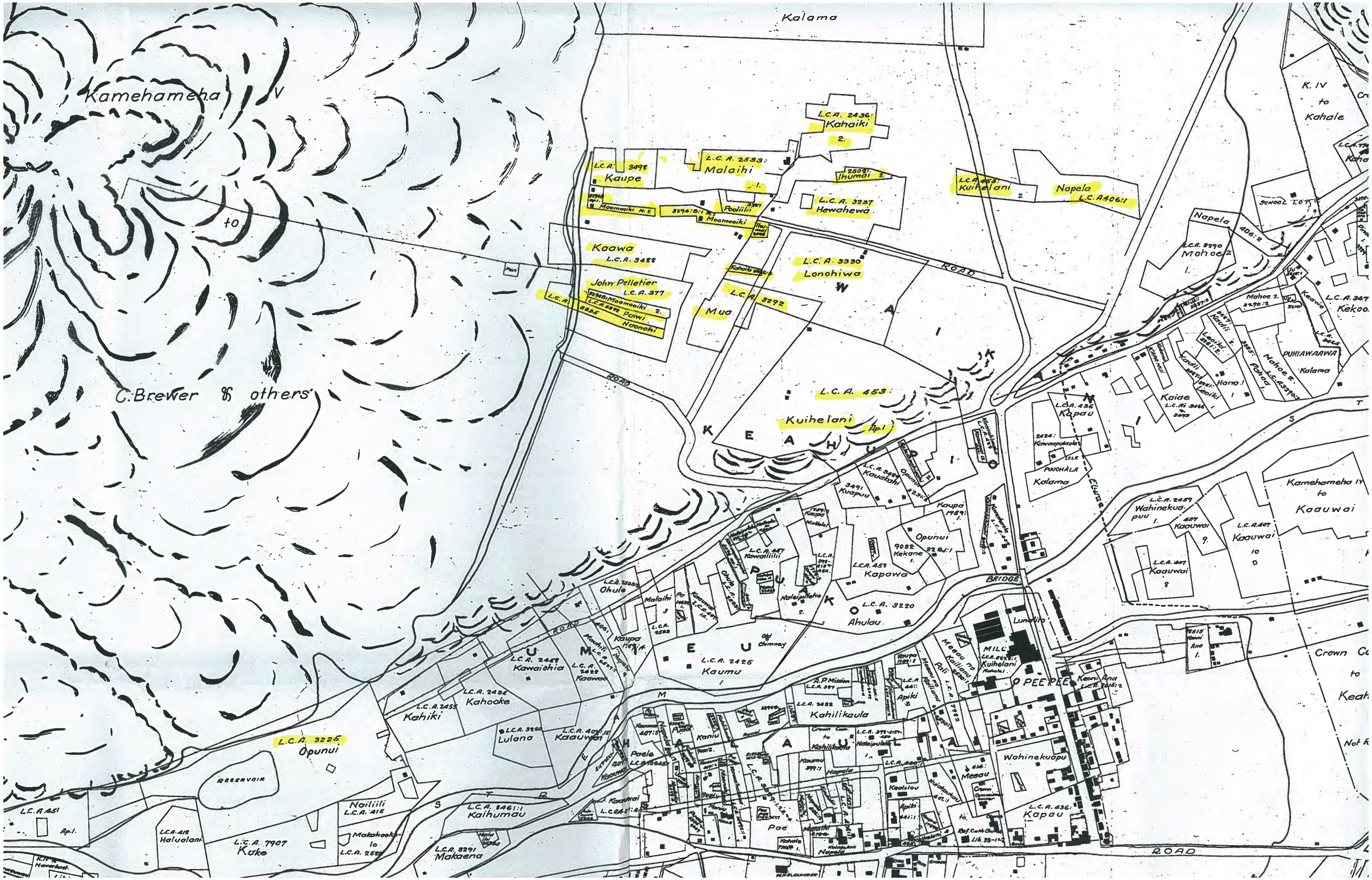
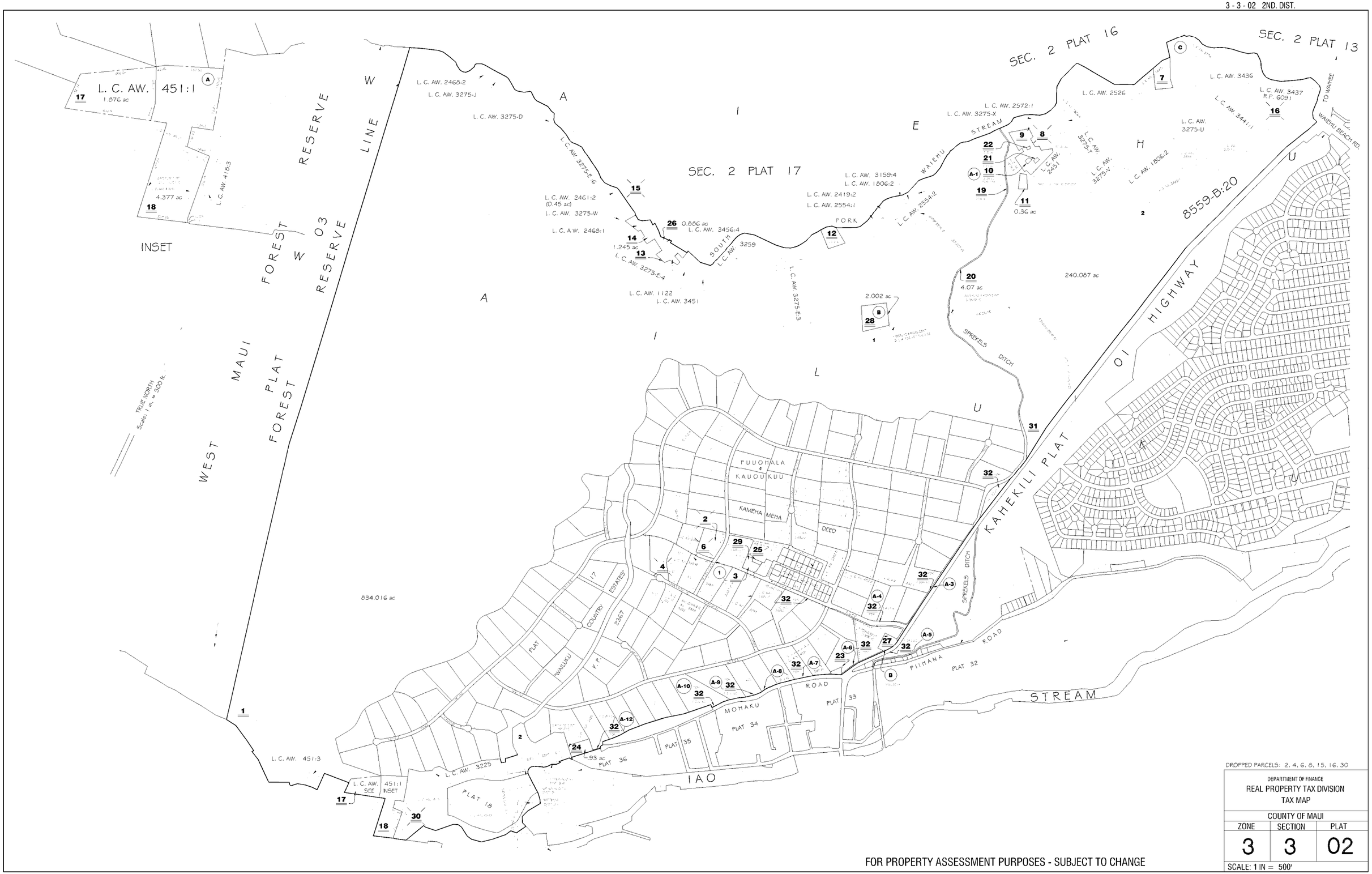

Kamehameha V
to
C. Brewer & others
Kalama
L.C.A. 2436: Kahaiki 2.
L.C.A. 3498 Kaupe
L.C.A. 2533: Malaihi
Ihumai 2
L.C.A. 3237 Hewahewa
L.C.A. 453: Kuihelani 2
Napela L.C.A. 406:1
Moomooiki N.E.
Moomooiki
Poliiili
Kaawa L.C.A. 3488
John Pelletier L.C.A. 377
Moomooiki 2.
Poiwi
Noonahi
Mua
L.C.A. 3330 Lonohiwa
L.C.A. 3292
ROAD
L.C.A. 453
Kuihelani Apl.
K E A H U
Napela 406:2
L.C.A. 3290 Mahoe 2
K. IV to Kahale
SCHOOL LOT
Keawe
L.C.A. 3477 Kekoo
PUHIAWAAWA
Kalama
Mahoe E.
Kaide
L.C.A. 436 Kapau
PUUHALA
Kalama
Kamehameha IV to Kaauwai
L.C.A. 2459 Wahinekuapuu 1.
407 Kaauwai 9.
L.C.A. 407 Kaauwai 10
L.C.A. 407 Kaauwai 8
BRIDGE
Kuakahi
Kuapuu
Opunui
Kekane
Kapawa
L.C.A. 3220 Ahulau
Ohule
Kawaiohia
Kaupa
Kaumu
Kahiki
Kahooke
Lulana
Kaauwai
Opunui
L.C.A. 3225
RESERVOIR
Nailiili L.C.A. 415
Kaihumau
Makaena
Halualani
Kuke
L.C.A. 451
Apl.
Kahilikaula
Apiki
Meeau
Wahinekuapu
Kapau
Lundin
MILL
O PEE PEE
Kuihelani
Poli
Poe
Kaniu
Napela
Kaalalou
Kaulaokuu
Crown Land to Keah
Not K
ROAD



DROPPED PARCELS: 2, 4, 6, 8, 15, 16, 30

DEPARTMENT OF FINANCE
REAL PROPERTY TAX DIVISION
TAX MAP

COUNTY OF MAUI

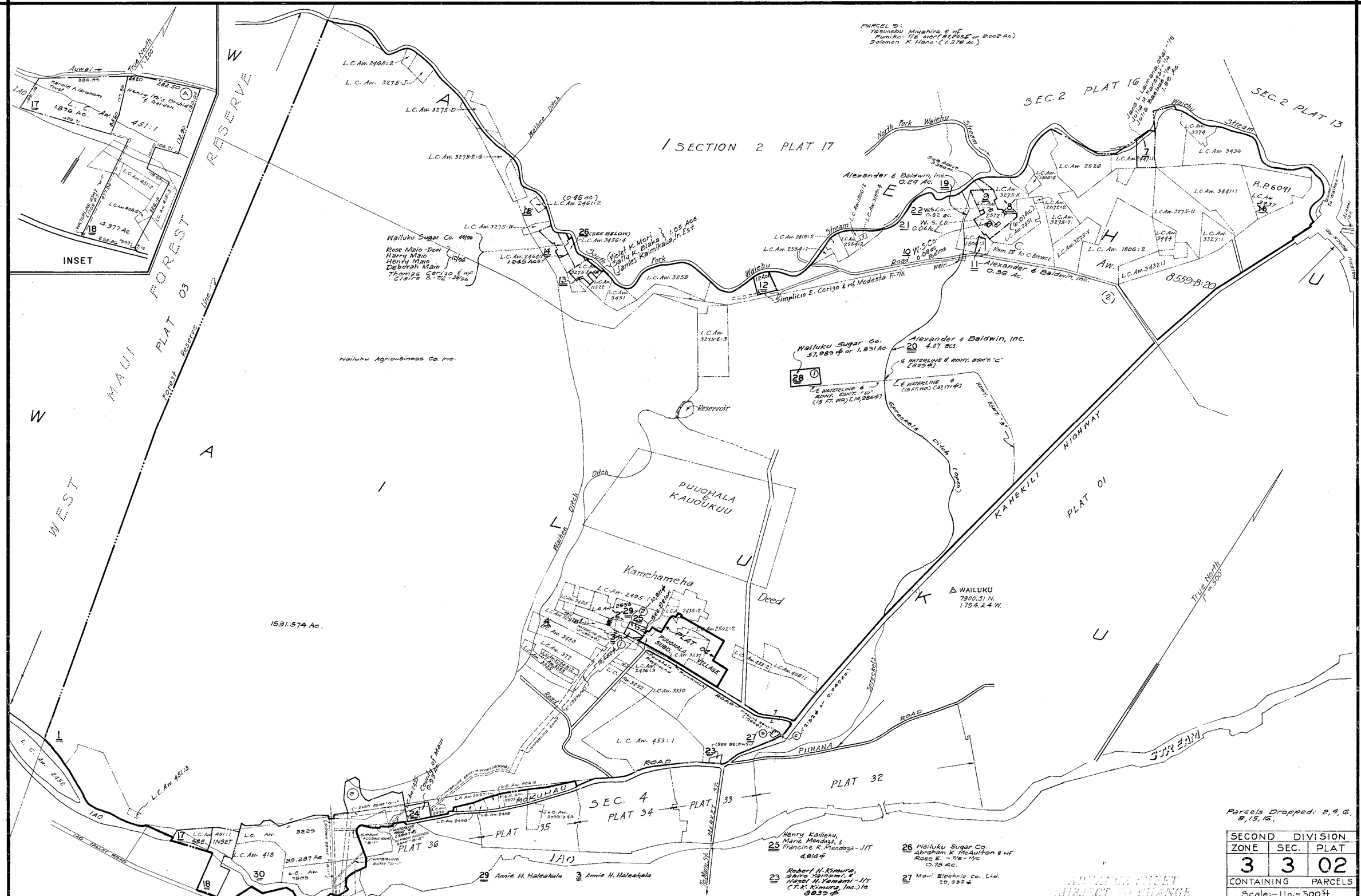
ZONE	SECTION	PLAT
3	3	02

SCALE: 1 IN = 500'

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

PRINTED:

SOURCE TMK & SURVEY DEPT. BY JAK DATE 3/8/1934 DWG NO. 1927



Dwg. No.: 1227
By: J.A.K. March 8, 1934
Source: Tax Maps Bureau & Survey Dept.

