WAINIHA HUI KŪ‘AI ‘ĀINA ANCESTRAL LANDS FOREVER
A MO‘OLELO OF KĀNAKA AND ‘ĀINA PERSISTENCE

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To Mattie Luka Kanei Peoples
Aloha au iā ‘oe e kuʻu Māmā…

Fig. 1. Mattie Luka Kanei Peoples
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ABSTRACT

The connection between genealogy and land is an important aspect of Hawaiian culture. The Hawaiian Methodology used in researching the minutes of the Hui Kū‘ai ‘Āina o Wainiha looks at 23 years of a primary source hand written Hawaiian language document. My research tells a mo‘olelo of a land hui in Wainiha, Kaua‘i. They practiced traditional methods of land governance by creating their own Kumukānāwai. They used traditional laws and cultural methods such as: practicing the use of palena or boundary making; kālai‘āina-dividing out the land; placing kapu on specific fish and plants in their valley; kuleana-practicing responsibility and concern for each other and the land; and the use of ho‘oponopono or balance as a way of living their lives. Culminating in the best practice methods of land and resource management used by this group. This is the story of the Kanei ‘ohana-a mo‘olelo maka‘āinana shared by a lineal descendent.
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CHAPTER 1. ʻĀINA HĀNAI

Ancestral Lands

This paper will examine the Wainiha Hui Kūʻai ʻĀina, a land hui (group) on the mokupuni (island) of Kauaʻi, in the moku (division of land larger than ahupuaʻa) of Haleleʻa, in the ahupuaʻa (a division of land) of Wainiha. I analyze critical portions of the unpublished journal of the Minutes of the Wainiha Hui Kūʻai ʻĀina, which demonstrate that the kānaka of Wainiha, Kauaʻi were experts on best practice methods for the survival of water, land, and persistent living. Members of my ʻohana were founding members of the Hui Kūʻai ʻĀina o Wainiha who banded along side other kupa (long time native resident) in the midst of a changing land system to maintain their collective presence in Wainiha from 1877-1900.

My analysis will focus on answering three related questions:

1. What is the connection between genealogy and land?
2. How did the Wainiha Hui Kūʻai ʻĀina practice land autonomy in the late 1800’s?
3. What is the impact on a Kanaka ʻŌiwi wahine in 2013?

Chapter 1 will set the stage for my auto-ethnographical narrative. I make use of auto-ethnography because this perspective “enables one to acquire an agentive role in the world by highlighting one’s uniqueness and voice”1 Using this type of methodology fits perfectly into the area of ‘Ike Hawaiʻi (Hawaiian Studies). As a scholar and as ʻōiwi (real native), it is important to find a method that fits into the native perspective of my people. I find pono (balance) in sharing this moʻolelo ʻāina (land story) with others as the

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“version of auto ethnography that I present here conceives of the individual not just as an interpreter of social reality, but as someone who can understand herself/himself through thinking about social institutions, practices, and phenomena.”² I would prefer to let the ʻōlelo mākuahine (mother tongue) remain without translation because I feel that using our mother tongue is an example of resistance against the status quo. More importantly it is a way for our people to be familiar with the strength of our language. However, the language of English will provide context for this paper because the audience I hope to impact are made up of non-Hawaiian language speaking kānaka. Therefore, I will translate the terminology used because my ʻohana (family) do not speak our ʻōlelo mākuahine.

There are many reasons for writing in this manner. One of the reasons came from my enrolling in a class team taught by Hōkū Aikau and Noelani Goodyear-Kaʻopua called, Political Science 720 Indigenous Research Methodologies. There were several doctoral students that were working on their dissertations in this class. When I explained my work and that I wanted to write about my family, their land, and the stories shared with me by my late mother and her siblings, I worried that I would be ostracized and I believed this method was not academically rigorous enough for a Masters Thesis. While being trained at Kamakakūokalani Center for Hawaiian Knowledge, we are taught to see the world with Hawaiʻi as the center. Yet when I was encouraged to write, I fell back into the academic canon of writing from the outside, as often is expected in academia. How was I to write from a native perspective without including my self, my voice and those of

my ancestors? How is it possible to write from a native perspective, without including the native?

I feel that the methods and perspectives offered through auto ethnographic writing validated my desire to write through a kanaka voice. As a kanaka ‘ōiwi wahine it is most important to allow the leo (voice) of my writing to communicate my thoughts, as well as, the voices of my ancestors. Roxanne Lyn Doty explains, “Voice is who we are on the page and who we are in relation to what and whom we write about. Voice gives us, as writers, a presence in our own writing.”

My narrative is auto-ethnographic with the aim of allowing this moʻolelo ‘āina (land story) to be told by ka poʻe aloha ‘āina o Wainiha (the people who loved the land of Wainiha), my kūpuna--the Kanei ‘ohana. In this way I honor them!

Hoʻonohonoho i Waineki kauhale o Limaloa.
Set in order at Waineki are the houses of Limaloa
This saying applies to the development of ideas, the setting of plans, or the arranging of things in order.

The quote above offers insight toward the thinking of nā ‘ōiwi kahiko (people of old) and the methods they used to survive and prosper on their land for generations. The Wainiha Hui Kū‘ai ‘Āina was a group of 71-kupa ‘āina (citizen, native) that chose to purchase their ancestral home, the awāwa (valley) of Wainiha, the land that most of their family lived on for generations. To achieve this goal they put into order a rigorous set of rules that later became their own bylaws, or Kumukānāwai, that each hui (group) member had to abide by in order to maintain pono for the hui. This moʻolelo (history, story) will

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also explain how my kūpuna, (ancestors) remained in control of their land in the midst of political, social, cultural transition, affected by depopulation due to disease, and leadership by aliʻi less powerful than their kūpuna, yet they continued to maintain possession of their one hānau (birth sands).

