

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

At Chambers

In Equity

BALDWIN PACKERS, LIMITED

Petitioners

-vs-

KAPAHU AFONG et als,

Respondents

.....

Equity No. 235

DECREE DETERMINING CONTROVERSY RAISED BY
ANSWERS OF VICTORIA NAPAEPAE ET ALS, MINORS,
AND SONEY MAHUE ET ALS, MINORS.

The above referred to controversy came on for hearing before this Court on Tuesday, the second day of December, 1930 at ten o'clock A. M., having been continued to said date by consent of parties from the date set for the trial thereof. R. A. Vitousek of the firm of Smith, Warren, Stanley & Vitousek appeared for the petitioner, Baldwin Packers, Limited and Wendell F. Crockett, Esq., Guardian Ad.Litem appearing propria persona for the above named minors and evidence being adduced from the evidence and from the records, the undersigned Judge finds that there were 113 undivided shares or interests in the Hui of Kailepai being the Hui referred to in the petition on file in the above suit and an undivided 113 interests or shares in the land described in said petition and sought to be partitioned herein; that none of said minors have any interest

whatsoever in the share of said Hui and said lands originally owned by Keaka, but the petitioner is the owner in fee simple of the undivided interest in said Hui and said land originally belonging to Keaka and controverted by the said answers, that all other material allegations in said petition not herein specifically found to be true are true;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that there were originally one hundred and thirteen (113) undivided shares or interests in said Hui and said lands and that a "share" in the said Hui of Mailepai is hereby adjudged to mean and be an undivided one-hundred-thirteenth (1/113th) share or interest in the said Hui and in the said lands owned by said Hui and sought to be partitioned hereby and being the lands particularly described in said decree of July 29, 1930, and that whenever in any decree heretofore or hereafter made and entered a share is referred to it shall be deemed to mean and refer to a share as herein determined; and

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that neither Victoria Napaepae, Edward Napaepae, Blanche Napaepae, Emaline Napaepae, Matilda Napaepae, Florence Napaepae, Sonny Kahue, Kalama Kahue, Letitia Kahue nor Pekekeo Kahue are entitled to any right, title or interest in the said Hui of the said lands originally owned by Keaka, but that the said respondents are entitled to the interest in said Hui and said land as heretofore by this Court in its decree dated July 29, 1930 found to be owned by them; and

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that the said petitioner, Baldwin Packers, Limited in addition to all other shares or interests heretofore decreed by this Court to be owned by it is the owner in fee simple of an undivided .500 of one share in the said Hui of Mailepai and in the lands sought to be partitioned in these proceedings and described in said decree of July 29, 1930 and being an undivided .500 of the share in said Hui and said lands originally owned by Keaka.

Dated at Wailuku, Maui, T. H., this day of
December, A. D. 1930.

Judge of the above entitled court

December 30
Hot
Maurice G. L.