Land Comission Award	Royal Patent Number	Awarded To:	Native Registers		Native Testimony		Foreign Register	Foreign Testimony	English Trans Water in LCA
			Eng	Haw	Eng	Haw			
377	5366	John Pillitier	None	None	None	None	x	x	
406	5376	Napela	x	x	x	x	None	x	x
453	997; 997(por.)	Kuihelani	x	x	x	x	None	None	x
2434	6397(por.)	Kahooke	x	x	x	x	None	x	x
2436	2009; 2009(por.)	Kahaiki	x	x	x	x	None	x	x
2495	7790	Kaiaholokuaau	x	x	x	x	None	x	x
2502	5973; 5973(por.)	Ihumai	x	x	x	x	None	x	x
2503	3652(por.)	Ohule	x	x	x	x	None	x	x
2533	6529(por.); 6437(por.)	Malaihi	x	x	x	x	None	x	x
3225	6298-6458 (por.)	Opunui	x	x	x	x	None	x	x
3237	6888(por.)	Hewahewa	x	x	x	x	None	x	x
3292		Mua	x	x	x	x	None	x	x
3330	4424(por.); 4622(por.)	Lonohiwa	x	x	x	x	None	x	x
3335	7774	Naonohi	x	x	x	x	None	x	x
3387	6065(por.)	Pooliilii	x	x	x	x	None	x	x
3388	6101	Paiwi	x	x	x	x	None	x	x
3488	5289	Kaawa	x	x	x	x	None	x	
3498	7432	Kaupe	x	x	x	x	None	x	
4452	7302(por.)	H. Kalama	x	x	x	x	None	x	
4461	6630	Kawaa	x	x	x	x	None	x	x
3275-E	5154	Kaleo	None	None	x	x	None	x	x
3294-B	6102; 6102; 6102(por.)	Moomooiki	None	None	x	x	None	x	x

SCHEDULE "1"

Land Commission Award Number 4461, Apanas 1 and 2 to Kawaa
(Volume 7, Page 474)

Kete 1861 Kauai ✓ Waikiki Maui

Apana 1. Kalo ma ka ili o Puohala.
Chromaka ma ko kiki Kimohana Akau, a e holo.

Mk.	62° ¼	Hu.	4.78	Mk. ma ko	Kaiakolehuaau
Mk.	59° ½	Hu.	2.25	" " "	
Hu	26° ¼	Hu.	1.67	" " "	Kalio.
Mk.	65° ½	Hu.	1.10	" " "	"
Mk.	25°	Ko.	1.76	" " "	
Mk	59° ½	Hu	.45	" " "	Kaiakolehuaau
Mk.	23° ¼	Ko.	.55	" " "	"
Mk	67°	Hu.	.33	" " "	"
Hu	30°	Hu.	1.45	" " "	Kimohiki.
Hu	61½	Ko.	.37	" " "	"
Hu	28°	Hu.	1.83	" " "	"
Mk	63°	Hu.	.70	" " "	"
Hu	20°	Hu.	1.91	" " "	"
Hu	66° ½	Ko.	4.55	" " "	"
Mk.	19° ½	Ko.	2.59	" " "	Kaiakolehuaau.
Hu	77° ¼	Ko	1.50	" " "	"
Hu	65°	Ko.	3.96	" " "	"
Mk	7°	Ko.	1.00	" " "	Kimohiki. a kiki ma ko kiki ma - 2 27/100 Eka.

Apana 2. Kalo ma ka ili o Puohala. Chromaka ma a ko kiki Akau a e holo

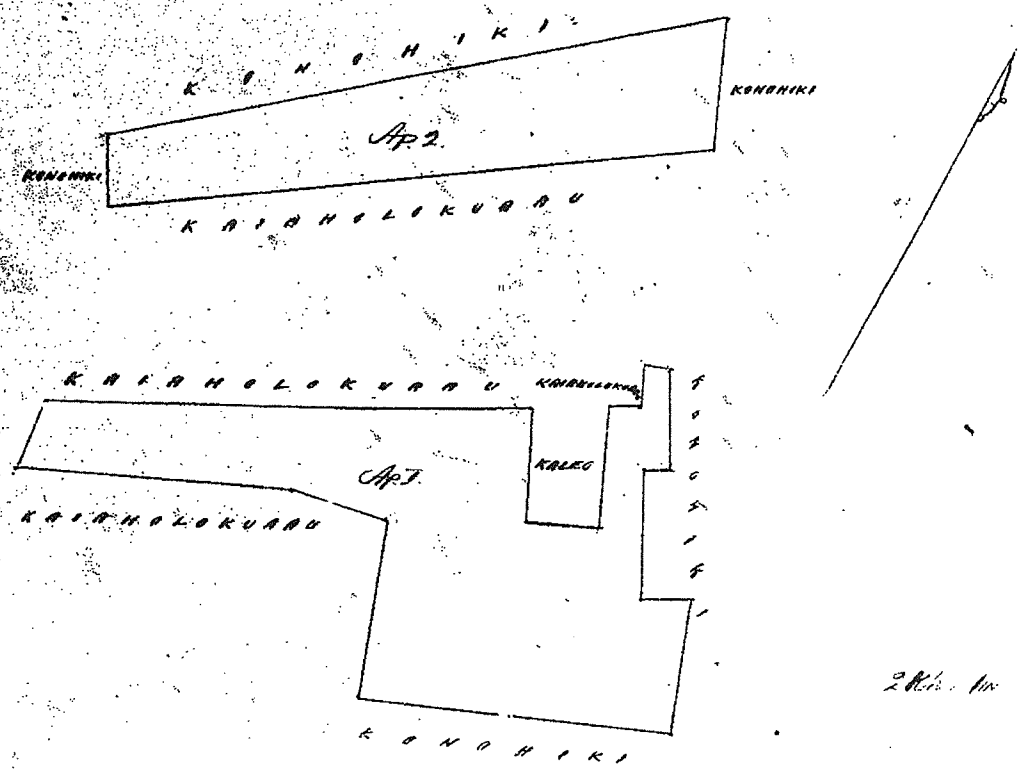
Hu	50°	Ko.	9.20	Mk. ma ko	Kimohiki.
Hu	28° ¾	Hu.	1.60	" " "	"
Mk.	55°	Hu.	8.88	" " "	Kaiakolehuaau.
Mk.	23° ¼	Ko.	1.78	" " "	Kimohiki. a kiki ma ko kiki ma. 1 22/100 Eka.

Waikiki Novemaba 29. 1853. C. Bailey Mananama.

Kui	$28\frac{3}{4}$	Hu.	1.40	"	"	"
Ah.	55'	Hu.	8.88	"	"	" Kaiaholokuaau
Ah	$23\frac{1}{4}$	Ko.	1.78	"	"	" Konohiki a hiki ma ke kihi mua. $1\frac{22}{100}$ Eka.

Waikiki Novemaba 29. 1853.

C. Bailey Mecanaama.



2 Kii. Ma

Ulupaaba B. C.

W. L. Lee
G. M. Robertson
S. Kikaulahoa
C. K. Smith

Honolulu Januari 7. 1854.

Royal Patent Number 6630
(Volume 24, Page 633)

HELU 6620

PALAPALA SILA NUI

A KE ALII, MAMULI O KA OLELO A KA POE HOONA KULEANA.

NO KA MEA, Ua hooholo na Luna Hoona i na kumu kuleana aina i ka olelo, he kuleana olelo ko Kuleana Helu 4461 ma ke **Ano Alodlo** iloko o kahi i ololoia malalo.

Nolaila, ma keia Palapala Sila Nui, ke hoike aku nei o ~~Kamehameha IV~~ Kalakaua ke Alii Nui a ke Akua i Kona lokomaikai i hoonoho ai maluna o ko Hawaii Pae Aina, i na kanaka a pau, i keia la nona iho, a no kona mau hope alii, ua haawi aku oia, ma ke **Ano Alodlo** ia Kawaa i kela wahi a pau loa ma Hailuku ma ka Mokupuni o Maui penei na mokuna:

Apl. Kalo ma Ka ili o Pushala
Chomawa ma Ke Kihi Kom Aloa, a e holo
Ak 62¼ Ali 4.78 Kaul ma Ke Kaiahola Kuaau
" 07½ " 2.35 " " " "
Ak 2.64 " 1.07 " " " Kalo
Ak 65½ " 1.10 " " " "
" 35 Ko 1.76 " " " "
" 59½ Ali .45 " " " Kaiahola Kuaau
" 25½ Ko .08 " " " "
" 67 Ak .33 " " " "
Ak 80 " 1.45 " " " Kuihi
" 61½ Ko .37 " " " "
" 25 Ali 1.00 " " " "
Ak 63 " .70 " " " "
Ak 21 " 1.91 " " " "
" 66½ Ko 4.35 " " " "
Ak 10½ " 2.07 " " " Kaiahola Kuaau
Ak 12½ " 1.07 " " " "
Ak 6 " 1.96 " " " "
Ak 7 " 1.95 " " " Kuihi
" Ke 1 Ki Ali ma Ka Eka —
Apl. Kal ma Ke ili o Pushala —
Chomawa ma Ke Kihi Akau — a e holo
Ak 20 Ko 9.20 Kaul ma Ke Kuihi
" 24½ " 4.00 " " " "
Ak 58½ Ak 5.88 " " " Kaiahola Kuaau
" 2.35 Ko 1.71 " " " Kuihi
" Ali ma Ke Kihi — 1 Ka

Maloko o Keia mau Apana — 3 49/100 — Eka

a oi iki aku, a emi iki mai paha. Ua koe nae i ke Aupuni na mine minerela a me na metela a pau,

No

na alua la i haawiia ma ke Aeo Alodio a no kona mau hooilina, a me kona waihona; ua pili nae ka auhau

a ka Poe Ahaolelo e kau like ai ma na aina alodio i kela manawa i keia manawa.

A I MEA E IKEA AI, na kau au i ko'u inoa, a me ka Sila Nui o ko Hawaii Pae

Aina ma Honolulu i keia la 5 o Novemaba 1874

Ia. Kra Moi

Ke Kuhina Kalaiaina

Kalukuna, Po

K. L. Maelouna

NATIVE REGISTER (HAWAIIAN)

o Keia aina Oowalu. No Makinaina mai Kona aina. No Waca mai Koin aina o Kaumakahi, oia Koin Kuleana e hoihoi mai outkou i koi ili aina. Na ike no o Kaanwai i ka hemo ana o makou o Oowalu nei
Oowalu 18 Jan. 1848. Na Keahi

4456 Kamaka Aloha na Luna hoona kuleana. Owau o Kamaka, he hai aku nei au ia outkou i Koin Kuleana loi 10 loi, aia ma Kalemano 3 loi ou aia ma Opuhaka 7 loi ou, ma Lamalimu 10 loi, Na Lamalii iki. he wahi kuka Kahi, ole mea nana i keakea mai a hiki i kiia la.
Na Kamaka

4459 Keaumakalani A loha na Luna hoona Kuleana aina. Owau o Keaumakalani. Ke hai aku nei au ia outkou i Koin Kuleana loi, 19 loi aia ma Kuekue ua: ai au loi nei a me Kahi kula. No Waca mai Koin Kuleana
Oowalu 19 Jun. 1848 Na Keaumakalani

4461 Keaawa Aloha outkou ma Luna Hoona Kuleana. Na ili aina o Punohala ma Waikaka, Koin pono. Eia Kona mau palena, he alaloa ma Ka Hikina, o Pohakupikapu Ka aina ma Ke Komohana, oia aina no ma Ka Akau, pela no ma Ka Hema, oia na palena o Keia aina

ain e hai aku nei ia outou. Na pau me
Ka mahalo ia outou.
Wailuku 17 Ianuari 1848. } Na Kaawa

4462 Kauhuna Aloha na Luna hoona
Owau o Kauhuna. He hai aku nei au ia
.Hp outou i Koi Kuleana loi 3 loi, aia ma Kamani
Penei Ke Kuleana ana Ko Kauwulua mai
Koi mau loi, Eia Koi Kuleana
Olowalu 15 Jan. 1848 } Kauhuna

4463 Kalachacha Aloha na Luna hoona
Owau o Kalachacha, He hai aku nei au
.Hp ia outou i Koi Kuleana loi, 18 loi a me Kahi
Kula. Penei na apao, ma Ka Akau Ko
Kawaha mos aina, ma Ka Hikina o
Lamalii Nui, ma Ka Hema o Waiaka, me
Ke Komohana Ko Kaiole mos aina. Ko
Nika mai Koi Kuleana aina, E Kolu
loi oe, aia ma Pohake, elua oe loi ma
Lamalii Nui
Wailuku 17 Jan. 1848 } Na Kalachacha

4506 Hikiu Eia Koi Kuleana aina
i Kakauahie me Kapua. Ko Maulili,
.Hp. Ko Kipahulu. Na Hikiu
Kipahulu 7 Jan. 1848 }

4507 Kuwaiwa January 14, 1848
Aloha outou e na Luna hoona
.Hp. He hai aku nei ia outou i Koi wahi
Kule ana aina ma Koomalu, he ili aina
ma Kula ma Ka Mokupuni o Maui
Ka loi no he iwahi, mahi wala nio
Eia na palena. Ko Kuhelani ma Ka

NR 4461-2

NATIVE REGISTER (ENGLISH)

No. 4456 - Kamaka

Greetings to the Land Commissioners: I, Kamaka, hereby state my claim for 10 lo'i. I have 3 lo'i at Halemano, at Opuhaka I have 7 lo'i. At Lamaliinui are 10 lo'i, and at Lamaliiiki is a kula. These have not been disputed until today.

KAMAKA

No. 4459 - Keaumakalani

Greetings to the Land Commissioners: I, Keaumakalani, hereby state my claim for 19 lo'i and a kula, at Kuekue. I received these from Naea.
Olowalu, 19 Jan. 1848

KEAUMAKALANI

✓ No. 4461 - Kaawa

Greetings to the Land Commissioners: The 'Ili of Puuohala in Wailuku is my own. It is bounded as follows: On the east is a highway, the land on the west is Pohakupukupu, this same land is on the north and south.

