

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

AT CHAMBERS:

IN EQUITY.

BALDWIN PACKERS LIMITED,)
Petitioners,)
vs.)
KAPAHU AFONG, et al.,)
Respondents.)
.....	

ANSWER OF JOHN KAUKAU, ALICE KAUKAU GILMAN,
AND LOUISA KAUKAU, Minors.

Comes now John Kaukau, Alice Kaukau Gilman, and
Louisa Kaukau, minnrs, 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 of an
undivided interest in the share of Kahanaumaikai and
in the share of Kaukau, the said Kahanaumaikai and Kaukau
being original grantees of the said lands under the deed
of Bernice P. Bishop to Walepo et al, dated June 28, 1860,
and recorded in the Bureau of Conveyances of the Territory
of Hawaii in Book 13 at page 84.

II.

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

That the said Kahanaumaikai died intestate without having sold or otherwise disposed of his interest in said lands, leaving as his heirs at law, Mrs. Heen and J.K.Kaukau.

That the said J.K.Kaukau died intestate without having sold or otherwise disposed of his interest in said lands, leaving as his heirs at law, J.K.Kaukau, Jr.

That the said J.K.Kaukau Jr. died intestate without having sold or otherwise disposed of his interest in said lands, leaving his heirs at law, Henry Kaukau, Alice Kaukau Gilman, John Kaukau, Louisa Kaukau.

III.

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

That the said Kaukau died intestate without having sold or otherwise disposed of his interest in said lands, leaving as his heirs at law, Kamaka, (w) and Kaimi (w).

That the said Kamaka married Kahanaumaikai and her interest in said property descended to these Respondents through the heirs of the said Kamaka and Kahanaumaikai as set forth above in paragraph II.

IV.

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 therefor leave it and them to their own proof thereof.

V.

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 may 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 them 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 herein 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,

This 23rd day of July, 1930.

ALICE KAUKAU GILMAN,
JOHN KAUKAU,
LOUISA KAUKAU, Minors,

By Wendell F. Crockett
Their Guardian ad Litem.

TERRITORY OF HAWAII)
 : ss
County of Maui)

Wendell F. Crockett, being first duly sworn deposes and says, that he is the guardian ad litem for Alice Kaukau Gilman, John Kaukau, and Louisa Kaukau, minors, Respondents in the above entitled cause; that he has read the foregoing answer on behalf of the said minors and knows the contents thereof and that the facts therein set forth are true excepting such facts as are 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 23th day of July, 1930

E. P. Lewis

Notary Public, Second Judicial
Circuit, Territory of Hawaii.

July 28th '30
B. S. R.
C. M. R.