The Hui and its members achieved success by persevering and developing creative ideas to be successful stewards of the land. Order was needed to live in a society isolated from much of the pae ʻāina, (island chain) because of the remoteness of this place, they were able to succeed in establishing an alliance of like-minded people who created, governed, and were autonomous for 23 years.

It also took tremendous planning and foresight by the kānaka of the Wainiha Hui Kūʻai ʻĀina to formalize their structure and membership in 1877. This small group of ka poʻe aloha ʻāina were able to change their system of land tenure by acquiring the entire ahupuaʻa of Wainiha where they maintained living as their kūpuna (ancestors) had always lived since time immemorial. The native people have always had the right to live upon the land in Hawaiʻi nei. The concept of natives right to live on the land is something that also has international implications.

Since 2010, I have been involved with a diplomatic core from Kamakakūokalani, The Center for Hawaiian Knowledge. We attend the United Nations Permanent Forum on Indigenous Issues. I have written and delivered interventions on behalf of the Hawaiʻi and Pacific Caucus. The interventions are recorded and passed on to specific organizations that make up the body of the United Nations. As a diplomatic core we advocate for the rights of our peoples, in the international arena through international law, that reference the United Nations Declaration on the Rights of Indigenous Peoples.
The United Nations Declaration on the Rights of Indigenous Peoples Article 26:1-3, addresses the land rights of people that are native to the land. Article 26.1 states, “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or other-wise used or acquired.”

In comparison the law of the Hawaiian Kingdom, shown in the Land Commission Documents, states a Royal Patent is, “a release issued by the Kingdom of Hawai‘i signifying that the land claimant had paid the commutation fee on the Land Commission Award.” The phrase on each Palapala Sila Nui (Royal Patent) in Hawaiian language asserts: “Koe na’e ke kuleana o nā kānaka maloko.”

In his dissertation “Na Wai Ka Mana ‘Ōiwi Agency and European Imperialism in the Hawaiian Kingdom” Dr. Kamana Beamer explains how the ali‘i were able to use Hawaiian Kingdom law, the Kumukānāwai (Constitution) of 1840, “to codify the ancient rights that the Mō‘ī, ali‘i, and maka‘ainana had in land and within the structure of a Kālai‘aina. In a Kālai‘aina (cutting or carving of the land) (redistribution) the Mō‘ī (King or Queen) could award lands but it was not his/her sole property. Dr. Lilikalā Kame‘elehiwa offers further clarity on Kālai‘aina when she states, “The ‘Āina was ruled through the aupuni (government or kingdom), and all ‘Āina accrued to the mana of the Mō‘ī. The Mō‘ī, as the highest representative of the Akua Kū, was the source of all

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6 Paul F. Nahoa Lucas, “A Dictionary of Hawaiian Legal Land Terms” (Honolulu, HI: Native Hawaiian Legal Corporation, 1995), 98.

7 Ibid. 54. (Translation-Reserving the rights of native tenants)
political power and could, like Kū, designate life or death for anyone at anytime.\(^8\) A Mōʻi would award lands with the aliʻi, while the makaʻāinana also had rights to their ʻili (land area smaller than an ahupuaʻa), moʻoʻāina, (narrow strips of land within an ʻili), pauku ʻāina (land division smaller in size than a moʻo ʻāina), and kīhāpai (land division just below a paukū in size), as well as the right for the resources of their ahupuaʻa.\(^9\)

Hawaiian Kingdom law affirms the right that the kanaka ʻōiwi of Hawaiʻi nei have the right to live on their native lands into perpetuity no matter if they were the Mōʻi, (King or Queen), Aliʻi Nui (high chiefs), or the makaʻāinana (people that worked the land).

Over a hundred years prior to the United Nations Declaration on the Rights of Indigenous Peoples in 2007, and in line with laws of the Hawaiian Kingdom, the land hui was one unique creation, which attempted to keep kanaka on the lands of their birth. A recurring theme of ʻāina justice is shown in 1840, 1877, and also in 2007. The rights of the native peoples to live upon the land, is inherent in the Hawaiian Kingdom Law Kumukānāwai o ka Makahiki (1840) (Constitution of 1840), the Kumukānāwai of the Wainiha Hui Kūʻai ʻĀina (1877) and the United Nations Declaration on the Rights of Indigenous Peoples (2007) all of these documents stress that ka poʻe aloha ʻāina have a natural right to live upon the land of their birth.

Another part of this project is to articulate the desire of one person to begin the discourse between family and academia in the area of land reclamation. I strongly believe in independence of the Lāhui Hawaiʻi, however, the current political reality of my people

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is that we are citizens of the United States. Therefore, I have chosen to pursue any avenue or means available to seek ‘āina justice for my people.

Nā kanaka ʻōiwi have been subjected to loss of culture, history, land and a balanced way of living. The way of our ancestors is a valuable template for contemporary people to learn to live in balance once again. Applying the knowledge systems of our ancestors that lived upon this land for hundreds of generations before us can be similar to contemporary “green” thinking, though it was practiced by our kupuna to the highest level of efficiency well before anyone had thought of a “green revolution.” Nā kanaka ʻōiwi should have access to food, shelter, water and land in Hawaiʻi.

From the mid 1800’s until 2007 the rights of native peoples to live on the land therein has been validated and reaffirmed in three instances and from three different political perspectives of land and native peoples. I am sure this is no coincidence---native peoples have the right to live upon their lands!

**The Impact of the Great Māhele of 1848**

In order to understand the idea of land continuity in Hawaiʻi, we have to look at the way our kūpuna (ancestors) dealt with land. The starting point was long before the Great Māhele of 1848; however, this is where I choose to begin my research, on the concept of land ownership in Hawaiʻi nei. Kamehameha III chose to divide out all of the ʻāina of his kingdom to three defined groups: the Mōʻī (King), Aliʻi Nui (High Chiefs), and the makaʻāinana (the people that lived and worked on the land). Contemporarily, I believe this is the point at which my kūpuna the kānaka of Wainiha began their understanding of ʻāina justice. It was a mere 30 years between the Māhele of 1848 and the Kumukānāwai of the Wainiha Hui Kūʻai ʻĀina in 1877. I am sure that kānaka kahiko
were very interested in politics, especially those that dealt with land because of their intimacy on living with the land. Therefore, I feel that the Māhele of 1848 had a jolting impact on my ancestors and it was this change of land tenure by the great aliʻi Kamehameha III that moved my kūpuna towards buying the ahupuaʻa of Wainiha.

