

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
TERRITORY OF HAWAII.

AT CHAMBERS

IN EQUITY

BALDWIN PACKERS, LIMITED,
Petitioner,

vs.

KAPAHU AFONG (w), MRS. MARY AHALANI,
et al,
Respondents.

Equity #235

ANSWER OF FRED LEE NAYLOR
AND SYLVIA DALE NAYLOR, MINORS.

COMES NOW FRED LEE NAYLOR and SYLVIA DALE NAYLOR, minors,
Respondents in the above entitled cause, by WENDELL F. CROCKETT,
their duly appointed Guardian Ad Litem, and claiming a legal
interest in and to the lands described in the petition filed
herein and sought to be partitioned, to-wit, the Mailepai Hui Lands,
allege and answer the said petition as follows:

I.

That they are the owners in fee simple each of an
undivided .008 of the share of Paele, one of the original grantees
of the said lands, under the deed of Bernice P. Bishop to Nalepo
et al dated June 28, 1960 and recorded in the Bureau of Conveyances
of the Territory of Hawaii, in Book 13, at page 84, subject
however to the right of curtesy in Fred Naylor.

II.

That the source, derivation and devolution of the title,
interest and claim of these Respondents in said share and interest
in said land is as follows:

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(a) That the said Paele died intestate without having sold or otherwise disposed of his interest in said lands, leaving as his heirs at law Ili and Waiaholo, his brothers, and Kanalo, his wife.

(b) That the said Ili died intestate without having sold or otherwise disposed of his interest in the said lands, leaving as his sole heir at law Loika (Louise) Naiapaakai, his daughter.

(c) That the said Loika Naiapaakai died intestate without having sold or otherwise disposed of her interest in the said lands leaving as her heirs at law five children or their descendants, to-wit, Sarah N. Kali, a daughter; the heirs of I. Kuuka a son; the heirs of Maicho Mokulani, a daughter; the heirs of Hoopii, a son; and the heirs of Lono Lee, a daughter.

(d) That the heirs of the said Lono Lee, who died in the lifetime of her mother Loika Naiapaakai were the heirs of Sybil Lee Naylor, a daughter; the heirs of Annie Apoi Lee Kupihea, a daughter, and Violet Lee, a daughter.

(e) That the said Sybil Lee Naylor died intestate without having sold or otherwise disposed of her interest in the said lands, leaving as her heirs at law, Fred Lee Naylor and Sylvia Dale Naylor, her son and daughter, respectively, the Respondents herein.

III.

That these Respondents have no knowledge or information as to how the Petitioner herein or any other party hereto acquired its, or his, or her interest if they have any interest in and to the said lands and therefore leave it and them to their own proof thereof.

IV.

That these Respondents have no knowledge or information as to the other matters in said Petition alleged and not by or in this answer specifically denied or admitted and therefore leave the Petitioner to its proof thereof.

WHEREFORE these Respondents pray that they be decreed to be the owners in fee simple of the share, claim or interest hereinabove set forth and that the same be allotted and set off to the said Respondents if reasonably practicable; that if such division should to Your Honor appear to be impracticable that the said property or the interest of these Respondents therein be sold and the proceeds of the sale of such interest be paid over to these Respondents or their duly appointed guardian.

Dated at Wailuku, Maui, T.H.,
this 16th day of July, 1930.

FRED LEE NAYLOR, and
SYLVIA DALE NAYLOR,
Minors,

By Wendell F. Crockett
Their Guardian Ad Litem.

TERRITORY OF HAWAII }
County of Maui. } SS

Wendell F. Crockett being first duly sworn deposes and says that he is the guardian ad litem for Fred Lee Naylor and Sylvia Dale Naylor, minor Respondents in the above entitled cause; that he has read the foregoing answer on behalf of said minors and knows the contents thereof and that the facts therein set forth are true excepting such facts as are alleged or as being made upon information and belief and as to those affiant believes them to be true.

Wendell F. Crockett

Subscribed and sworn to before me
this 16th day of July, 1930.

[Signature]
Notary Public, Second Judicial
Circuit, Territory of Hawaii.

July 17th 30.
J. M. C. C. C.
John M. C. C. C.