It is finished. Respectfully,
Wailuku, 17 January 1848

KAAWA

No. 4462 - Kauhena

Greetings to the Land Commissioners. I, Kauhena, hereby state my claim for 3 lo'i at Kamani. The right to these lo'is was received from Kamuloa.
Olowalu, 18 Jan. 1848

KAUHENA

No. 4463 - Kalaehaeha

Greetings to the Land Commissioners: I, Kalaehaeha hereby state my claim for 18 lo'i and a kula, bounded on the north by Kawaha's mo'o, on the east by Lamalii Nui, on the south by Waiaka, on the west by Kaiole's mo'o. The right to my land was received from Pika. I have three lo'i at Pohake, and I have two lo'i at Lamalii Nui.
Wailuku, 17 Jan. 1848

KALAEHAEHA

No. 4506 - Hiku

Here is my claim for land: Kakawahie and Kapua, from Maulili, at Kipahulu.
Kipahulu, 7 Jan. 1848

HIKU

No. 4507 - Hewahewa January 14, 1848

Greetings to the Land Commissioners: I hereby state to you my

NR 4461

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NATIVE TESTIMONY (HAWAIIAN)

1 M. o Kalawaiahonu. W. o Kaulii. M. o Kaulii o Kamaka ma kiw aina. M. o Makoe.
2 M. o Keahi. W. o Keahi, me ka Ili o Waikani. M. o Kalawaiahonu. M. he Kahawai.

7982. Pali. Julai 9, 1849.

Kuleana Hoohikiia. Ua ike au hookahi no Apana kalo ma ka ili o Halaula 1, i Wailuku.

Nou aku no kona i ka wa o Kamehameha I. Ole mea keakea. Ua make kona makuakane mamua o ka M. A. [illegible] ia wa ka loaa ana ia ia nei.

Penei na palena. Mauka, o Maau. Waikee, he Kahawai, Makai, o Meeau, pila no ma Maalaea.

✓ 4461. Kawaa.

Kaiaholokuaau Hoohikiia, Ua ike au i kona aina ma Wailuku, 2 Apana Aina.

Apana 1. 1½ Mookalo ma ka ili o Puuhala.
" 2, 1 " " " " " "

Ke aina kahiko loa mai na Makua mai o makou i ka wa o Kamehameha I. I ka wa o Kamehameha II. lilo ia makou, Ole mea keakea.

1 M. kiw aina. W. pila no. M. konohiki. M. Eka ko o Moi.
2 M. o Kalawaiahonu. W. kiw aina. M. o Kalawaiahonu. M. o kiw aina me ke Konohiki.

---

402. Neiakaukau.

Kauka Hoohikiia Ua ike au i kona aina ma Wailuku, 3 Apana Aina.

Apana 1. aina kalo ma Halaula 1. Ili
" 2. " " " Puako "
" 3. " " " Pohakuokauki "

NT 4461

NATIVE TESTIMONY (ENGLISH)

1. Mauka, Kalawaiahonu, Waihee, Kaulii, makai, Kaulii and Kamaka, and my land, Maalaea, Mahoe.
2. Mauka, Keahi, Waihee, Keahi and the 'Ili of Waikani, makai, Kalawaiahonu, Maalaea, a stream.

No. 7982 - Pali July 9, 1849

Kelolou sworn: I know of one parcel of taro in the 'Ili of Halaula 1, in Wailuku. His land was from me in the time of Kamehameha I. There is no opposition. His makuakane died before 1830, he got it at that time. It is bounded mauka by Maau, Waihee by a stream, makai by Meeau, and the same on Maalaea side.

No. 4461 Kawaa

Kaiaholokuaau sworn: I know his land at Wailuku, two parcels.
Parcel 1. 1½ taro mo'o in the 'Ili of Puuohala
" 2. 1 " " " " " "
It is an ancient land from our makuas, in the time of Kamehameha I. In the time of Kamehameha II it was transferred to us. There is no opposition.
1. Mauka, my land, Waihee, the same, makai, konohiki, Maalaea, acre of sugar cane of the Mo'i.
2. Mauka, Kalawaiahonu, Waihee, my land, makai, Kalawaiahonu, Maalaea, my land and the konohiki.

No. 402 - Nuiakaukau

Kaupa sworn: I know his land in Wailuku, three parcels.
Parcel 1. Taro land at Halaula 1, an 'Ili
" 2. " " " Puako "
" 3. " " " Pohakuokauhi "

Parcel 1 was from Kaheana before 1830. Parcel 2 was from Kapuaa in the middle of the year 1835. Parcel 3 was from Haluulani in 1843. There is no opposition.
1. Mauka, Apiki, Waihee, Naea, makai, lo'i of the Mo'i, Maalaea, government road.
2. Mauka, Napela, Waihee, Kekuapahipahi, makai, Pookikihi, Maalaea, stream.
3. Mauka, Lulana, Waihee, a stream, makai, Z. Kaauwai, Maalaea, the same.

No. 2610 - Pehu (W) July 9, 1849

Kaluli sworn: I know of one parcel in the 'Ili of Luahinepii in Wailuku. Her land was from Kawelohea in the time of Auwae, before 1830. There is no opposition. There are two po'alima within. It is bounded mauka by Kalawaiahonu, Waihee, the same, makai, the same, Maalaea, Pali of Wailuku.

NT 4461

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FOREIGN TESTIMONY

C. 3466 & 3467 Maio. (The claims are blended)

Helu 1 belongs to Thomas the lands of the Ot. They consist of 2 pieces of land, in the ili of Apahui, Kaluha, Maui.

No. 1 is a piece of kalo land.

The Ot rec'd this land from Kuwaiwa before 1830, and has possessed it in peace ever since. There are no further claims.

No. 1 is bounded Makai, by my fore-father's land, Kaiko; by Hanli's land, Makai; by Hanli's & Kanaka's & my land, Mauka; by Kaiko's land.

No. 2 is bounded Makai, by Kaiko's land, Kaiko; by the kula of Kaiwani, Makai; by my previous land, Mauka; by the Ocean of Kailuku.

C. 7782 Iki

Helu 1 belongs to Thomas the land of the Ot. It is one piece of kalo land in Iakauhi, Kailuku, Maui.

The Ot rec'd it from his parents. They gave it to his parents in the days of Kamehameha I. His parents died before 1830, his title is not disputed.

It is bounded Makai, by Ot's land, Kaiko; by the Creek of Kailuku, Makai; by other land, Iki; by Hanu's land.

C. 4461 Kaua.

Kaiki belongs to Thomas the lands of the Ot. They consist of 2 pieces in the ili of Pauwela, Hamakua, Maui.

No. 1 is a kalo piece of land.

" 2 " " " " " " "

The Ot rec'd part of this land from his parents, and part from me, in the days of Kamehameha. His parents occupied the most of it in the reign of Kamehameha I. His title is without dispute.

ET 44611

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No 1, is bounded Makai & Waikiki, by my land Makai, by the Konohiki's lands Mauka, by the King's Ely.

No 2 is bounded Mauka, by Kalauinaiwa's land, Waikiki, by my land Makai, by Kalauinaiwa's land Mauka, by Kalauinaiwa & my land.

Cl. 402. Hualakaukau.

Kaoka, has shown the lands of the Ct. They consist of 3 pieces in Waikiki, Oahu.

No 1 is a kalo land in Waikiki

" 2 " " " " " Waikiki.

" 3 " " " " " Pohakuloa.

The Ct. rec'd No 1 from Kahaunui before 1830. No 2 he rec'd from Puna in 1835. No 3 he rec'd from Kalualani in 1863. This last piece is one of the King's Elus. None given the Ct. to raise sugar cane on for the Kings Mill. His title is not disputed.

No 1 is bounded Mauka, by Apiki's land, Waikiki, by Naea's land, Makai, by the King's land Makai, by the Cart Road.

No 2 is bounded Mauka, by Apiki's land, Waikiki, by Kalauinaiwa's land Makai, by Kaikiki's land Makai, by the Road of Waikiki.

No 3 is bounded Mauka, by Kalauia's land, Waikiki, by the Road, on other two sides, by Kalauia's land.

Cl. 2610 Pelu. (M.)

Kaiki has shown the land of the Ct. It is one piece in the ili of Wahinepio, Waikiki, Oahu.

The Ct. rec'd this land before 1830, in the days of Auwae, and has possessed it in peace until this time. There are 2 poi-bearing trees in this piece.

It is bounded Mauka, by Kalauinaiwa's land, Waikiki, by the same Makai, by the path of Kalauinaiwa's house, Waikiki.

FT4461 (Cont) 2

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Water Related Terms for Various Land Commission Awards in Wailuku

LCA	RP	Awardee	Water Terms cited in Metes and Bounds Description
406 Ap1	5376	Napela	This award contains many lo'i maloo (dry taro) patches
453 Ap 1,2	997	Kuihelani	Ap 1 is bounded by a Poalima and Ap 2 is the site of lo'i(taro patches)
2434	6397	Kahooke	A Poalima (ali'i taro patch) cited as a boundary
2436 Ap 1,2,3	2009	Kahaiki	All 3 Apana are identified as kalo (taro) lots and Apana 2 cites an auwai (ditch)
2495 Ap 1,2,3,4	7790	Kaiaholokuaau	A Poalima sits within Apana 4
2502 Ap 1,3	5973	Ihumai	Apana 1 & 3 are kalo (taro) lots and an auwai runs through Ap 3
2503 Ap 2	3652	Ohule	Apana 2 is a kalo (taro) and house lot bounded by a Poalima
2533 Ap 1	6529 & 6437	Malaihi	Apana 1 is an aina kalo (taro land) bounded by a Poalima
3225	6298	Opunui	A Kahawai (stream) and 2 Poalima lie within this parcel that is bounded by an auwa
3237 Ap 3	6888	Hewahewa	A Poalima is surrounded by this parcel bounded by an auwai (ditch)
3275E	5154	Kaleo	Parcels 1 & 4 contain a kahawai (stream) and Poalima
3292		Mua	Identified as a kalo (taro) lot containing auwai (ditch) and Poalima
3294B Ap1M1 & M2, Ap2	6102	Moomooiki	Ap1 M1, Ap 1M2, Ap2 all identified as kalo (taro) lots with an auwai adjoining
3330	4424 & 4622	Lonohiwa	A kalo (taro) lot with an auwai adjoining
3335	7774	Naonohi	Identified as a kalo (taro) lot containing auwai (ditch)
3387	6065	Pooliilii	Award identified as having 9 lo'i (taro patches)
3388	6101	Paiwi	A kalo (taro) lot with an auwai adjoining
4461 Ap 1,2	6630	Kawaa	Both parcels identified as kalo (taro) lots

Helu 4461 Kawaa ↓ Hailuku. Maui.

Apana 1. Kalo ma ka ili o Puohala. Taro in the ili of Puohala

Ohumaka ma ke kihi Komohana Akau a e hele

Nk.	62°¼	Hi.	4.78	Nk. ma ko	Kaiakolokuaau
Nk.	59°½	Hi.	2.25	" " "	
Hi.	26°¼	Hi.	1.67	" " "	Kalo
Nk.	65°½	Hi.	1.10	" " "	"
Nk.	25°	Ho.	1.76	" " "	"
Nk.	59°½	Hi.	.45	" " "	Kaiakolokuaau
Nk.	23°¼	Ho.	.55	" " "	"
Nk.	67°	Hi.	.33	" " "	"
Hi.	30°	Hi.	1.45	" " "	Konohiki
Hi.	61½	Ho.	.37	" "	"
Hi.	28°	Hi.	1.83	" " "	"
Nk.	63°	Hi.	.70	" " "	"
Hi.	20°	Hi.	1.91	" " "	"
Hi.	66°½	Ho.	4.55	" " "	"
Nk.	19½	Ho.	2.59	" " "	Kaiakolokuaau
Hi.	77°¼	Ho.	1.50	" "	"
Hi.	65°	Ho.	3.96	" " "	"
Nk.	7°	Ho.	1.00	" "	Konohiki a hiki ma ke kihi mua

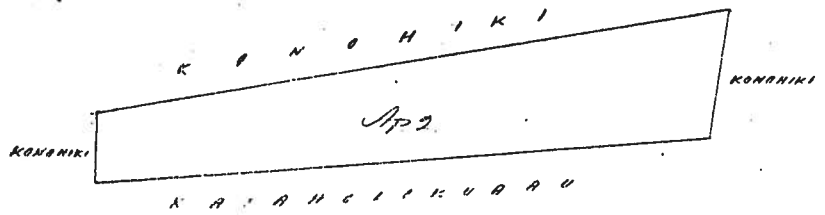
Taro in the ili of Puohala.

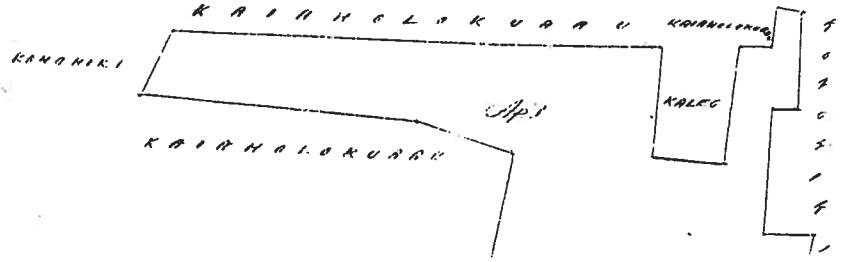
Apana 2. Kalo ma ka ili of Puohala. Ohumaka ma ke kihi Akau a e hele

Hi.	50°	Ho.	7.20	Nk. ma ko	Konohiki
Hi.	28°¾	Hi.	1.00	" " "	"
Nk.	55°	Hi.	8.88	" " "	Kaiakolokuaau
Nk.	23°¼	Ho.	1.78	" " "	Konohiki a hiki ma ke kihi mua. 1 22/100

Hailuku Novemaba 29. 1853.