Another idea related to ‘āina and justice that inspired me to do this thesis was learning that the Crown and Government lands of the Hawaiian Kingdom, were to have been held into perpetuity for Nā Kānaka ʻŌiwi. I do not know the extent to which Crown and Government lands could be accessed by Kānaka today. Where are these lands located? Are they still available to be used for the betterment of the Kanaka Maoli (native people) of the Hawaiian Islands? The important point for me is that we should all know; how much of these lands set aside for nā ʻōiwi continue to be accessible today, and we should know this to the extent that the Konohiki (land manager) i ka wa mamua (the time before) knew these lands. The gap that occurred over a period of years when the language, history, culture and customary practices were erased by one purposeful sweep of outlawing our mother tongue has begun to reverse. As a means of creating this reversal nā ʻōiwi, as a lāhui, (nation) have to delve deeper into locating these disconnects and find ways to fuse them. Presently there are factions of people, organizations, schools, and activists that are at different levels of this reconnection, however, until each ʻohana ʻōiwi (native family) begins to look at their kūʻauhau (genealogy or pedigree) for the source of their genealogy and root themselves into the land, we will continue a slow recovery.

Kaleikoa Kaʻeo, noted activist and educator states, “if we as a people are gonna survive we are going to have to live on the land.”

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All kanaka ʻōiwi should also know that there are lands being held for our people by the State of Hawai‘i that we don’t know very much about. In her own words Kealani Lydia Kamakaʻe‘ha Liliʻuokalani Dominis wrote:

“The crown lands were never the property of the people, no, not even of any monarchical government. Not citing the testimony of ages, when all the lands belonged to the chiefs, in 1848 the ruling king (Kamehameha III) reserved these very lands as ‘his private estate’ and the legislature confirmed this act’ as the private land of his Majesty, his heirs and assigns forever.”

My understanding of the connection between genealogy and land evolved through my understanding of what happened to the Crown and Government lands of the Hawaiian Kingdom that were “ceded” to the Republic of Hawai‘i. The term “ceded” is held in quotation because the lands of the Hawaiian Kingdom are presently occupied and therefore cannot legally be ceded. As I learned more about the history of our occupied ancestral lands I began to understand and be makaʻala (eyes open) about what happened historically to my nation, people, family and their lands. It was important for me to know where the land is, what are the names of the palena (boundaries), the makani (wind), wai (freshwater), kai (seawater) and gain my understanding of the things that my kūpuna knew that were lost to my generation and those before me such as my mother and grandmother.

My belief, through reading documents of Hawaiian Kingdom law in ʻōlelo mākuahine (mother tongue) and English, is that the Crown lands were not meant to be used, sold, given away in exchange for, by anyone other than the Mōʻī, Aliʻi Nui, or the

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11 Lydia Kamakaʻe‘ha Liliʻuokalani, “Hawaiʻi’s Story By Hawaiʻi’s Queen” (Honolulu, HI: Mutual Publishing, 1990), 360.
ruling Sovereign to which those lands belonged. “In 1864 the Supreme Court decided that each successor could regulate and dispose of the same according to his will and pleasure as private property.”\(^\text{12}\) The affirmation of this knowledge is important because of the connection nā ‘ōiwi have to the land. It is our ancestor and we cannot just throw away that relationship. It must be cared for and treated well in order for the land to continue to thrive and prosper. The late ‘Epeli Hau‘ofa eloquently describes our responsibility to future generations in this way, “The future lies in the hands of our own people and not those who would prescribe for us.”\(^\text{13}\)

The Ali‘i are the direct connection to the gods i ka wa mamua (the time before), and many still believe this to be true today. The “1839 Declaration of Rights of the Hawaiian Kingdom were created by ali‘i and their ‘ōiwi scholars.”\(^\text{14}\) These laws were finely crafted by minds that held divine influence such as Kamehameha III and his advisors—for it had to have been divine influence and revelation that assisted the king to choose what was best for his people and the sovereignty of his nation. The laws of 1839 were the first set of laws that began to codify existing kanaka-‘āina relationships. I know how difficult it is to learn the palena (boundary), moku (district), mokupuni (island), ahupua‘a (land division smaller than moku), ilikūpono (wholly independent of the ahupua‘a it was situated in and owed no tribute to), and all the various land terms nā ‘ōiwi kahiko (peoples of old), were intimately familiar with during their lifetime. I am astounded by the sheer difficulty of a process to divide all the lands of a kingdom without

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\(^{12}\) Lydia Kamakaʻeha Liliʻuokalani, “Hawaiʻi’s Story By Hawaiʻi’s Queen” (Honolulu, HI: Mutual Publishing, 1990), 360.


a computer or typewriter and more so the knowledge that we have today. Not only did Kamehameha III have to be a genius in configuring the terms of the Māhele, he also had to have a large alliance of people that shared his love for the land and nation to take on such a task. In this paper I would like to offer the manaʻo that the Mōʻi Kamehameha III in instituting the Māhele was not the complete dispossession of ʻāina for nā ʻōiwi. It was, however, the movement for my kūpuna to gain possession of their land, and for the continuity of that land to divinely influence the political, social, and spiritual thinking of a kanaka wahine in 2013.

