

1949  
NEW ZEALAND

---

**REPORT AND RECOMMENDATION ON PETITION No. 30 OF 1947, OF  
MANIAIRANGI PAORA, CONCERNING THE WILL OF MOU TE  
HAPUKU, DECEASED**

---

*Presented to Parliament in Pursuance of the Provisions of Section 55 of the  
Maori Purposes Act, 1947*

---

Maori Land Court (Chief Judge's Office),  
P.O. Box 3006, Wellington C. 1, 16th June, 1949.

Memorandum for the Right Hon. the MINISTER OF MAORI AFFAIRS.

WILL OF MOU TE HAPUKU, DECEASED

PURSUANT to section 55 of the Maori Purposes Act, 1947, I transmit to you the report of the Court upon the claims and allegations contained in the Petition No. 30 of 1947, of Maniairangi Paora, concerning the will of Mou te Hapuku, deceased. In view of the finding of the Court upon the claims and allegations of the petition, I recommend that legislation be passed empowering the Court to hear and determine an application for probate of the last will of Mou te Hapuku, upon application made within six months of the passing of the legislation.

D. G. B. MORISON, Chief Judge.

---

In the Maori Land Court of New Zealand, Waiariki District.—In the matter of section 55 of the Maori Purposes Act, 1947, and in the matter of petition No. 30 of 1947, of Maniairangi Paora, concerning the will of Mou te Hapuku, deceased.

At a sitting of the Court held at Whakatane on the 26th day of May, 1948, before John Harvey, Esquire, Judge.

Upon reference by His Honour the Chief Judge of the said petition for inquiry the following report is submitted:—

1. Upon the evidence advanced before this Court it appears that on the 14th September, 1933, the firm of Buddle and Otley, of Whakatane, prepared a will upon the instructions of Mou te Hapuku, otherwise known as Pouaru Hapuku, and obtained her execution to it.
2. The will was retained for safe keeping in the office of Messrs. Buddle and Otley.
3. Mou te Hapuku died on the 23rd January, 1936, without, as far as can be ascertained, revoking her will of the 14th September, 1933.

4. Some months after the death of Mou te Hapuku the petitioner called at the office of Messrs. Buddle and Otley and made inquiries regarding this will—probably naming the testatrix as Pouaru Hapuku. She was told that the firm held no will for Pouaru Hapuku. Had she inquired for the will of Mou te Hapuku there is no doubt that the firm of Buddle and Otley would, following its usual practice, have applied for probate within the time stipulated by section 175 of the Maori Land Act, 1931.
5. It is the opinion of the Court that the statements contained in the petition are true.
6. The Court recommends that legislation be passed in respect of this petition empowering the Court, upon application made within six months of the passing of the Act, to hear and determine an application for probate of the last will of Mou te Hapuku.

[L.S.]

For the Court,  
JNO. HARVEY, Judge.

*Approximate Cost of Paper.*—Preparation, not given ; printing (583 copies), £2 10s.

---

By Authority: R. E. OWEN, Government Printer, Wellington.—1949.

*Price 3d.]*