C. Bailey Mananaina.





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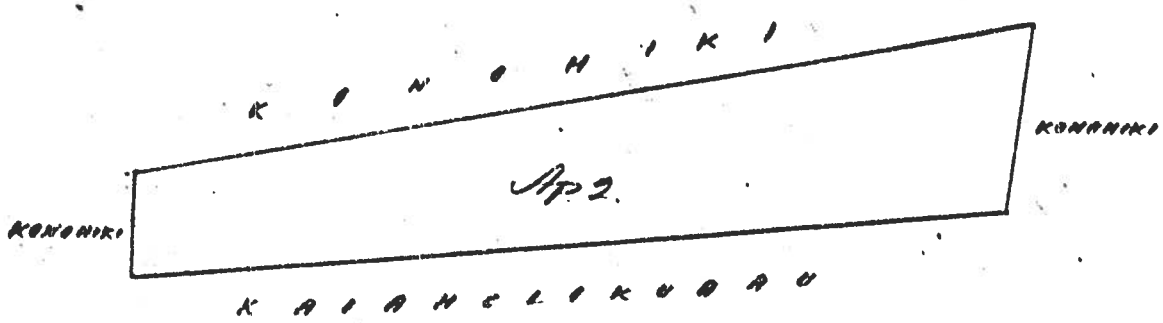
6°	No.	3.96	" " "	Konohiki a hikiwa
7°	No.	1.00	" " "	

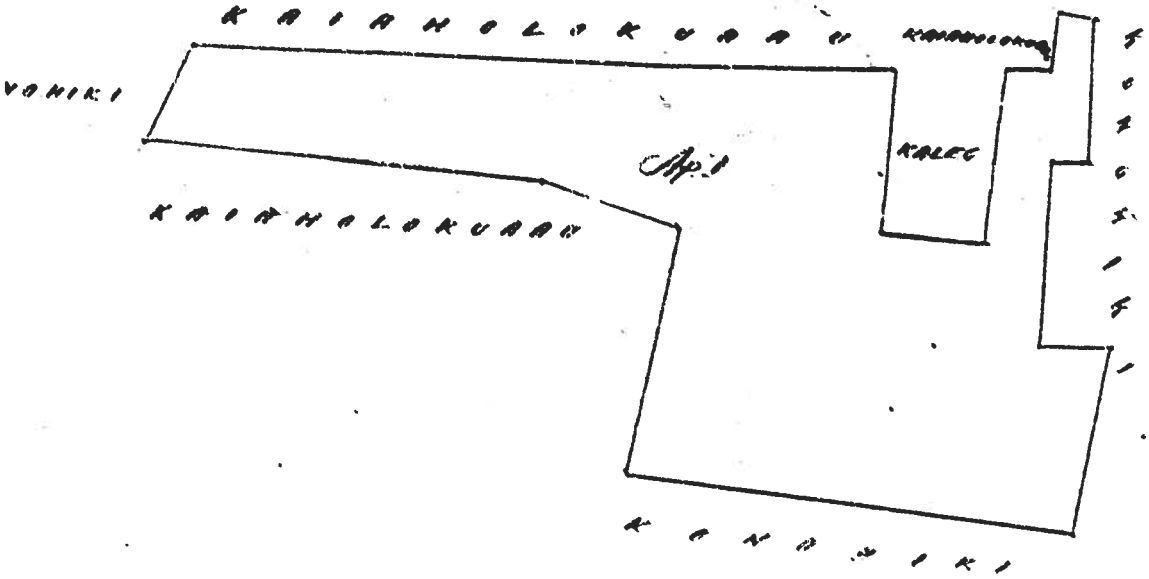
Halo mwa ka ili of Puohala. Chuwaoka ma a ki hiki Ohau

50°	No.	7.20	Sh. mwa ka	Konohiki
28 3/4°	No.	1.00	" " "	
55°	No.	8.88	" " "	Kaiaholokuaau:
23 1/4°	No.	1.78	" " "	Konohiki a hikiwa ka hikiwa

November 29. 1853.

C. Bailey Mea





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Ulupaoa p. 6

Royal Patent Grant Number 3343 to Claus Spreckels

✓ No. 3343

ROYAL PATENT.

(GRANT.)

Kalakaua, By the Grace of God, King of the Hawaiian Islands,

By this His Royal Patent, makes known to all men, that he hath for himself, his heirs and successors, this day granted and given unto Chas. Spencer under and by virtue of the provisions of an Act of the Legislative Assembly of the Hawaiian Islands approved on the 21st day of July 1882 entitled "An Act to authorize the Commissioner of Crown Lands to convey certain portions of such lands to Chas. Spencer in satisfaction of all claims he may have on such lands" ~~for the consideration of~~ ~~paid into the Royal Exchequer~~, all that piece of Land situate ~~at~~ on Waikiki in the Island of Oahu and known as the Ahupuaa of Waikiki, with the ~~appurtenances~~ his thereunto belonging and described as follows:

Beginning at a red wood post and pile of stones on the sea shore adjoining the land of Hamakuapoko at the place called Kapukaulua from which post the Government survey station on Punchbowl bears S 8° 15' W true and running S 9° 59' E true 1062 feet along Hamakuapoko to Kemekapoo S 10° 7' E true 3013 feet along Hamakuapoko to pile of stones, at Aukukuhauwi S 22° 5' E true 934 feet to a large rock called Olopua, which forms the corner of Waikiki, Kalimaila and Hamakuapoko. Thence S 36° 40' E true (S 35¼° E magn) 1304 feet along Kalimaila to Punipili. Thence S 21° 17' E true (S 20 E magn) 1650 feet along the ravine to marked rock called Kaiolekalani, about 170 feet South of the road to Kahuliui, thence S 17° 4' E true (S 25¼° E magn) 1592 feet to a pile of stones at Kauhiamoa on West side of ravine, thence S 22° 18' E true (S 40¼° E magn) 1390 feet to a marked rock by the path at Pulunali S 35° 7' E true (S 42¼° E magn) 2508 feet to a wiliwili tree on West bank of the gulch which is the corner of Kalimaila and the district of Kula. Thence S 36° 27' W true 5346 feet along Kula, S 29° 21' W true 6059 feet along Kula, S 25° 36' W true 952 feet along Kula to a concrete post marked with a cross at the North West corner of Kalialinui and Waikiki. From which the Government survey station on Puu o Kohai bears S 38° 25' E true. Thence S 28° 30' W true 1576 feet along Kalialinui to top of a large rock called Punkoa. Thence S 36° 40' W true 1020 feet along Kalialinui to a granite post at the corner of Kalialinui, Waikiki and Pukiwaiwai. From which the Government survey station on Puu Ualakaa bears S 62° 4' W true. Thence N 64° 5' W true 3650 feet along Pukiwaiwai and Kuiaipo to Tohatoa a marked rock a short distance N of road to Waikapuna. Thence N 73° 48' W true N 75 W magn [illegible] feet along Kuiaipo up ridge N 52° 30' W true [illegible] feet along Kuiaipo to stone post on the east of [illegible] thence up Kalipuaoiki S [illegible] along [illegible]

this from Olowalu Valley. Thence around by the ridge forming the head of Waihikiu Valley to the head of the land of Waikee. Thence along the dividing ridge between the Waihikiu and the Waikee Valleys to the head of Waiehu. Thence S 70° 59' E true 3366 feet along Waiehu down ridge N. 86° 36' E true 2161.5 feet along same to junction of ridges called Kahoolewa. N. 63° 36' E true 6385.5 feet along same N. 85° 6' E true 3445.3 feet along same to end of ridge. Thence N 89° 51' E true 1039.5 feet along same to black rock marked thus ⟶ at edge of gulch. Thence N 71° 21' E true 427.7 feet along Waiehu along edge of gulch N. 16° 51' E true 569.6 feet along same to point near a large black stone marked ⟶ N 66° 36' E true 803.9 feet along same N 46° 6' E true 937.2 feet along Waiehu N 46° 21' E true 1029.6 feet along Waiehu N 49° 36' E true 1025 feet along Waiehu to stone marked thus ⟶ N 20° 30' W true 128 feet along Waiehu N 22° 15' E true 244 feet along Waiehu N 11° 44' W true 310 feet along Waiehu N 51° 50' E true 264 feet along Waiehu S 44° 30' E true 753 feet along Waiehu along stone wall N 75° 00' E true 674 feet along Waiehu along stone wall to tall stone marked ⟶ From which the above mentioned marked stone ⟶ bears S 70° 21' W true 1455.6 feet. Thence S 66° 6' E true 1607.0 feet crossing the Government road to stone marked ⟶ at sand hills. Thence N 77° 52' E true 1589.3 feet along Waiehu across sandy hollows to stone marked ⟶ Thence N 65° 45' E true 1083 feet along Waiehu to a stone marked ⟶ at sea shore. Thence along sea shore to initial point. Subject to all existing leases and tenancies and to the rights of Native tenants

Containing 24,000 Acres, more or less; excepting and reserving to the Hawaiian Government all mineral or metallic mines of every description.

To Have and to Hold the above granted Land in Fee Simple, unto the said Glaus Spreckels his Heirs and Assigns forever.

Given under my hand at Honolulu, this 30th day of September 1882 in the [illegible] year of our Lord.

Kamehameha IV Deed to C. Brewer and Others
(Liber 16, Page 374)

Kamauoka to Henry Dimond

Mortgage Deed

Know all men by these presents that I Kamauoka of Honolulu Oahu Hawn Isls for & in consideration of the sum of 190 dol to me in hand paid by Henry Dimond of the same place do hereby grant deed & convey to the said Henry Dimond & to his heirs & assigns forever all my right title & interest in following lots of land -

1st 2 lots of land in Honolulu bought of Lewis Ligalas & [illegible] & described in the Honolulu Register Office on the 7th of Nov 1863 in Liber 8 on pages 280 & 281. He also on the 11th of July 1862 recorded in Liber 10 on page 100

2nd Also one lot in Honolulu aforesaid bought of R Armstrong on the 21st of October 1853 recorded in Liber 8 page 98

3rd also one lot bought of Malae & Kekauanui & described in the Royal Patent No 8362. To have & to hold the same with all the rights & privileges to the same belonging unto the said Henry Dimond his heirs & assigns. This Conveyance is intended as a Mortgage to secure the payment of a note made by the said Kamauoka for One Hundred & Ninety dols dated this date and payable two years from the date thereof with interest at 1½ ct per month - and if the amount of said note principal & interest shall be paid at maturity then these presents shall be null & void But if default shall be made in the payment of said sum of money by the said Kamauoka then these presents shall remain in full force. In witness whereof I have hereunto set my hand & seal this 15th day of March A.D. 1863

Kamauoka O

Registry Office Oahu

On this 22nd day of April A.D. 1863 personally appeared before me Kamauoka party to the foregoing instrument & acknowledged that he executed the same for the uses & purposes therein set forth

Thomas Brown Registrar of Conveyances

Recorded Honolulu this 22nd April 1863 at 11 o'clock AM

Thomas Brown Registrar of Conveyances

Kamehameha IV to J. C. Brewer and Others

Warranty Deed

Know all men by these presents that I Kamehameha IV King of the Hawaiian Islands for & in consideration of the sum of Seven Thousand and Seventy Dollars to me in hand paid by C Brewer & Co. James Robinson & Co. J. Cummins & J. Fuller all of Honolulu the receipt whereof I do hereby acknowledge have granted, bargained, sold, released and confirmed - and by these presents do grant, bargain, sell, release, and confirm unto the said C Brewer & Co. James Robinson & Co. Thomas Cummins

and Josiah Fuller their heirs and assigns. All that piece of land situate at Wailuku, Island of Maui, being a part of the Ahupuaa of Wailuku described by survey as follows, viz:-

"Commencing at a point on the eastern boundary of the land S 86° E 118½ft from the S.E. corner of the Stone School House & S 39° 25' E 28ft. from the South west corner of the wall round Kahale's house lot. and point which the top of the farthest visible bluff over the sea in Kamakinapoko bears N 64° 30' E & the S.E. corner of the Wailuku Protestant Church bears S 8° 30' W the boundary runs to along and past the wall round Kahale's lot N 39° 25' W 79 8ft thence along His Majesty's land N 16° 7' W 1056ft to the mauka side of the Wailuku and Waiehu Road - thence along side of said road N 3° 0' E 1317ft and N 8° 28' E 2020ft. thence along the land of Waiehu N 75° 30' W 740ft to a stone on end in an old wall - thence along old wall S 63° 0' W 674ft. thence N 54° W 753ft. S 46° W 264ft. S 22° E 310ft. S 11½° W 244ft. S 42¾° E 126ft to old wall. thence along old wall S 39° W to corner of Popoki enclosure (this point is S 61° 0' W 1466ft from the "Stone on end") thence along the old wall to points on the wall S 40° 15' W 1026ft and S 37° 0' W 1023ft thence still along the wall & from the end of it through a lauae enclosure to a point S 36¾° W 937ft. thence S 59° 15' W (over an earth fast black stone at 750ft) 804ft - thence round the edge of a cliff S 7° 30' W 590ft and S 62° W 428ft to the upper side of a large black stone. thence S 80° 30' W 1040ft to a ridge the boundary between this & Waiehu thence in a westerly direction up along said ridge following on the water shed round to the peak called "Kahoolewa" said peak bearing S 72° 45' W from place of commencement - Again starting from the place of commencement the Southern boundary runs as follows along His Majesty's land S 39° 25' E 69ft. S 15° 50' W 421ft. S 37° 30' W 646 ft to a large stone. thence S 44° 50' W 798ft to a point from which the nearest abutment of the Wailuku bridge bears S 33° 0' E distant 960ft - thence S 41° 0' W 1112ft to a point on the lower side of the "Lani Auwai" above Pelapela's "Kahua hale" thence up along said auwai to a point S 43° 45' W 1136ft. S 52° 30' W 905ft & S 71° 30' W 284ft. thence N 62° 10' W 334ft (the boundary leaves the auwai at 25ft on this line at a gully bridged over the auwai) to a point on the top of a red ridge thence N 61° 45' W 320ft & S 67° 30' W 488ft to the edge of a pali - thence along the Ili of Kaohe N 41° 0' W 675ft & N 47° 50' W 1050ft to point on high ridge - thence westerly along the ridge bounded on the left by the Wailuku Valley to the peak "Kahoolewa" before named. Area 1475.52 Acres exclusive of the Ili of Puohala and Kauanoku belonging to the Queen Dowager and lying within the above described boundaries - described as follows. Commencing at the N.E. corner of the Ili at a large stone marked with a cross on the South bank of the Kalulo gulch the boundary runs S 23° 30' E 1196ft - thence S 64° 45' W 2531 ft through the opening of a gully to the edge of the auwai thence S 81° 35' E 56ft

thence up a gulley & ravine and from the head of the ravine straight to a point on the top of the ridge S 66° 50' W 4210 ft (from the 0 ft station) Again from the place of commencement the boundary runs westerly up the Kalule gulch and up the South branch of the same to a point 420 ft (in a straight line) above the junction of the middle fork - from thence S. Easterly to point on ridge above described. Area 228 2/10 Acres. " With all the rights and appurtenances thereunto belonging and all my right title & interest therein & thereto. To have & to hold the same as aforesaid unto the said C. Brewer & Co., James Robinson & Co., Thomas Cummins and Josiah Fuller their heirs & assigns forever - Expressly excepting from this Conveyance the two acre School lot and all Kuleanas awarded by the Land Commissioners on the said Land - And I do hereby for myself my heirs executors & administrators covenant to and with the said C. Brewer & Co and the others aforesaid their heirs & assigns that I have good right full power & lawful authority to sell & convey the land & premises in manner aforesaid - that the same are free from all incumbrances whatsoever - and that I and my heirs & all persons deriving under or in trust for me shall and will at all times hereafter warrant & defend the same unto the said C. Brewer & Co and the others aforesaid their heirs & assigns against the lawful claims of all persons whomsoever. In witness whereof I have hereunto set my hand & Seal this 21st day of April AD 1863