Between the years of 2010 until 2013 I worked as an intern on an ANA (Administration for Native Americans) grant called Kamakakūokaʻāina Ancestral Visions of ʻĀina Konohiki. Dr. Lilikalā Kameʻelehiwa, was the principal investigator of the grant, one of the deliverables of this grant was to read through ten volumes of Land Commission Award documents, transcribe and digitize them to be placed online for free. I have individually read through thousands of land documents, and understand kanaka maoli received land in the Māhele of 1848, because I have seen the land documents for myself. My people also received land after the Māhele of 1848 due to the Kuleana Act of 1850 Section 4 pertaining to government grants,

As I reclaimed and came to understand ʻōiwi land history, I have come to understand that these histories have once again become a tool that we use to empower our own political, social, and economic issues. Moʻolelo that have been nearly erased from our rich cultural past have been uncovered and re-invigorated to show our people that our ancestors were brilliant, wise, well educated, with strong bodies and minds. Scholarship in our lāhui (nation) is cyclical, each time new ʻōiwi scholars uncover a treasure of our
hidden past we share it with our people so that we all move forward in our culture, language and stories of our people. Each new discovery is a remarkable way that our ancestors have to communicate with us and through us to strengthen our people’s vision of who we are.

While Dr. David Keanu Sai in his dissertation explains his view of the Māhele from a legal standpoint:

Native tenants who divided out their interests from the dominium did not affect the vested rights of native tenants who did not divide; a priori the right is vested in a class and not a finite number of individuals like the Konohiki class. Therefore, the rights of native tenants exist in perpetuity, and according to Chief Justice William Lee, these rights are “secured to them by the Constitution and laws of the Kingdom, and no power can convey them away, not even that of royalty itself.” This is the reason why all conveyances in the Hawaiian Islands have the uniform clause in deeds “reserving the rights of native tenants,” or in the Hawaiian language, “koe nae na kuleana o na Kanaka ma loko.” By 1893, native tenants acquired in excess of 150,000 acres of land by purchase of government grants pursuant to the 1850 Kuleana Act. In fact, the Surveyor General reported to the Legislative Assembly that between “the years 1850 and 1860, nearly all the desirable Government land was sold, generally to natives.”

Dr. Sai states, that by 1893, native tenants acquisition of land do not lead to the outcome of dispossession. The use of agency to acquire land using their right to the land upheld by Hawaiian Kingdom law is reiterated by the phrase, koe na’e na kuleana o nā kānaka maloko. (Reserving the rights of the native tenants)

Dr. Kamanamaikalani B. Beamer asserts his position on the Māhele as he explains the role that the Ali‘i played in the process, “If one looks at the geo-history of the Hawaiian Kingdom in another way, one in which native Hawaiian aliʻi were active agents in the appropriation of the ‘tools of the colonizer’ in their attempts to resist colonization. In other words, it asks whether the tools of the colonizers were used by Hawaiian aliʻi

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against colonialism itself?”16 Twenty-eight years between illiteracy of a population to an astounding nearly 100 percent of a population of literate people. How could Nā ‘Ōiwi not have used the tools of the colonizer to achieve such staggering results and then to prove their ultimate wielding of these tools by using them to maintain control of their lands?

Contemporary ‘Ōiwi scholar, Donovan Preza, adds his support to Beamer’s position in his reference to the “Constitution of 1840, Kamehameha III voluntarily divested his absolute powers, inherited from his father as Ka Naʻi Aupuni (Conqueror). This was the beginning of the end of absolutism in Hawaiʻi and was not the result of an internal revolution by the people but rather a voluntary divestment of power from the monarch.”17 I strongly believe that Kauikeaouli had the interest of the kingdom at heart when he decided to divide out all of the lands. Why would the Sovereign do this and what did he have to gain in this process? My feelings are that Kamehameha III saw the change that was occurring in his kingdom as the poʻe haole began to assert their political aspirations. Dr. Sai states, “In the summer of 1842, Kamehameha III moved forward to secure the position of the Hawaiian Kingdom as a recognized independent state under international law.”18

Kauikeaouli sent ambassadors to secure treaties with other nations---his plan to secure his Kingdom was already in effect. The Great Māhele 1848 was a vehicle to secure possession of the Hawaiian Kingdom amongst his peoples, thereby making it

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much more difficult for a larger nation state to usurp the power of the Hawaiian Kingdom. Kamehameha III set a plan into works to keep the sovereignty of his nation intact. In ways, similar to Kauikeaouli attempts to keep the ʻāina in the hands of the lāhui, my ancestors who were members of the Wainiha land hui were experts in resource management and cultivation, and they were also very astute to the political and social changes that were occurring during the mid 1800’s until the early 1900’s.

I looked at a database created by University of Hawai‘i Hilo, Kahaka‘ula School of Hawaiian language. Hawaiian language newspapers are listed by the year they were active, the title of each paper, as well as, access to view the actual articles that were available between 1877-1900. I found approximately 32 Hawaiian language newspapers were active between 1877-1900. I am sure the number is larger however I only looked at one database to substantiate newspaper access to the citizens of Wainiha. I did not include the English language newspapers in the count, by this time nearly one hundred percent of the Kanaka Maoli population were literate. In his Masters thesis John Kalei Laimana explains through missionary letters the value that kānaka kahiko placed upon literacy, “One young man asked me for a book yesterday, & I inquired of him who his teacher was He replied, “My desire to learn, my ear, to hear, my eye, to see, my hands, to handle, for, from the sole of my foot to the crown of my head I love the “palapala.”

Kūkulu Aupuni

In this chapter, I wanted to communicate the process by which I used to reconnect

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genealogically to the land of my kūpuna. This process was spiritual, social, political and physical. I realized that I needed to provide context for my writing so that the reader would understand the importance of the connection between genealogy and land.

Beginning with the style of writing using autoethnography—was the only way for me to communicate to the audience my passion for this topic. I also wanted to establish that all native peoples had a right to live upon the land of their birth. It was imperative for me to convey my political leanings and that, although I desire complete autonomy or independence—we are not yet at this point. Moʻolelo or storytelling is a way to begin the building of a nation. I hope to communicate to my ‘ohana the need for all kānaka ‘ōiwi to reconnect to their family lands by seeking the genealogy of thier ‘ohana.

