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

At Chambers.

In Equity.

BALDWIN PACKERS, LTD.,

Petitioners,

-vs-

KAPAHU AH FONG (w) et al,

Respondent.

Partition.

Equity No. 235.

ANSWER OF SAM KANALU, RESPONDENT.

Comes now Sam Kanalu, respondent herein, and in answer to the petition of the Baldwin Packers, Ltd., petitioner herein, admits all of the material allegations in paragraphs 1, 2, 3, 4 and 15 contained therein.

Answering paragraph 5 of said petition respondent admits that the petitioner is the owner in fee as tenant in common of certain shares in the property herein described, but denies that said petitioner is the owner in fee simple as tenant in common of an undivided 94.897/113 interest in the premises . herein contained.

Answering paragraph 6 of the petition herein respondent denies that there are 113 outstanding whole shares or interests in the premises described in the petition and known as the Hui of Maile Pai, but alleges the facts to be that in accordance with the deed from Bernice P. Bishop to Nalepo et al dated June 28th, 1860, and recorded in the Bureau of Conveyances in the Territory of Hawaii in Book 13 on page 84, there are 107 shares or interests in and to the premises described in the petition herein.

Respondent further denies that the petitioner herein is the owner of any interest in and to that share known and designated as number 106 Upai, but alleges the facts to be

that the respondent herein is the owner in fee of the whole of said share.

Respondent herein neither admits nor denies the allegations set forth in paragraphs 7, 8, 9, 10, 11, 12, 13, 14 and 16 of the petition herein, but leaves the petitioner to make proof thereof.

Further answering said petition respondent denies all of the allegations in paragraph 17 of the petition herein.

WHEREFORE respondent prays that upon a hearing had a decree may be entered declaring that said respondent is the owner in fee simple of the property herein mentioned, described and claimed by said respondent, and that said premises may be partitioned as by law provided.

Respondent.

Attorney for Respondent.

Territory of Hawaii) ss
City and County of Honolulu)

Sam Kanalu being first duly sworn on oath deposes and says that he is the respondent named in the foregoing answer; that he has read the same, knows the contents thereo and that the matters and things therein set forth are true.

Sam Kanali

Subscribed and sworn to before me this 20 th day of July, A. D. 1930.

Notary Public, First Judicial Circuit, Territory of Hawaii.

July 16th 20

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