Kamehameha O

Know all men by these presents, that I, Emma Consort of His Majesty Kamehameha IV King of the Hawaiian Islands for and in consideration of one dollar to me in hand paid by C. Brewer & Co - James Robinson & Co. Thomas Cummins and Josiah Fuller and for divers other good & valuable considerations - do hereby release and for ever quit claim unto the parties aforesaid their heirs & assigns all my right, title and claim & dower in to or out of the land & premises in the foregoing deed mentioned & described. In witness whereof I have hereunto set my hand & Seal this 21st day of April AD 1863

Emma O

Honolulu Oahu ss

On this 21st day of April AD 1863 personally appeared before me His Majesty Kamehameha IV and Her Majesty The Queen Emma & severally acknowledged that they had executed the foregoing instrument for the uses & purposes therein described. And Her Majesty on a private examination separate & apart from the King acknowledged that she had executed the same of her own free will without compulsion from His Majesty

Thomas Brown Registrar of Conveyances

Received & compared this 22nd April 1863 at 11 Oclock AM

Thomas Brown Registrar of Conveyances

BOOK 16
PAGE 1 - 458

Land Commission Award Number 4452, Apana 9 to H. Kalama
(Volume 10, Page 470)

Ua hooko akw makou i keia kuleana mamuli o na olelo o na Kumawai i hoohololia ma ka la 17 o June M. H. 1852, e pili ana i na Konohiki.

Helu 4452 H. Kalama

Apana 9.

Ua koi mai oia no kona ~~ma~~ Aina o Puuohala iloko o Wailuku ma ka Puali Konohana i ka Mokupuni o ~~Maui~~ Maui, no ka mea, ua loaa iuia keia aina no ka e Moi Kamehameha III mai i ka Makele aina ana i ka M. H. 1848. a ua noho keakea olua a hiki i keia manawa.

Oia ka makou hooko nei no H. Kalama, he kuleana koi kona malalo iho o ke Aupuni Alodio. Inaue uku mai oia i ke Aupuni hapa alaila, ua kupono iaia ka Palapala Sila Alodio. Aka, koe nae na kuleana o na Kanaka maloko.

Pono nae iaia ke uku no ka hoohololoki a me ka hooholo ana i ka olelo Penei,

No ka oumi a me ke pae ana i ka olelo ma ka Nupepa

No ke kope ana i ka olelo koina

No ka palapala kii

No ka hana ana i ka la

No ke kope ana i ka olelo a ma hoike

No ke ana ana i ka la

No ke kope ana

No ka hooholo ana i ka olelo i ka la 20 o Mei 1854.

W. L. Lee

G. M. Robertson

J. Kekauonohi

J. H. Smith

Ua hooko akw makou i keia kuleana mamuli o na olelo o na Kumawai i hoohololia ma ka la 19 o June M. H. 1852, e pili ana i na Konohiki.

Helu 4452 H. Kalama

Apana 10.

Ua koi mai oia no kona Aina o Maniinie iloko o Wailuku ma ka Puali Konohana o ka Mokupuni o Maui, no ka mea, ua loaa iuia keia aina no ka e Moi Kamehameha III mai i ka Makele aina ana i ka M. H. 1848, a ua noho keakea olua a hiki i keia manawa.

Oia ka makou hooko nei no H. Kalama, he kuleana koi kona malalo iho o ke Aupuni Alodio. Inaue uku mai oia

Royal Patent Number 7302
(Volume 25, Page 165)

No. 7552

ROYAL PATENT.

Upon Confirmation by the Land Commission.

WHEREAS, The Board of Commissioners to quiet Land Titles have by their decision awarded unto

Hazaleleponi Kalama — L.C Award. 4452.

an estate of **Freehold** less than Allodial, in and to the Land hereafter described, and whereas proper applications having been made to the Minister of the Interior by Hon. W. C. Parker administrator of the Estate of Charles Kanaina for a Royal Patent for the within described land, a certificate defining the boundaries of the same being filed, and the Government commutation thereon relinquished by an order of the Privy Council dated. June 4. 1855.

THEREFORE, ~~Kamehameha~~ Kalakaua, by the Grace of God, King of the Hawaiian Islands, by this Royal Patent, makes known to all men, that he has, for himself and his successors in office, this day granted and given absolutely, in Fee Simple, unto

Hazaleleponi Kalama

all that certain piece of Land ~~situated~~ known as the Ituaina of Puuohala, Wailuku in the Island of Maui. and described as follows:

Commencing at a stone marked → at the northwest corner of this land, on the South side of the gulch, and a little mauka of an old road to Waiehu from which stone the north corner of the Wailuku Mill Chimney bears S. 41°05 E. true, and the spire of the R. C church bears S 62°6 E true the boundary runs.

1. S. 4° 2' W. true 1044 ft. along Honohiki, to a stone marked thus → a little mauka of an old ditch – thence

2. S. 77°18. E true 2146 ft. along Honohiki to a red wood post. thence

3. S. 44°40 W true 1145 " " crossing junction of old Waiehu road, and over ridge down into gulch to a rock at bottom of same marked thus ↓ thence

4. S. 72°6. W true 1812 ft along Honohiki, up gulch to point of commencement

Area. 48 24/100 acres.

Award 4451 to Kamaia, is included in this survey said award contains 3 76/100 acres (covered by R P. 6630. issued 5. Nov 1874.)

48.24 less 3 76/100 = 44 48/100 acres.

Survey of a Lele of Puuohalai Wailuku. Maui.

Commencing at a stone marked thus ⤫ at the north corner of this piece and E. corner of R. P. 6582, to Kawaapalaole, joining R. P. 6496 to Likanes from which stone the spire of the R. C church bears, S 81° 43' E lines and the north corner of the Wailuku Sugar Mill chimney bears S. 5° 19' E lines and rions.

1. S.	48° 30'	W. lines	268 ft along		Kawaapalaoles to a stone marked →
2. S.	57° 46	" "	66.	"	Kama and Konohiki
3. S.	33° 13	E "	167.	"	Konohiki
4. N.	49° 45'	" "	286	"	"
5. N.	25° 48	" "	109.5.	"	"
6. N.	50° 56'	W "	114.	"	Likanes to initials fourth

Areas 1 23/100 acres

Containing 15.98 Acres,

[illegible], excepting and reserving to the Hawaiian Government, all mineral or metallic mines of every description.

[illegible] the above granted Land in Fee Simple, unto the said Kaaniolepuna Lakana Heirs and Assigns forever, subject to the taxes to be from time to time imposed by the Legislative Council, equally upon all Landed Property held in Fee Simple.

In Witness Whereof, I have hereunto set my hand, and caused the Great Seal of the Hawaiian Islands to be affixed, this 29th day of March 1879

2. S.	35° 46'					
3. E.	35° 13'	E		16.		[illegible]
4. N.	49° 45'			256		
5. N.	25° 48'			109.5.		
6. N.	50° 56'	W		114.		Returns to initial point.

Area: 1 [illegible]

Containing 45.98 Acres, more or less; excepting and reserving to the Hawaiian Government, all mineral or metallic mines of every description.

To Have and to Hold the above granted Land in Fee Simple, unto the said Hazaleleponi Kalamar. Heirs and Assigns forever, subject to the taxes to be from time to time imposed by the Legislative Council, equally upon all Landed Property held in Fee Simple.

In Witness Whereof, I have hereunto set my hand, and caused the Great Seal of the Hawaiian Islands to be affixed, this 29th day of May 1879

Kalakaua. R

By the King
the Minister of Interior
C. C. Gulick

NATIVE REGISTER (HAWAIIAN)

2. He moo aina o Kuaiawa Ka inoa, mai Koa mai ma-
kua mai mai ia aina, a hooili lana malina ou.
Ma Ka Ai. Pili i Ka aina o Ahulowa. Ma Ka A. i Ka
aina o Waiaenui, ma Ke Komohana Ke Kakawai, ma
Ka Hema i Ka aina o Waikapu 14 Loo.
3. Ma Mamuala ke moo aina noio, Kauaa Ka inoa.
Na Hune i haawi mai me Ka ae o Ke Konohiki, eha au
mau makahiki i mahi ai i ua aina la. 13 Kona
mau loi. Ma Ka Ai. A. Ua pili i Ka Muliwai. Komoha-
na i Ka pa aina, Komohana H. I Ka aina o Kaamoku
Ma Ka Aikina he wahi Kula hoi e pili ana i ua
aina la.

Nau na Polu

14452 C. Kanaina (for Kalama.) Honolulu Jan. 19, 1848.

I Ka Paresidena o na Luna Aoao
Kumu Kuleana Aina

Williams S. Lee
ma Ka Ohakalo

No Ke Kauoha ana mai a Ke Ali wahine Haza-
lelepono Kalama. Nau e hana inua o ukou
i Kona mau Kuleana pahale e waiho nei ao-
le i haawi ia Ka mamua.

Nolaila Ke hai maopopo aku nei au i
Kona mau pahale, a me Ke Kuleana pu e po-
no ai.

1 Pahale ia Naopala laua me Kamoila ma
Kamanuwai i Honolulu nei.

No H. Kalama ia pa, he wahi waiho wa-
le iho no ia, a na Kona makuakane e hana mua
i na hale, a hooponopono i Ka holo pu ana
mai me Ke Ali Liholiho (na Ka makahiki 1822)
mailaila Ka noho ana a hiki i Keia manawa.

NR 44521

aole mea nana i Keakea.

2. Pa ia Kekai mauka o Pelekane i Honolulu nei.

No H. Kalama ia pa; he wahi waiho wale iho no mamua, a hiki i ka wa o Kaomi nana, a me Kona poe i hoopono pono i na mea maluna iho, a mai ia manawa a hiki i Keia wa, aole mea nana i Keakea.

3 Pa ia Koi ma Kanaana i Honolulu nei.

No Timoteo Haalilio ia pa a lilo i Ke Lii Ka Moi, a haawi Ke Lii ia H. Kalama, ua lilo ia ia a mau loa aku.

4. Pa ia Keawehano, Ua o aku o Kinui.

Noi, a me Kalama ia pa; he wahi waiho wale iho no, a i Ka hoi ana mai o makou me Ke Lii Liholiho mai Hawaii mai, oia Ka Makahiki 1821, a na maua, a me Ko maua poe i hoopono pono i na mea maluna iho, a mailaila mai a hiki i Keia manawa, aole mea nana i Keakea.

5. Pa ia Kekikahiko Ua o aku o Mokuhinia ma Lahaina Maui, makai o Ke Alanui Aupuni.

No H. Kalama ia pa, nana a me Kona poe Kanaka i hoopono pono i na mea maluna iho i Ka Makahiki 1839, a mailaila mai Ka mau o Ka noho ana, a hiki i Keia wa, aole mea nana i Keakea.

6 Pa ia Kekai Ua o aku o Mokuhinia ma Lahaina Maui, makai o Ke Alanui Aupuni.

No H. Kalama ia pa, nana a me Kona poe Kanaka i hoopono pono i na mea maluna iho i Ka Makahiki 1839, a mailaila Ka mau o Ka noho ana a hiki i Keia manawa, aole mea nana i Keakea.

Oia Kaii e hoike pololei aku nei ia oukou

NR 44522

805

a i ka la a oukou e hui mai ai iaiu, na makaukau au i ka lawe pu aku me na koike pono no Keia mau Kuleana i haiia maluna.

Owau no me ka Mahalo
Charles Kanaina

(Olelo pouna)

E hana koikoi mai no wau mau ako ae o Keia pule, oia kaii noi ia oukou, mai waiho loa aku oukou a mahope loa.

4452 C. Kanaina Honolulu Januari 19, 1848.

Ka Paresidena o na Luna Hoonas
Kumu Kuleana Aina
William L. Lee

Me ka Mahalo

Ke hai aku nei au i Keia Kuleana pahale oia ma Honolulu nei, aia ma Makaaka. He waiwaiho wale iho no, Mamua o ka make ana o Davida Kamehameha, hoomoho aku la au i ka waiwai Kanaka malaila, a nau a me ia i hoopono i ma mua maluna iho, a ua mau kona noho ana malaila a hiki i Keia manawa, aole ma nana i keakea.