After 1820, moʻolelo evolved from oral traditions to the written word in Hawaiʻi Nei. Nation building and history making occurred long before this point, however, in order to explain this moʻolelo ‘āina or land story I will assert that it was in the mid-to-late 1800s that moʻolelo and kūkulu aupuni (nation building) once again helped to shape our Lāhui as intellectual, open-minded people. Nā ‘Ōiwi were not afraid to evolve and it is never more apparent than in the planning and execution of literacy and land initiatives of the 1800s.

In his Master’s thesis, the ‘ōiwi scholar John Laimana, states, “From 1820 to 1832 Hawaiians incorporated into their society, the Western technology of literacy and according to Missionary accounts, and in just thirteen years Hawaiians achieved a minimum literacy rate of ninety-one percent.”21 This act of nation building was carried into the establishment of the change of land tenure.

Kanaka ʻŌiwi as a people were never afraid to experience and evolve, it is part of our nature as seagoing people related by genealogy to the gods of the land, Papa, Kāne, Haumea, Hiʻiakaikapiopele and the sea, Kanaloa, and Namakaokahaʻi. We continue to evolve and learn new “old” forms of knowledge, as our scholars uncover new information about our history, culture and language. Dr. Noenoe Silva explains the idea of well being of the kānaka and its importance after a history of violence: loss of culture, language, and way of life, she states, “The restoration of Native Hawaiian well-being as kānaka is enhanced by recovering the knowledge of our kūpuna as intellectuals and literary artists.”22 The knowledge of how to work upon the land to grow food, make clothing, offer shelter and create mea noʻeau (art) is a form of self expression and also a way to express the living culture of Nā ʻŌiwi. Spirituality connects the Kanaka to the land in the many forms of hana (work) that my people practiced i ka wā mamua, and today there are many groups that have begun working upon the land to walk in the footsteps of our kūpuna.

The concept of sovereignty is an important manaʻo that I have come to understand and that has impacted me through my study of the Wainiha Hui Kūʻai ʻĀina. I imagine the actions that my kūpuna took in gaining possession of their lands and creating their own laws as a means to “self govern”. The word I associated most with would be sovereignty. The term sovereignty as defined is:

“Supreme authority over a particular territory. In international law, it is the supreme and absolute authority exercised through a government, being independent of any other sovereignty. Sovereignty, being authority, is distinct

from government, which is the physical body that exercises the authority.

Therefore, a government can be overthrown but the sovereignty remains.”

The term sovereignty appeals to me, however the term ʻāina autonomy would fit better in referring to this group of people that were living under the sovereignty of the Hawaiian Kingdom. Raul Chaname defines the term autonomy as, “the faculty possessed by or, recognized by a population or entity to manage without foreign trusteeship specific interests of its internal life, which can give rise to the creation of own institutions for the spaces in which this internal life is developed.” The kānaka of Wainiha were the stewards of their land for 23 years from 1877-1900 documented in the Minutes of the Hui Kūʻai ʻĀina o Wainiha. They were able to manage their land without any foreign or domestic governmental interference. They created a space where they were able to successfully self govern and live well off of the land that belonged to them. Politically, they agreed to live by their Kumukānāwai, economically the laws they created gave their community infrastructure and balance, and socially they were often related to one another. In the way of nā ʻōiwi, the last part is the kuleana (responsibility) that binds one family in the community to the next. Kulena is reflected in the relationship between my two grandfathers Enoka Samuel Kanei and his neighbor William Kuene Hodge. Both of these men were members of the Hui that interacted with one another on a daily basis as most of the members of the Hui did living so closely together.


Hoʻomana and Understanding Identity

Land and genealogy are important to kanaka ‘ōiwi (people of the bones) because we have a familial connection and kuleana (responsibility) to take care of the land. Genealogy and Land go together from the same world-view that ka poʻe aloha ‘āina have a relationship with land because of our relationship to the Kumulipo. This is the genealogical line of origin that kanaka ‘ōiwi can trace their ancestry to the creation of the earth. This moʻolelo (history) also explains the connection between the kanaka, (human being) the cosmos and the land we share. Dr. Neil Hannahs states, “If you dont get that you are born from the land, as a Hawaiian-----you dont understand identity.”

Nā kānaka ‘ōiwi are also related to the land through the akua (god) Hāloana hakaukapalili and his brother Hāloa. The reciprocal relationship the two brothers shared; one being the kalo and the other the human being is reflective of the relationship ka poʻe aloha āina have with the ‘āina. “He aliʻi ka ‘āina, he kauwā ke kānaka.” The land is the chief, and humans are the servant is the translation of this ‘ōlelo no'eau.

“Hawaiian identity is, in fact, derived from the Kumulipo, the great cosmogonic genealogy of the Land, the Gods, Cheifs, and people intertwine with one another, and with all myriad aspects of the universe.” Nā kanaka ‘ōiwi have a responsibility to maintain and care for the land as part of understanding our identity. My kūpuna, those that worked and lived upon the land in Wainiha between the years of 1877-1900

understood their identity. The ability to understand the connection between genealogy and land are just as important today as they were in the 1800’s in Wainiha, Kaua‘i.

One of my mentors while training as an intern with Ancestral Visions of ‘Āina-Konohiki was Aunty Pua Kanaka‘ole Kanahele. In her book, “Ka Honua Ola”, Aunty Pua explains how the goddess Pelehonuamea shared with her lover Lohi‘au that she was truly a maka‘āinana (native born or one born in a place) to Kaua‘i by calling the winds, “Peles’ summoning of the winds on Kaua‘i demonstrates that the connection between gods, land, people, and elements of nature was integrated into the very core of her being.”

The goddess Pelehonuamea understood the connection between land and people, as well as, her identity as an element and a goddess. Just as the people of Wainiha, Kaua‘i understood their connection to land as people and the element of water-as the kumuwai (source of water). The waters of Wainiha begin high atop Wai‘ale‘ale, therefore, the people of Wainiha, my kupuna, were grounded in their identity as recipients of the most sacred element-the waters of Wai‘ale‘ale one of the wettest places on the planet Earth.

