 34, Flur IX, Upolu.
3. I have discussed my personal affairs with the  
members of my family as indicated by their letter  
to the SAMOAN PUBLIC TRUSTEE dated 9th August  
1956 and I desire and direct the Samoan Public  
Trustee to convey to my sons SUAFA and ATIMALALA  
as tenants in common and in equal shares the

4. In consideration of the conveyance to them of the land hereinbefore described the said SUAFA and ATIMALALA, who have been charged with the affairs of the family, have agreed to pay and discharge out of their respective personal properties all testamentary expenses, fees, duties, debts and other charges as may be made against the estate of the said ATIMALALA deceased.
5. In directing the SAMOAN PUBLIC TRUSTEE to dispose of the said land at Canoto's to SUAFA and ATIMALALA as aforesaid, I declare that I have received competent and independent advice from that already given me by the SAMOAN PUBLIC TRUSTEE and that I am fully aware of the effect of the conveyance which I have directed.

AND I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the General Assembly of New Zealand entitled the Samoa Act 1921.

Lole Atimalala

DECLARED at Apia this <sup>26<sup>th</sup></sup> day of ~~September~~ 1956 before me AND I CERTIFY that a translation of the above declaration into the Samoan language was read over to the said LOLE ATIMALALA and that she appeared to understand the same:

B. J. J. J.  
LEGAL OFFICER  
A P I A.

IN THE HIGH COURT OF WESTERN SAMOA.

Holden at Apia.

IN THE MATTER of "The Public Trust  
Office Order 1921"

A N D

IN THE MATTER of the Estate of ATIMALALA  
late of Magiagi, deceased.

I, LOLE ATIMALALA of Magiagi in the Territory of Western Samoa  
make oath and say as follows:-

1....THAT I am the lawful widow of the late Atimalala (herein-  
after referred to as "the deceased") and that the Deceased was  
resident within the jurisdiction of the High Court of Western  
Samoa.

2....THAT the deceased died at Magiagi on the 26th day of  
November 1953 I am able to depose from having seen his dead body  
after death.

3....THAT the deceased left surviving him as his next of kin  
his widow and eight children.

4....THAT the deceased was married once only to the said Lole  
Atimalala of which marriage were born the following children and  
no more all of whom survived the deceased.

Aviki	Aged	45	years
Hans	"	43	"
Susfa	"	41	"
Katie	"	40	"
Tura	"	38	"
Pelu	"	33	"
Atimalala	"	29	"
Fa'esavaliga	"	25	"

5....THAT I have caused diligent search to be made for any will  
or testamentary writing made or signed by the deceased and that  
no trace has been found of any such will or testamentary writing.

6....THAT I do verily believe that the said deceased died

7....THAT to the best of my knowledge and belief the estate effects and credits of the deceased to be administered are under the value of £1000.

SWORN at Apia this 14<sup>th</sup> day of August 1956 before me; and I CERTIFY that a translation of the above affidavit into the Samoan Language was read over to the said Lole Atimalala and she appeared thoroughly to understand the same

Lole Atimalala

*W. Gibson*  
Commissioner  
*W. Gibson*  
REGISTRAR OF THE HIGH COURT  
OF WESTERN SAMOA.

Copy)

27 September, 1956.

MEMORANDUM for:

The Samoan Public Trustee,  
A P I A.

ATIMALALA ESTATE

I have examined Parcel 34, Flur 1X, Upolu per medium of the Aerial photographs.

The whole area of approximately 90 acres is on a steep slope facing towards the north. It is bounded on the West by the Fuluasou and consists of four razor back spurs separated by deep gullies. There are no plantations in the area and it is unlikely that any agricultural development will ever be possible.

I place on the land a total value of £20.

(I.F. Stirling)

CHIEF SURVEYOR.