A ke olelo haaheo aku nei au imua o ka oukou alo, e lawe pono aku no au i na koike kupono no Keia Kuleanas. E hana koikoi mai nae au mau ako ae o Keia pule, oia kaii noi ia oukou. Mai hoopaneee aku oukou

Owau no me ka Mahalo
Charles Kanaina

NR 4452-3

NATIVE REGISTER (ENGLISH)

3. At Manuaula I have a mo'o named Kauaaa which was given me by Hune with the consent of the konohiki. I have cultivated that land for four years. It has 13 lo'i. On the northeast it adjoins the muliwai, on the west is the land fence, on the southwest is the land of Kaamoku, on the east is a kula which adjoins this land.

FOLU

✓ No. 4452 C. Kanaina (for Kalama) Honolulu, Jan. 19, 1848

To the President of the Land Commissioners, William L. Lee, Respectfully: By direction of Queen Hazaleleponi Kalama, I hereby present her claims for houselots which have not previously been given. Therefore I hereby describe her houselots and her right to them.
1. Houselot of Naopala and Kauwila at Kamanuwai in Honolulu. This lot is for H. Kalama. It was originally unused land and her makuakane built the house and made the improvements before sailing with King Liholiho (this was the year 1822). It has been occupied since then, and

no one has objected.
2. Lot of Kekai, mauka of Pelekane, in Honolulu.
This lot is for H. Kalama. It was formerly unused land until the time of Kaomi, when she and her people made the improvements on it, and since then until the present time no one has objected.
3. Lot of Noi at Kaanaana in Honolulu.
This lot was for Timothy Haalilio and it became the King's, who gave it to H. Kalama forever.
4. Lot of Keawehano, beyond Aienui.
This lot is mine and Kalama's. It was formerly unused and when we returned here with King Liholiho from Hawaii in the year 1821, we and our people made the improvements on it and from then until this time no one has objected.
5. Lot to Kekukahiko beyond Mokuhinia at Lahaina, Maui, mauka of the Government Road.
This lot is for H. Kalama. She and her people made the improvements on it in 1839 and it has been continuously occupied since then with no objections.
6. Lot of Kekai, beyond Mokuhinia at Lahaina, Maui, makai of the Government Road.
This lot is for H. Kalama. She and her people made the improvements on it in 1839 and it has been continuously occupied since then with no objections.
These are what I have described correctly to you,

and on the day you send for me I will be prepared to bring the proper witnesses for the aforesaid claims. I am, with thanks,

CHARLES KANAINA

P.S. Let it be done soon, after this week. I request that you do not defer it for a long time.

NR 4452

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NATIVE TESTIMONY (HAWAIIAN)

~~Page 1~~

4452 A. Kalama

From Page 187.

(Kope.) Ko A. Kalama mau ama Makele.

Kula	Ahupuaa	Puna	Hawaii.
Kapalaalaea	"	Ana	"
Kalahuipuaa	Ili no Waimea	Kohala	"
Awaehoomalu	" " "	"	"
Waipio	Ahupuaa	Hamakua	"
Kaohe	Ili no Wailuku	Puali Kona	"
Puhiawawa	" " "	"	"
Lemukee	" " "	"	"
Punohala	" " "	"	"
Awaiene	" " "	"	"
Waikahalulu	" " Honolulu	Oahu	
Kailua	Ahupuaa	Koolaupoko	
Kaneohe	"	"	
Kakipuu	"	"	

Kope oiaio
A. G. Thurston
Kakauolelo

Kiena Kalai
Aperila 26. 1854

Na hooholoia hoi e ka Ahakuikaukamalu ma ka la 29 o Augate. 1850 no Kayalelipuni Kalama ua mau ama a pau ma ke Ano Alodio no me ka Makele ke mai e kauwahi hapa no ke Aupuni.

A. G. Thurston
Kakauolelo. A. Kalai.

5240 Kalama. Kona 214

Ke Kalama mau ama Makele.

1/2 Kaulukikiepo	Ili no Waikiki.	Oahu.	
1/2 Kalawa	Ahupuaa	Kohala	Hawaii.

Kopeiaio
A. G. Thurston

Kiena Kalai 2 NT 4452

NATIVE TESTIMONY (HAWAIIAN)

Kaaawaalo –

✓ 4452. Hazalelepuni Kalama.

Kipu)

Ko	Hazalelepuni	Kalama	Mahele.
Kula	Ahupuaa	Puna,	Hawaii.
Kapalaalaea	"	Kona	"
Kalahuipuaa	Ili no Waimea	Kohala	"
Anachoomalu	" " "	"	"
Kapio	Ahupuaa	Hamakua	"
Kaohe	Ili no Wailuku		Maui.
Puhiawaawa	"		"
Lemuku	"		"
Puohala	"		"
Maniemie	"		"
Waikahalulu	"	Honolulu,	Kona Oahu.
Kailua	Ahupuaa	Koolaupoko	"
Kaneohe	"	"	"
Kakipuu	"	"	"

Ke ae aku nei au i keia Mahele na makai

NT 4452 (2)

Kazalelponi Kalama ma aina i kakania maluna, ua aia ku
ehiki ke lawe aku iuna o ke Poe Aina Kuleana.

(Inoa) Kamehameha

Hale Alii
11 Februari 1848

Hopeia e ai F. Kalama
ma H. Kalama
Kakauolelo.

See Page 355.

10474 A. Namauu
(Hope)

Ko. A. Namauu mau aina iloko o ka Buku Mahele.

Moiliona	Ahupuaa	Kona	Hawaii
Auakue	"	"	"
Kalelua	"	Kohala	"
Kuleikahono	"	Hilo	"
Kalelua	"	Kau	"
Waha	"	Hamakua	"
Kaupokolua	"	Hamakualoa	Maui
[illegible]	"	"	"

NATIVE TESTIMONY (ENGLISH)

No. 8559 B William Charles Kanaina (con't.)

Kamoku ili for Waikiki in Manoa, Kona, Oahu.
Kaluaokau ili for Waikiki in Manoa, Kona, Oahu.
Kapahulu ili for Waikiki in Manoa, Kona, Oahu.
Kaalaea ahupuaa, Koolaupoku, Oahu.
Kapaka ahupuaa, Koolauloa, Oahu.
Laiewai ahupuaa, Koolauloa, Oahu.
Laiemaloo ahupuaa, Koolauloa, Oahu.
Pahipahialua, Koolauloa, Oahu.
Kahili, koolauloa, Koolau, Kauai.
Kahihiwai, Koolauloa, Koolau, Kauai.
Pilauwai, Koolauloa, Koolau, Kauii.
Manuahi ili, Kona, Kauai.
Waipouli ahupuaa, Puna, Kauai.
These lands listed above shall be forome fee simple forever, it would not be right for the government to claim my land.
The following lands, I shall give to the government fee simple forever.
Kapulena ahupuaa, Hamakua, Hawaii.
Kukuihaele ahupuaa, Hamakua, Hawaii.
Auau ahupuaa, Kohala, Hawaii.
Keopuhuikahi ahupuaa, Kona. Hawaii.
Papaakoko ili of Honokohau, Kona, Hawaii.
Ninole ahupuaa, Kau, Hawaii.
Laepaoo ahupuaa, Puna, Hawaii.
Koae 1 ahupuaa, Puna, Hawaii.
Koae 2 ahupuaa, Puna, Hawaii.
Laeapuki ahupuaa, Puna, Hawaii.
Kaiuiiki ahupuaa, Hilo, Hawaii.
ZKahuku, ahupuaa, Hilo, Hawaii.
Waiakoa ahupuaa, Kula, Maui.
Kou ili of Waiehu Puali, Kom. Maui. Pg. 187
Kapoino ili of Waiehu Puali Kom. Maui.
Halelena ili of Waiehu puali Kom. maui.
Keokamu ili of Waiehu, Puali Kom. Maui.
Wainee ahupuaa, Lahaina, Maui.
Mahana ahupuaa, Lanai.
Kamalomalo ahupuaa, Puna, Kauai.
Kumukumu ahupuaa, Koolau, Kauai.
I've given the lands listed above to the government forever, all of them are for the government.
Please consider my request with compassion for me.

With appreciation, I am,
William Charles Lunalilo
Charles Kanaina (child guardian)

Depatement of Interior
6 April, 1852

This is a true copy of Lunalilo's division with the government.

A.G. Thruston
Secretary

No. 4452 Hazaleleponi Kalama

COPY HAZALELEPONI KALAMA"S DIVISION
Kula ahupuaa, Puna Hawaii.
Kapalaalaea ahupuaa, Kona, Hawaii.
Kalahuipuaa ili of Waimea, Kohala, Hawaii.
Anaehoomalu ili of Waimea, Kohala, Hawaii.

NT 4452 - 1
WNT

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No. 4452 Hazaleleponi Kalama (con't.)

Waipio ahupuaa, Hamakua, Hawaii.
Kaohe ilifor Wailuku, Maui.
Puhiawaawa ili for Wailuku, Maui.
Lemukee ili for Wailuku, Maui
Puohala Wailuku, Maui.
Manienie, Wailuku, Maui.
Waikahalulu, Honolulu, kona, Oahu.
Kailua ahupuaa, Koolaupoko, Oahu.
Kaneohe ahupuaa, Koolaupoko, Oahu.
Hakipuu ahupuaa, Koolaupoko, Oahu.
I have approved this land division, the lands * listed above are for Haza- *Pg. 188
leleponi Kalama, and they may be presented to the land officers.

(Sign) Kamehameha
Copied by S. P. Kalama
(for H. Kalama) Sec.

Royal Palace
11 Feb. 1848
SEE page 358

No. 10474 N. Namauu

COPY
N. Namauu's land in the Mahele Book.
Moeanoa ahupuaa, Kona, Hawaii.
Awakee ahupuaa, Kona, Hawaii.
Halelua ahupuaa, Kohala, Hawaii.
Kuleikahono ahupuaa, Hilo, Hawaii.
Halelua ahupuaa, Kau, Hawaii.
Weha ahupuaa, Hamakua, Hawaii.
Kaupokolua, ahupuaa Hamakualoa, Maui.
Ulumalu ahupuaa, Hamakualoa, Maui.
Pahoa ahupuaa, Lahaina, Maui.
Puumoa ahupuaa, Lahaina, Maui.
Hoaeae ahupuaa, Ewa, Oahu.
Puohai ahupuaa, Hilo, Hawaii.
True Copy.

Dept. of Interior
23 Dec. 1852

A.G. Thruston
Secretary

No. 8018 Alika Mela

COPY
Alika Mela's land in Mahele Registry.
Opaeula ahupuaa in Lahaina, Maui.
TRUE COPY

Dept. of Interior
25 Dec. 1852

A.G. Thruston
Secretary K.K.

No. 7681 Kekai

COPY
Kekai's 1/2 property in Mahele Registry.
1/2 Kaukahoku ili for Kapalama, Kona, Oahu.
TRUE COPY

Dept. of Interior
25 Dec. 1852

A.G. Thruston
Secretary K.K.

NT 4452-2
CONT

---

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✓ No. 4452 H. Kalama (from page 187)

COPY
H. Kalama's land distributions.
Kula ahupuaa, Puna, Hawaii.
Kapalaalaea ahupuaa, Kona, Hawaii.
Kalahuipuaa ili for Waimea, Kohala, Hawaii.
Anaehoomalu ili for Waimea, Kohala, Hawaii.
Waipio ahupuaa, Hamakua, Hawaii.
Kaohe ili for Wailuku Puali, West Hawaii.
Puhiawawa, ili for Wailuku, Puali, West Hawaii.
Lemukee ili for Wailuku, Puali, West Hawaii.
Puuohala ili for Wailuku, Puali, West Hawaii.
Manienie, Ili for Wailuku, Puali, West Hawaii.
Waikahalulu, ili for Honolulu, Kona, Oahu.
Kailua ahupuaa, Koolaupoko, Oahu.
Kaneohe ahupuaa, Koolaupoko, Oahu.
Hakipuu ahupuaa, Koolaupoko, Oahu.
TRUE COPY

Interior Dept. A.G. Thruston
26 April 1854 Clerk

A decision has been made by the Privy Council on this 29th day of Aug. 1850, that all of those lands are for Haialeleponi Kalama as fee simple without a half division for the government.

A.G. Thruston
Clerk

No. 5240 Kalama (from page 214)

Kalama's land distributions.
1/2 Maulukikepa ili for Waikiki, Kona, Oahu.
1/2 Halawa ahupuaa, Kohala, Hawaii.
TRUE COPY

Interior Dept. A.G. Thruston
28 April 1854 Chief Clerk

The above half of Halawa has been already patented to Nakookoo's sister and heir of Kalama by Royal Patent no. 781, * 15 June 1852, conveying 1090 acres for one dollar. *Pg. 359

A. G. Thruston
Chief Clerk, Interior Dept.

No. 5364 Nakookoo

Nakookoo's 1/2 land distributions.
1/2 Maulukikepa ili for Waikiki, Kona, Oahu.
TRUE COPY

Interior Dept. A.G. Thruston
28 April 1854

No. 7774 Kahanu

Kahanu's 1/2 land distributions.
1/2 Honomaele ahupuaa, Kona, Maui.
TRUE COPY

NT 4452-3

Interior Dept. A.G. Thruston
28 April 1854 Chief Clerk

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FOREIGN TESTIMONY

81

15th May 1854.

No. 4452. K. Kalama.

Kekai, sworn says he knows the House Lots of Queen Kalama, at Lahaina, Maui.

The first Lot is in the Ahupuaa of "Waiokama", and is bounded Mauka by the Konohiki's land, Oluwalu side by Kaheana's land, - Makai by the Public Road, - Kaanapali side by the Loko called "Mokuhinia." Elt rec'd this Lot from the King about the year 1836, and her retainers have occupied it ever since, without Dispute.