Ua Papakū and Papakū Makawalu is a level of thinking that kept ka po‘e aloha ‘āina o Wainiha on their land for 23 years---and even until this day the lower part of the ahupua‘a of Wainiha, Kaua‘i remain in the families of the hui members such as the Kanei Estates. The upper portion of the valley of Wainiha is unreachable by foot or motor vehicle. It has remained unchanged and protected until today.

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The two examples shown are from the Minutes of the Hui Kūʻai ʻĀina o Wainiha:
The first On December 15, 1877, C. Bertleman, “The executor of D. Kaukaha’s estate auctioned off the parcel of lands in Wainiha, the ownership was taken by the association under the name of Z. Seta for Sixty-six dollars.”
On the 12th of May 1879, “D. Nuʻuhiwa made a motion to elect L.K. Pueueu as a committee member to all the property from the widow Keano, passed.” These two examples in the Minutes of the Hui Kūʻai ʻĀina o Wainiha, illustrate that it was the active use of agency and more often a purposeful mindset that lands were bought, sold, traded or left the possession of the original hui members. This is not a story of dispossession it is a story of maintaining possession of land. This is also a moʻolelo ʻāina of kānaka performance and adaptive land management from 1877-1900.

Walking with the Kūpuna

The hydrofoil, Seaflite skimmed atop the ocean waters between Kauaʻi and Oʻahu, Grandpa Peoples bought tickets for my mother, his wife Fran, he and me. It was the hydrofoil’s first trip from Oʻahu to Kauaʻi and also the first memory of my visit to Wainiha, Kauaʻi. I sat aboard feeling somewhat nauseas but excited to visit “home” as my mother referred to Kauaʻi. When we lived abroad in Europe, and on the Continent, Hawaiʻi was home. However, when we returned to Hawaiʻi, I understood Kauaʻi to be our real home, our one hānau. This was a very special island because it contained the

30 Z. Seta et al. Hui Kūʻai ʻĀina o Wainiha 1-3, September 10, 1877, MSS, Hawaiʻi State Archives File U-29, Honolulu, Hi: 5,
31 Ibid. : 29.
wettest place on Earth—Mauna Waiʻaleʻale. My mother spoke so passionately about her childhood home and I believed every word as soon as the ferry landed I began my own understanding of the love for our home. It was these kind of questions that fueled my desire to learn about the birthplace of my kūpuna and to re-tell the story of Enoka Samuel Kanei Jr. and his daughter Helena Kanei Peoples, my great, great, great Grandparents from Wainiha, Kauaʻi.

The Luna Nui of the Wainiha Hui Kūʻai ʻĀina carried similar job characteristics as the Konohiki or Land Manager. During the mid to late 1800s the traditional land systems were no longer mandated and practiced by the ruling government. In many instances, land huiʻs or groups of people living in one area that came together, purchased the land they lived on and through kanaka persistence they were able to sustain themselves. As an “Organized Hui” the Wainiha group “were one of the longest remaining land hui’s.” They were also unique because they survived for 23 years remaining autonomous, until they lapsed into inactivity and were reorganized in 1902-1903. Then within 50 years capitalism and politics forced the dissolution of this unique group of ka poʻe aloha ʻāina. “The spatial energy of Capitalism works to de-territorialize people (that is to detach them from prior bonds between people and place) and to re-territorialize them in relation to the requirements of Capital.” This is what occurred in the dissolution of many land hui due to capitalism: ka poʻe aloha ʻāina, replaced the love

33 Watson, Leslie J. “Old Hawaiian Land Hui’s Their Development and Dissolution” (A paper presented at a conference of Civil Engineers at the University of Hawaiʻi, requested by Governor Wallace Rider Farrington), December 12, 1932: 31.

for land and genealogy with money and the power that money avails in a capitalist society.

Hawaiian Land Hui’s were a unique creation that attempted to utilize the emerging capitalistic economy of the Kingdom to preserve collective rights of kanaka to `āina. Leslie J. Watson, a Civil Engineer and the Superintendent of Lands for Alexander & Baldwin wrote a book called, Old Hawaiian Land Hui’s, explains the Supreme Court Ruling of the definition of Hawaiian Land Hui in this way:

The hui, as a peculiar native institution, has, pursuant to its rules and customs, certain powers as an association which do not belong to its members indicated in the foregoing, the customs and usages of hui’s do have a very definite status under our laws. As a matter of fact the hui organizations themselves were practically recognized as “legal entities” in one way or another.35

Chapter 2 will review recent auto-ethnographic `ōiwi scholarship. It will also show the reader some of the relevant scholarship that my work is situated in, and it will give the reader clarity on the kinds of land hui that were created in the mid-to-late 1800 while discussing the Hawaiian methodology that I am applying in this thesis.

35 Watson, Leslie J. “Old Hawaiian Land Hui’s Their Development and Dissoulution” (A paper presented at a conference of Civil Engineers at the University of Hawai‘i, requested by Governor Wallace Rider Farrington), December 12, 1932: 5.
CHAPTER 2. MOʻOLELO ʻŌIWI

The Affairs of the Wainiha Hui Kūʻai ʻĀina

Thomas Thrum in the mid-eighteenth century published a story called, “The Affairs of the Wainiha Hui Kūʻai ʻĀina” in Thrum’s Annual. Thrum republished the story written by another author named Reverend Jon Lydgate who was only one of the few people alive at the time of the Hui to write a story about it. I was amazed to hear this story and was thrilled that there was a group of Kānaka that purchased the entire ahupuaʻa of Wainiha at the bequest of a benevolent aliʻi named Kekauʻōnohi. Lydgate mistakenly assumes that the original grantee of the ahupuaʻa of Wainiha during the Māhele, the aliʻi Kekauʻōnohi was a kāne. Lydgate’s romanticized version shows that the aliʻi kāne “Kekauʻōnohi made a personal visit to Wainiha and called his people before him to present them with the proposition of purchasing this land on which they had lived so long, and to which they were so deeply attached.” 36 Lydgate goes on to assert that Kekauʻōnohi was motivated both by his need to pay off debts to Aldrich & Company of Honolulu, associated with a failed sandalwood expedition to China, and a genuine love for his people.