*Original filed with Form L.*

*£*  
*28/1/56*

THIS DEED made the *22nd* day of *February* One thousand nine hundred and fifty-seven (1957) BETWEEN the SAMOAN PUBLIC TRUSTEE (hereinafter called the "Administrator") of the one part A N D LOIE ATIMALALA widow of Magiagi (hereinafter called the "Successor") of the second part A N D SUAPA and ATIMALALA of Magiagi (hereinafter together called "the Purchasers") of the third part WHEREAS ATIMALALA formerly of Magiagi in the Territory of Western Samoa but now deceased (hereinafter called "the deceased") was on the day of his death hereinafter recited seized of an estate in fee simple in possession free of encumbrance in the land intended hereby to be conveyed AND WHEREAS the deceased died intestate at Magiagi aforesaid on or about the 26th day of November 1953, AND WHEREAS the Administrator has elected to administer the estate of the deceased which Election was duly filed in the High Court of Western Samoa at Apia on the day of September 1956 and which Election is duly registered in the Land Register of Western Samoa under Transmission AND WHEREAS the deceased left him surviving the said LOIE ATIMALALA his lawful widow and (inter alia) the said SUAPA and ATIMALALA two sons of the marriage of the deceased with the said LOIE ATIMALALA AND WHEREAS all duties debts and funeral and testamentary expenses in the estate of the deceased have been duly paid and discharged a gift of the said land to the Purchasers and has requested the Administrator to join in these presents for the purpose of conveying the said land direct to the Purchasers as tenants in common in equal shares NOW THIS DEED WITNESSETH that in pursuance of the premises AND IN CONSIDERATION of her natural love and affection for the said Purchasers the Administrator at the request and by the direction of the Successor BOTH HEREBY convey and the Successor BOTH HEREBY convey and confirm to the Purchasers ALL THAT piece or parcel of land more particularly described in the Schedule hereto.

IN WITNESS WHEREOF these presents have been executed the day and year first hereinbefore written.

SCHEDULE

ALL that piece or parcel of land containing 83 acres (more or less) being parcel 34, Flax IX, District of Tuamasaga, and being the whole of the land now registered in VOLUME 6 FOLIO 75 of the Land Register of Western Samoa.

SIGNED by the SAMOAN PUBLIC TRUSTEE }  
by BERNARD LEWIS CLARE and sealed }  
with the Seal of office in the }  
presence of: }

B.L. CLARE L.S.

B.L. BRIDGER

*Solicitor Apia*

SIGNED by the abovesigned LOIE }  
ATIMALALA in the presence: }

LOIE ATIMALALA L.S.

Niko Apa

Deputy-Registrar of the High Court  
of Western Samoa.

CERTIFICATE OF INTERPRETER

I *Luafatafata Kalafu* the said Interpreter hereby certify that I have a knowledge of English and of the Samoan language as spoken by the said LOIE ATIMALALA and I declare that before the said Lole Atimalala executed the above Deed of Conveyance I explained to her the contents thereof and she declared that she understood my interpretation thereof and voluntarily executed the same by signing her name thereto.

D A T E D at Apia this *19th* day of February, 1957.

CONSENT TO ALIENATION OF SAMOAN FREEHOLD LAND

I, THOMAS RICHARD SMITH the Acting High Commissioner  
of Western Samoa DO HEREBY CONSENT pursuant to the provisions  
of Section 19 of the Native Land and Titles Protection Ordinance  
1954 to the alienation evidenced by the foregoing Conveyance.

DATED at Apia this *22nd* day of *February* 1957.

SIGNED by the abovenamed THOMAS  
RICHARD SMITH as Acting High  
Commissioner in the presence of: }

T.R. SMITH.

L.S.

B.L. BRIDGER

*Solicitor*

*Apia*

SAMOAN PUBLIC TRUSTEE

TO

SIVVA AND ATIAIATA

DEED OF CONVEYANCE

Samoa Land Register

Received for Registration

*26th February, 1957*

at 1006 in Vol. 6 Fol. 75

*[Signature]*  
Registrar of Land

SAMOAN PUBLIC TRUSTEE

APTA

10/

26/2/57

1006

FEE PAID

*10/-*