The second Lot is also in "Waiokama", - and is bounded Mauka by the Public Road, - Oluwalu side by the Konohiki's land, - Makai by, land of K. Paki, - Kaanapali side by the Loko called "Mokuhinia." Elt rec'd this Lot from the King at the same time as the first Lot, and has held it ever since.

Keauhano, sworn, says he knows these two Lots, and confirms in full the testimony of Kekai.

No. 8559. C. Kanaina.

Polea, sworn, says he knows the House Lots of C. Kanaina, in Lahaina, Maui. There are four of them, called "Keauaiki", - "Hoonanamana", - "Ikikahi" & "Paoki".

The Lot called "Keauaiki" is bounded Mauka by Mr. Baldwin's, - Oluwalu side by a Street, - Makai by the Sea Beach, - Kaanapali side by the Custom House.

The Lot called "Hoonanamana", is bounded Mauka by Pepuka's land, - Oluwalu side by a Street, - Makai by the Main Street, - Kaanapali side by L. Haalelea's land.

FT 4452

FOREIGN TESTIMONY

456

Room 278 P. 31 March 1853.

No. 4452. H. Kalama

Counter the Government.

C. Kanaina, sworn, says the ili of "Waikahalulu" was given to Kalama after the death of Kaomi, when Capt Belcher was here - and at the Division of lands in 1848 this ili was given to her again by the King, excepting only such parts of it as are occupied by the Govt or by private parties. This Lele of Waikahalulu is bounded on Waikiki side by "Kaakaukukui" & "Auwaiolimu" - Makai by the Sand Point; - Ewa side by the inner Harbor; - Mauka by Beritania Street. This ili was formerly in the possession of Kaiama a Chief under Kamehameha I, from the time of the Battle of Nuuanu until it was given to Kaomi by His present Majesty. After Kaomi died it was given to Kalama. The stone or coral on this ili was tabooed by Kinau for the Govt, but I cannot tell the year. But it was not tabooed so that the Konohiki who held the land could not cut stone on it - no one else could do so however. I cut stone on it in the life time of Kaahumanu. No one was allowed to cut stone on it without Kinau's consent. Does not consider that this land belongs to the Govt as a part of the Harbor.

M. Kekuawaoa, sworn, says he knows the

FT 4452-1

ili of Waikahalulu. Knows that Kinau tabooed the stone on this ili. When Kuakini was Governor he held this ili. After that it was given to Kaomi by the present King and subsequently to Kalama. Kinau tabooed the stone by her own authority. The Govt was not organized at that time. If any of the Chiefs wanted to cut stone they had only to ask her. but if any Kanaka cut stone there he had to divide with her. I think the Govt can taboo the stone but not the substratum under it, for that belongs to the land.

A. Paki, sworn, says when I was acting Governor of Oahu, in 1822 perhaps, my father Kinau had charge of Waikahalulu. After we were gone the land was given to Kaiama. In former times, the only taboos on these makai lands, as far as I know, were put on by the several Konohikis. By the Organic Acts the coral reefs were tabooed by the Legislature. But the taboo put on before that for the purpose of preventing the filling up of the Harbor was declared by myself, by order of the Governor of Oahu in 1844. But the soil and all the rights & privileges appertaining to the land belongs to the Konohikiness & the Ely.

FT 4452

John Young, sworn, says he thinks the mauka part of Waikahalulu belongs to Kalama. By the first laws it was declared that no private individual could take any property or land which the Chiefs had set apart for the Govt. This was confirmed by the New Statutes, which declare the coral reef on all the Islands to be Govt. property. The rights of fishery however still remain with the Konohikis. I have understood that cutting the stone on this land was tabooed to prevent the Harbor from being filled up, and since I was made Minister of the Interior none of the Chiefs have been permitted to cut stone there without the consent of the Privy Council. The Govt. had some idea of selling a part of it at one time and had it surveyed by Mr. Metcalf. But by advice of Col Smith, in 1849 perhaps, they declined to sell it. Kanaina never mentioned this claim on behalf of the Queen till recently when the N. P. S. Navigation Company applied for a part of the land. The Govt. has exercised the rights of ownership on it ever since I came to be Minister of the Interior and the taboo on the stone by A. Pakii was done in his capacity of Govt. Agent. The Govt. has disposed of a part of the land to the N. P. S. N. Company.

FT 4452-3

L. Haalelea, sworn, says the stone on this land was tabooed by Kinau who also forbid the women from gathering limu there &c. After her death these restrictions appeared to be discontinued, and the people indiscriminately went there for limu. I heard of the taboo declared by Paki in 1844 to prevent the Harbor from being filled up.

P. P. Judd, sworn, - When I came to the Islands, the Harbor and the land in question were in the hands of the Governor of Oahu. In the time of Kuakini (Govr. of Oahu) the stone began to be tabooed by the Govt. & so it has been ever since. I never heard that the Queen claimed this makai kele of Waikahalulu till 1850, when her agent Kanaina started this claim. As I understand it, this kele belongs to the Government as a part of the Harbor, and I do not think the Queen or any one else has a right to it. In former times, all the people were allowed indiscriminately to go and take limu there, I do not know that the people of Waikahalulu alone were privileged to take limu. (This is admitted by Kanaina) At the

FT 4452-4

Division of lands in 1848, I understood that the mauka part only of this Ili was given to the Queen.

J. S. Kalama, sworn, says he acted as Clerk at the Division of lands, in the Palace in 1848. At the Division of the Queen's lands, the ili of Waikahalulu was given to her - that is to say, the Mauka part of it only, and it was distinctly stated by Mr Young, Mr Judd & others at the time that she did not take the makai ele now in dispute, which it was understood the Govt had previously set apart for its own purposes.

April 1. 1853.

No ~~[illegible]~~ 1926. Nanaukli. from Page 1224

(Copy)

Lobikana,

Aloha oe

Ke hai aku nei na holo ka olelo no ke Kuleana o Nanaukli mauka o Maŭoa, i Kolowalu. 12 Loi ai, a me Kahi Kahua hale. Koe Kahi kula no ke Konohiki oia ka mea i holo.

(sig.) Chas. Kauaina.

Honolulu
31 Mar 1853

FT 4452-5

Kūkulu ka 'Ike i ka 'Ōpua

OHA
Empowering Hawaiians, Strengthening Hawai'i

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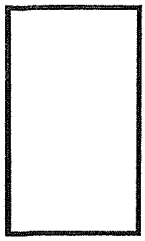

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FOREIGN TESTIMONY

548 April 17. 1854.

No 7713 H. Hikuanaua (J. Kamamalu)
Counter the Govt. From 9538.

Kiwi Ona, Sworn Says - I have nothing to testify to in reference to the claim of H. Hikuanaua in Waikiki pertaining to the wall built to protect the Harbor from filling in, which wall runs from the Lime Kiln to Sears Sumner's Land.

I am sure he gave it to Government in 1847. but I will not swear anything about it until I have laid the matter before the Priy Council, as to "Kalua", he said he had nothing to say. To page 585.

---

28 April 1854.

No 4452. H. Kalama.

Kihei, sworn, says he knows the part of the Ra Mos claimed by the Queen. It is on the South East side of the King's part. It is bounded on the Waikiki side by S. Puko's Lot, - Makai by the Canton Hotel premises, - On the Ewa side by the King's part of the Ra Mos, - Mauka by S. C. Damon's Lot. The Queen got this Lot from His Majesty in the year 1845, since which time I and the other tenants have lived under her.

Wahea, sworn, says he knows this Lot and formerly lived on it under the Queen. Confirms in full the testimony given by last witness.

Knows also the Lot belonging to the Queen in the possession of Keaweheno,

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in Honolulu. It is bounded on the Waikiki side by the Lot called Aie Nui, - Makai by Marin Street, - On Ewa side by John Meek's land, - Mauka by King Street. This lot formerly belonged to Kalaimoku, and from him it came to C. Kanaina who gave it to the Queen about the year 1838, and she has held it ever since.

C. Kanaina, sworn, says the Queen got this Lot from him about the year 1838. It is an old possession of the family - and the Queen's title is undisputed.

Hekai, sworn, says he knows the lot claimed by Kalama, in Honolulu, called "Halekala". It is bounded Mauka by land belonging to the King, On Waikiki side by the British Consulate ground, - Makai by the King's Lot called "Beretane", - On Ewa side by the land called "Kaakopua". The Queen got this Lot from the King about the time of their marriage. It is present occupied by myself and others under the Queen.

Kelion, sworn, says he knows the House lot claimed by H. Kalama in Kaliki. It is inclosed by a wall. It is bounded on Honolulu side by a fish pond belonging

FT 4452-2

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to Lekolio,- Makai by the Sea Beach,- On Eua side by John Li,- Mauka by the Konohiki of Mokauea.

No. 11,330. Kapahukula.
Claimant being sworn, deposes that his claim for his House Lot in "Hapoopioo," Hona, Hawaii, in the year 1848, and forwarded to the Land Commission at Honolulu.

K. Kapaukea, sworn, says he knows the House Lot of Claimant. It is called "Honolulu", and is bounded Mauka by the public road,- On Kau side by the lot of Kamakine,- Makai by the Sea Beach,- Koiliua side by the lot of Kupo.

Claimant inherited this lot from his ancestors who held it from ancient times, and there is no dispute as to claimant's title.

FT 4452-3

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TOM QUITIQUIT CHEE WATTS & YAMAMOTO, LLP

Carl Tom
S.V. (Bud) Quitiquit
David W.H. Chee
Jeffrey D. Watts

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2012 APR 27 AM 10: 37

April 27, 2012

Department of Land and Natural Resources
Commission on Water Resource Management
Attention: Robert Chong
Kalanimoku Building, Room 227
1151 Punchbowl Street
Honolulu, Hawaii 96813

Re: Wailuku Country Estates Irrigation Company and the Wailuku Country Estates Community Association, Inc.

Appurtenant Rights Determination in Na Wai Eha Surface Water Management Areas (Waihee, Waiehu, Iao and Waikapu Streams)

Dear Ladies and Gentlemen:

This firm represents the Wailuku Country Estates Irrigation Company ("WCEIC") and the Wailuku Country Estates Community Association, Inc. ("WCECA") in connection with their applications that were submitted to the Commission for existing and new water uses.

This letter is in response to the water commission's letter dated February 21, 2012, regarding the water commission's review and comments to the information we submitted for appurtenant right claims (for TMK: (2) 3-2-002: various) except with respect to the following which the water commission found to support WCEIC's and WCECA's appurtenant right claims:

1. LCA 2533:1 and RP 6529 (appurtenant right claim documented for Ap 1).
2. LCA 3225 and RP 6298 & 6458 (appurtenant right claim documented).
3. LCA 3292 (appurtenant right claim documented).
4. LCA 3330 and RP 4424, 4622 (appurtenant right claim documented).
5. LCA 3335 and RP 7774 (appurtenant right claim documented).
6. LCA 3387 and RP 6065 (appurtenant right claim documented).
7. LCA 3388 and RP 6101 (appurtenant right claim documented).

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DOC ID: 2238

Please see the attached chart with our responses to the water commission's February 21, 2012 letter. In addition, we would like to add the following which explains our responses to the water commission's comments that there were no references to water use in some of the Royal Patents ("RP") and Land Commission Awards ("LCA") in WCEIC's/WCECA's application. In short, implicit in a LCA and RP is the appurtenant right to water. Since the LCA and RP were required to be in literal agreement with the other, reference to water use in either one means that there was a reference to water use in the other.

Further, as explained below, since the form of the RP required description by metes and bounds only, reference to water use may not be in the RP. This should hold true for LCAs as well. Consequently, testimony at the time of application (which we submitted) should weight in on whether the lands were being cultivated at that time.

Background

In 1845, the Board of Land Commissioners to quiet land titles was formed. It was the Land Commission's responsibility to ascertain or reject claims of interest in land brought before it. The Board was not empowered to grant fee simple title to land. Its duty was to determine each applicant's identifiable interests in land and issue an award describing those interests. *Public Access Shoreline Hawaii v. Hawaii County Planning Commission*, 79 Haw. 425, 445, 903 P.2d 1246, 1266 (1995) ("*PASH*"); *Application of Elizabeth Cockett Robinson*, 49 Haw. 429,434, 421 P.2d 570, 574 (1966) (the Land Commission Award is a determination of a right to a patent). Actual title to land could be gained only by a payment of commutation to the Kingdom and issuance of a royal patent. *PASH*, 79 Haw. at 445, 903 P.2d at 1266; *Omerod v. Heirs of Kainoa Kupuna Kaheananui*, 116 Haw. 239, 247, 172 P.3d 983, 991 (2007) (citing *PASH).*

After the Land Commission entered a LCA, the Minister of Interior could issue a RP after the awardee paid a commutation fee. In essence, a RP was a quitclaim of the government's interest in the land. *Id.*; *Brunz v. Mott Smith*, 3 Haw. 783, 1877 WL 7569 (1877) (the effect of a patent is to relinquish the government's interest in the area described therein unto the original awardee). In summary, neither the LCA nor RP was required to show the use of the land.

Additional Responses to Water Commission's Comments

Form of RP required metes and bounds

The water commission commented that there were no references to water use in some of the LCA's and/or RP's in WCEIC's/WCECA's application. However, this should not be determinable on the issue of water use or cultivation on the lands since the they were only required to show the lands' metes and bounds.

The form of all RPs were required to describe the land therein by metes and bounds or by natural boundaries. In order to obtain a RP and obtain fee simple ownership of land conveyed during the Mahele, an awardee needed to present a Boundary Commission judgment describing his or her land by metes and bounds. *Id.*; *Greenwell v. Paris*, 6 Haw. 315, 1882 WL 7783 (1882) (The object of the boundary commissioner is to enable parties to obtain such Royal Patents defining their lands by metes and bounds); *See Application of Elizabeth Cockett Robinson*, 49 Haw. 429, 421 P.2d 570 (1966) (the form of all Royal Patents shall describe the land by actual survey or by natural boundaries as the case may be).