In Lydgate’s story, Kekauʻōnohi “greatly desired to see them as an independent and prosperous colony, owning all the resources of life, and so he wanted to sell to them this noble land stretching from the sea to the top of Waiʻaleʻale, with all its varied possibilities.” 37 In Lydgate’s story, the reported purchase price of $9,000 could have been

37 Ibid: 129.
a million dollars for the “simple people of Wainiha,” but they were able to gather the funds. In the end the hui members came up with $5500 in cash and $2000 of debt. Lydgate’s romanticized version of this story was enough to move me to search for more information about the Wainiha Hui. I realized shortly after reading this story that several facts did not match up.

Contrary to the version established by Lydgate, the aged ali‘i man portrayed in Lydgate’s story Kekauʻōnohi was an ali‘i wahine (female chief) named Mikahela Kekauʻōnohi. Miriam Kekauʻōnohi was the great granddaughter of the Mōʻī Kekaulike of Maui. Her parents were Wahinepiʻo Kahakuakoi (W) and Kahoanoku Kinaʻu (K). On her maternal side, she descended from the line of Haʻaloʻu (W) and Kekaulike (K). On her paternal side she was the granddaughter of Kamehameha I. Kamehameha I (K) and his Aunty Peleuli (W) produced a son named Kahoanoku Kinaʻu (K). The High Chiefess received the third largest amount of land in the Buke Māhele, as she was very high ranked through both her parental genealogical lines she received land on nearly every island of the pae ‘āina.

On Kauaʻi mokupuni the awāwa of Wainiha was given to Mikahela Kekauʻōnohi in the Buke Māhele. The High Chiefess passed away on June 23, 1851 thirty years

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38 Ibid: 130. (K) Kāne (male), (W) Wahine (female).


before the formation of the Hui, thereby leaving her estate to her husband, Levi Haʻaleleʻa. Both Haleleleʻa and Kekauʻōnohi received land in the Māhele. However, due to debts incurred, much of the Māhele lands were sold off to pay off the excess of 40,000 dollars in debt that was the result Levi Haleleleʻa’s estate. 43

According to the Bureau of Conveyances records, the ahupuaʻa of Wainiha was sold to J.H. Morse, John Defries, and J. Halstead for $3,200 and sold by deed on May 3, 1877, to Kuehuehu and 70 other kupa ʻāina o Wainiha for $5,500. 44 The comparison between Lydgate’s story and the actual facts are off due to gender of the aliʻi awarded land in the Buke Māhele and year in which Mikahela Kekauʻōnohi died. Although John Lydgate was one of the few authors of the story of Wainiha Hui that were alive at the time of the article, there were too many unverifiable facts to deem the accuracy of the story.

Old Hawaiian Land Huiʻs- Their Development and Dissolution

Leslie Watson in the early part of the 20th Century included the Wainiha Land Hui in the book entitled, “Old Hawaiian Land Huiʻs- Their Development and Dissolution.” Leslie Watson, was a civil engineer and the superintendent of lands for Alexander & Baldwin Ltd. He had six years of experience in irrigation, sugar plantation, and railroad work on the Island of Maui prior to his appointment on April 4, 1925, to the position as civil engineer for Alexander & Baldwin, Ltd., of Honolulu. He was born in Berkeley, Calif., Aug. 14, 1896, the son of James Baker Watson, Jr. and Kate (Whalley) Watson.


Mr. Watson was educated in engineering at Stanford University, from which he was graduated in 1918. After World War I service in France, 1918-19, as a second lieutenant and commanding officer of the 17th Photographic Section, Air Service, Mr. Watson came to Hawaii on July 3, 1919. He was a surveyor for the East Maui Irrigation Co. from July 1919 to July 1923, and he was the assistant civil engineer for the irrigation company. Later he worked for the Hawaiian Commercial & Sugar Co., Maui Agricultural Co. and Kahului Railroad Co. Mr. Watson was an 18th degree Scottish Rite Mason and a member of the American Legion, American Society of Civil Engineers (junior member), and the Engineer Officers’ Reserve Corps. He married Thelma Marie Boyum on July 23, 1921 and they had one daughter, Thelma Marie, born Feb. 15, 1924.45

In December 1932, Governor Wallace Rider Farrington in elaboration of talks to the Engineering Association requested of Watson, to write a paper on “Old Hawaiian Land Hui's Their Development and Dissolution.” This typewritten document was copied and bound into a book and housed at the Gregg M. Sinclair Library at the University of Hawai'i. Watson offers a history of the “feudal system of land tenure from Kamehameha I to Kamehameha III and the Māhele of 1848.”46

Watson mentions the Crown Lands and how they were merged with the Government lands, the formation of the Land Commission Board and briefly describes

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46 Watson, Leslie J. "Old Hawaiian Land Hui's Their Development and Dissolution" A paper presented at a conference of Civil Engineers at the University of Hawai'i, requested by Governor Wallace Rider Farrington on December 12, 1932: 5-9.
the process of obtaining a Land Commission Award and also Royal Patents.” Watson reflects on seven unorganized Hui’s on Maui Island describing these as, “the first hui’s were co-tenancies resulting from purchase by groups of individuals of tracts of land from the Government.” The parcels were generally sold for $1 per acre, and the tracts of lands sold became known as Hui Land or Hui ʻĀina associated with the tract of land they were purchased in. The interesting information provided by Watson’s analysis is that these groups of people were not organized and often, “divided portions of all the land between themselves and entered into occupation,” with the palena (boundaries) remaining the same until the present time as the writing of the book circa 1932. The circumstance with these hui’s is that these parcels were known as “parole partitions” may have or not covered the entire grant; the landowner found their parcels were not equal to their undivided interest where others were.