There were some instances where the water commission noted references to water use in the LCA but not in the RP, and vice versa. However, the metes, bounds and description of the survey in the petition must be in literal agreement with the award. *Brunz*, 3 Haw. 783, 1877 WL 7569 (1877) . Consequently, if water use is referenced in either the LCA or the RP it should apply equally to the other.

Testimony Regarding Water Use

We note that the water commission did not comment on the testimony submitted and so are unsure on the water commission's position regarding the same. Since neither the LCA nor RP can be relied upon to reference water use (since metes and bounds only were required in them), testimony by applicants and others at the time of application should weigh equally in on the question. Furthermore, by virtue of the lands being Kuleana lands, the use of water thereon is implied. In this regard, the first six sections of the Kuleana Act enabled the common people of Hawaii to secure fee simple title to the **lands they actually cultivated**. The seventh section contained the rights that were to accompany a commoner's tenancy. *Reppun v. Board of Water Supply*, 65 Haw. 531, 549, 656 P.2d 57, 69 (1982).

Generally, the conveyance of land, confirmed by a LCA and/or when the RP was issued based on such award, **carried with it the appurtenant right to water** for taro growing. *McBryde Sugar Company, Limited v. Robinson*, 54 Haw. 174, 188, 504 P.2d 1330, 1339 (1973); *See also Maikai v. Hasings & Co.*, 5 Haw. 133, 1884 WL 6659 (1884) (Holders of Kuleanas are entitled to water for irrigation purposes from the stream in the land which their Kuleanas are situated.) Unlike riparian rights, appurtenant water rights are incidents of land ownership. This includes the water on their lands and all the water which the lands had enjoyed from time immemorial. *Reppun*, 65 Haw. at 551, 656 P.2d at 70.

We are also enclosing the following documents that respond to the Commission's various comments:

1. File Plan - regarding location of the various apanas.
2. Enlargement of File Plan re LCA 4452:9, RP 7302.
3. Index re LCA 3237.

4. Land Patent No. S-8536 re LCA 3237:3 issued in 1960.
5. Copy of RP 6102

We trust our responses satisfies the Commission's comments. Please do not hesitate to advise the undersigned if you have any questions. Thank you for your consideration in this matter.

Very truly yours,

TOM QUITIQUIT CHEE WATTS &
YAMAMOTO, LLP

Donna H. Yamamoto

Enclosures

cc: client

WAILUKU COUNTRY ESTATES IRRIGATION COMPANY
and the WAILUKU COUNTRY ESTATES COMMUNITY ASSOCIATION, INC.

Document	Commission Comment	WCEI/WCECA Comment
LCA 377	Appurtenant right claim documented for "cultivated" and "kuleana" land.	The description of the land in the LCA and the RP are the same. Consequently, both LCA and RP document the appurtenant right claim.
RP 5366	Appurtenant right claim documented	
LCA 406:1	11 Apana are listed. No specific ref to water use for Ap 1. Further documentation required for Ap1. NR, NT, and FT refer to loi, taro, sugar cane and potato patches but do not specify which apana.	The LCA states: "There are many dry taro lots in the ili of Puhiawaawa." Puhiawaawa is apana 1. Consequently, appurtenant right is documented for apana 1. See the following that references "Puhiawaawa: 1. English translation 2. native register (English) that "some taro patches are at Puhiawaawa..." 3. native testimony (English) by Kuihelani: "There is a patch and a field at Puhiawaawa...", by Kailihiwa: "There is a field and patches at Puhiawaawa..."
RP 5376	No ref to water use.	As well, the RP says that the land is in Puhiawaawa. This should be tied in to the LCA that says there are many dry taro lots in the ili of Puhiawaawa.
LCA 453: 1 & 2	Appurtenant right claim documented.	

RP 997	RP refers to LCA 3572. No ref to water use.	The File Plan refers to RP 997 (which we submitted for your reference only). However, we believe RP "997" is a typo on the File Plan (the "1" is missing) and RP "1997" is correct because RP 1997 cites LCA 453. Furthermore, RP 1997 mirrors the description in LCA 453 and as such documents the appurtenant right claim. Also, the register references taro patches and the native testimony references patches and farming.
LCA 2434 & 2435	LCA 2434 & 2435 are not shown on survey or TMK maps. Documentation provided for LCA 2435 but 2435 is crossed out. NR, NT, FT documentation provided for LCA 2434.	There appears to be two (2) LCA 2435's. One was issued to Kaakole (a copy was submitted) and the other was issued to **Kahooke** (a copy was submitted). The RP 6397 also states Kuleana Helu 2435 to **Kahooke**. However, we believe the LCA and RP for **Kahooke** showing 2435 are typos (and should be 2434) because the register and testimony for **Kahooke (**property in Wailuku) is numbered 2434 while the property for Kaakole (2435) is in Kapunakea. A poalima is referenced in the LCA for **Kahooke**. The register for 2434 refers to loi's and the native testimony refers to taro and 3 po'alimas and the foreign testimony references kalo and 3 poalimas on the property. See File Plan (LCA 2435 indicated below Lot 69) **NOTE: all LCA's that were commented as not located are shown highlighted on the File Plan.**
RP 6397	RP ref to LCA 2435.	See above. A poalima is also referenced in the RP. The description of the land mirrors the LCA.

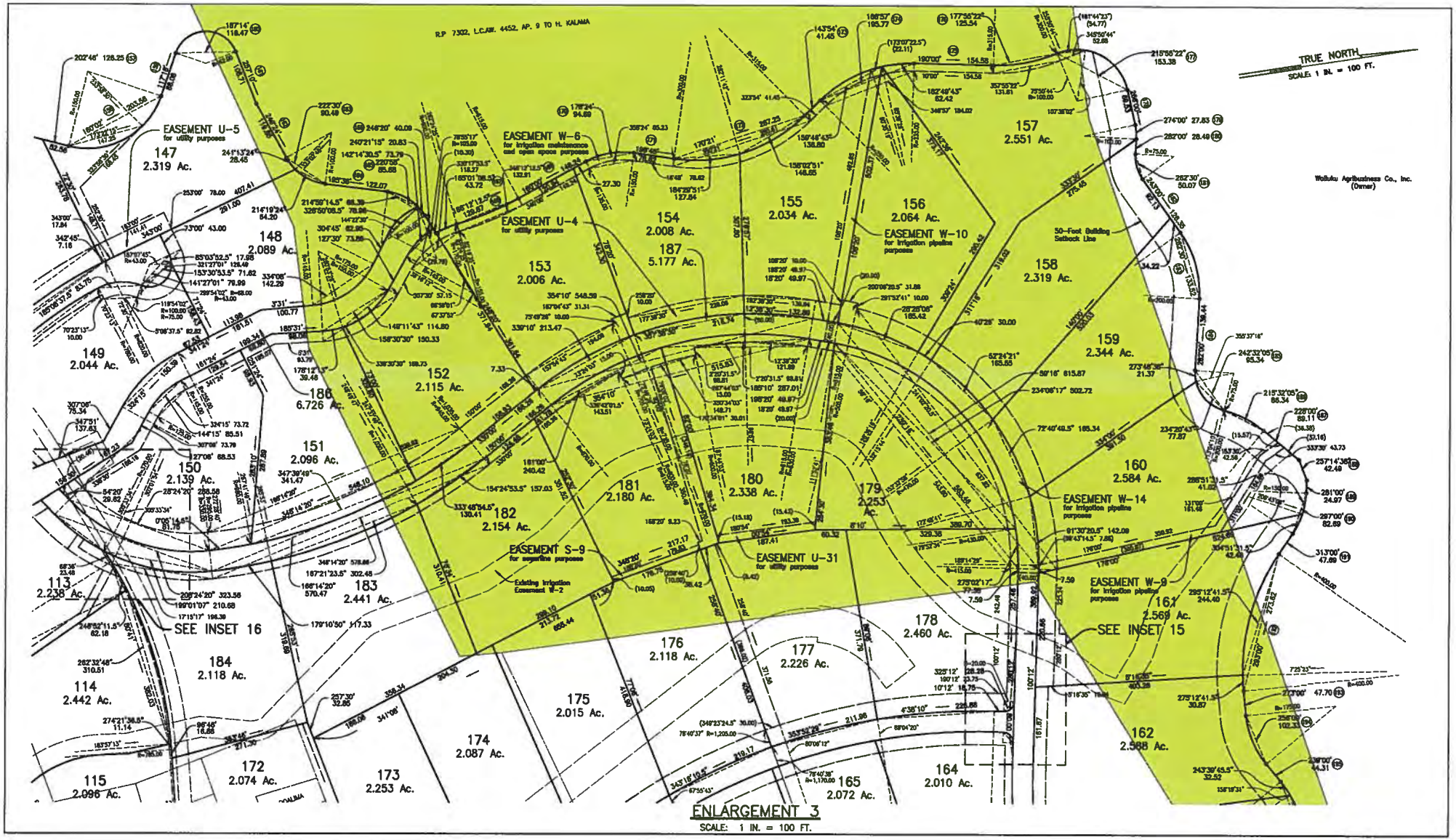
LCA 2436:1, 2 &3	Appurtenant right claim documented for Ap 2. Survey map only shows Ap 2 but not Ap 1 or 3	LCA shows that all 3 apanas are identified as kalo (taro) lots and Apana 2 cites an auwai (ditch). See translation of LCA into English that was submitted. The register also refers to loi's and the native and foreign testimonies refer to loi's and kalo. The LCA, RP, testimony and register all cite the same areas of Pohakukupukupu, Holu and Waikani See File Plan Map (Apana 1 is indicated on Lot 43; Apana 3 is indicated on Lot 120)
RP 2009	Appurtenant right claim documented for Ap 2. Survey map only shows Ap 2 but does not show Ap 1 or 3.	The RP mirrors the LCA that shows all 3 apanas identified as kalo lots.
LCA 2495:1, 2, 3 & 4	Appurtenant right claim documented for Ap 1. TMK map only shows Ap 1 but does not show Ap 2-4.	Apana 4 contains a poalima Alii taro patch (see translation into English that was submitted and drawing of apana 4 in LCA with poalima drawn in). See register, native and foreign testimonies that references taro land/taro moo at Pohakupukupu (apana 1 & 2) and Puuokala (apana 3) and poalima (apana 4). See File Plan (Apana 2 is indicated on Lot 43; Apana 3 is indicated on Lot 43; Apana 4 is indicated across Lots 37 and 44)
RP 7790	No ref to water use for Ap 1.	The land description in the RP and LCA are the same and the comment as to LCA 2495 applies here.

LCA 2502: 1 & 3	Appurtenant right claim documented for Ap 2 & 3	See English translation of LCA indicating water use for Apana 1 & 3 which are both taro lots and an auwai runs through Apana 3. See also the register (reference to loi) and native testimony (reference to taro (apana 1 & 3) & poalima (apana 3) and foreign testimony (reference to loi's (apana 1 & 3) and poalima (apana 3))
RP 5973	Appurtenant right claim documented for Ap 2 & 3	The description of the land in the RP mirrors the LCA.
LCA 2503: 2	LCA is not shown on TMK. Ref to kalo and pahale	See File Plan (LCA 2503:2 is indicated on Lot 12 of the North Iao Village)
RP 3652	RP is for LCA 2502	RP 3652 cites LCA 2502. However, we believe it is a typo because the description in RP 3652 is exactly the same as in LCA 2503. Consequently, both reference water use. Further, both RP 3652 and LCA 2503 are to Ohule. The LCA and RP references poalimas, the register references lois, native testimony references taro and poalimas and foreign testimony references kalo and poalima.
LCA 3237: 3	Appurtenant right claim documented.	

RP 6888	No ref to water use	The purpose of the RP was to quitclaim the government's interest in the property and to contain metes and bounds description. Consequently, reference to water use would not necessarily be in the RP. The register references lois, native testimony references taro land, taro loi, taro pauku and foreign testimony references lois. Royal Patent 6888 is indicated in the Index for LCA 3237 but it is land in Kalihi, Oahu. Before 1960, no RP was issued. The RP was issued in 1960 and only shows metes and bounds. A copy is attached.
LCA 3275-E: 3,4,6	Appurtenant right claim documented	
RP 5154	No ref to water use	The description of the land in RP is the same as in LCA 3275-E and thus, appurtenant right claim was documented in the RP as well. Native testimony references taro patches (apana 3), taro pauku (apana 4 & 6) and foreign testimony references lois (apana 3, 4 & 6).
LCA 3294-B: 2; LCA 3294-B:1, M1; LCA 3294-B-1, M2	Appurtenant right claim documented	

RP 6102	No ref to water use.	RP tracks LCA and references kalo. Appurtenant right contained in LCA is in RP. Enclosed is a clearer copy of RP 6102. The native testimony references taro land and taro moo (cultivated piece of land) and foreign testimony references moo of kalo.
LCA 3488	Appurtenant right claim documented.	
RP 5289	No ref to water use.	The RP notes the land is "Aina Kalo". The register references 127 loi's, native testimony references taro and poalimas and foreign testimony references kalo land and poalimas,
LCA 3498	Appurtenant right claim documented.	
RP 7432	No ref to water	Reference to "kalo" is contained in both the LCA and RP. The description in the RP and the LCA are exactly the same. Consequently, both LCA and RP refer to water use. The register references taro.
LCA 4452:9	LCA is not shown on TMK map. No ref to Ap. 9.	Reference to "Apana 9" appears on the LCA under the words "Helu 4452" See File Plan (LCA 4452 is shown on the enclosed 8 ½ x 11 map)

RP 7302	No ref to water use	RP evidenced the government's quitclaim of its interest in the property and the RP was only required to contain the metes and bounds of the property.
LCA 4461:1 & 2	LCA is not shown on TMK MAP. Ref to kalo and moo kalo.	See File Plan (Apana 2 is indicated across Lots 30 and 31; Apana 2 is indicated on Lot 32).
RP 6630	Ref to kalo and moo kalo.	RP references kalo moo and mirrors the LCA. Also, native testimony references taro moo.



ENLARGEMENT 3

SCALE: 1 IN. = 100 FT.