According to Watson, Organized Hui’s had from 100 to 200 original members and were as large as 2500 acres or more. A leading Kanaka Hawai‘i formed the Hui’s after negotiating with the owner of the lands they wanted collected the price from all the group members and a single deed was written and given to the group as tenants in common. As in the Wainiha Hui, an association was formed, bylaws were written and meetings were held. It was similar to forming a Corporation. After the Kumukānāwai

47 Watson, Leslie J. "Old Hawaiian Land Hui’s Their Development and Dissolution" (A paper presented at a conference of Civil Engineers at the University of Hawai‘i, requested by Governor Wallace Rider Farrington), December 12, 1932: 7.


49 Ibid: 10.

50 Ibid: 12.
were written, each original hui member signed the Constitution.

Watsons illustrates the formation and dissolution of approximately 9 land hui’s on Maui and one on Kaua‘i-the Wainiha Hui Kū‘ai ʻĀina. In Wainiha, in 1877 the Wainiha Hui Kū‘ai ʻĀina was formed, “from the partnership of Castle & Cooke.” 51 Watson, Leslie J. “Old Hawaiian Land Hui’s Their Development and Dissolution” A paper presented at a conference of Civil Engineers at the University of Hawai‘i, requested by Governor Wallace Rider Farrington on December 12, 1932: Due to the dying of old timers the hui was active from 1877-1900. Because of families relocating to Honolulu and the loss of original hui members the hui lapsed. Of the nearly 15,000 acres that consist of the ahupua‘a of Wainiha only a very small portion of land was available for agriculture, the upper portion of the valley was unreachable and not easily manageable. Watson explains how the Kaua‘i Electric hydroelectric project for the McBryde Sugar Company impacted the Wainiha Hui and he also explains the dissolution of the Wainiha Hui.


More recently a law student at the Richardson School of Law, named Adam Roversi wrote “The Hawaiian Land Hui Movement: A Post-Māhele Counter-Revolution in Land Tenure and Community Resource Management.” In 1869, seventy-one Hawaiians joined together to purchase virtually the entire 15,000-acre ahupua‘a of Wainiha on the Island of Kaua‘i. Although they held title to the land as private property, they did so communally, sharing the use and management of the unoccupied and

51 Watson, Leslie J. “Old Hawaiian Land Hui’s Their Development and Dissolution” A paper presented at a conference of Civil Engineers at the University of Hawai‘i, requested by Governor Wallace Rider Farrington on December 12, 1932: 29.
uncultivated portions of the ahupua‘a including the near shore fishery. Seventy-nine years later, in 1947, the Hui Kū‘ai ʻĀina o Wainiha was forcibly broken apart in partition proceedings initiated by McBryde Sugar Co.

During the life of the Wainiha Hui, the legal concept of land in Hawai‘i underwent a dramatic evolution from the traditional and communal presumptions of the immediate post-Māhele period to a more Americanized concept of private property much like that in existence today. This article examines how this legal and philosophical evolution affected or may have facilitated the failure of the Wainiha Hui. To what extent were Western legal concepts of land tenure and property law imposed upon the Hawaiian people and to what extent were they consciously adopted and adapted to a unique Native Hawaiian worldview? Was the Hawaiian Hui movement doomed from its inception due to its adoption of Western legal concepts that were by definition antithetical to the communal goals of the Hui members, or was there interpretive space within the law that might have allowed for its success if the political power structure at the turn of the century had been otherwise aligned?

Between 1882 and 1921, the Supreme Courts of both the Kingdom and Territory of Hawai‘i, in a series of land Hui cases, specified how this “peculiar native institution” would be legally defined and dealt with. In navigating the interplay between newly adopted English common law and Hawaiian tradition, there were choices to be made. The court’s decisions shifted from supporting Hui member’s rights to organize their communal lands to giving primacy to individual member’s property rights. This evolution paved the way for the forced partitioning of Hui lands into individual fee simple lots. In effect, the court “solved” what had come to be viewed as the “Hui problem” making both
Hui lands and their water resources available to sugar and pineapple plantations for both purchase and simple expropriation.

Roversi follows the legal evolution of the hui from its inception to the “need for sugar land” by the large sugar companies, different acts of Partition in 1923 and again in 1947 with the McBryde Sugar Company buying out of nearly all of the hui land amounting to some 10,000 acres and the dissolution of this hui.

I met this young man, Adam Roversi in a class I was taking with Puakea Nogelmier called Problems in Legal Translation, he was writing this story and seeking help from a group of Kanaka ‘Ōlelo Hawai‘i to further assist him to translate portions of the Wainiha Hui Kumukānāwai for him to write his paper. Roversi cites Devin C. Forrest for the ‘ōlelo Hawai‘i translation of the Constitution of the Wainiha Hui. Roversi’s work was invaluable to me because he gave me my first copy of the Minutes of the Wainiha Hui Kū‘ai ‘Āina. He also gave me permission to cite his then unpublished work. Roversi’s work was presented at the annual meeting of the Law and Society Association in Hawai‘i in the summer of 2012.

Kahana: How the Land was Lost

The author presents the Hawaiian Hui movement private ownership during extraordinary changes brought on by the execution of fee-simple private property ownership during the Māhele. Stauffer suggests that there were many Hawaiians who knew what was going on with land and politics of their time and organized to fight against a negative outcome or land loss in Kahana valley. According to Stauffer between the years of 1860 and 1920 that the Hui lands acquired by Native Hawaiians far exceeded the Kuleana lands issued to Nā ‘Ōiwi by the Land Commission.
Hāʻena Through the Eyes of the Ancestors

Dr. Carlos Andrade a kupa ʻāina of Kauaʻi island writes about the ahupuaʻa of Hāʻena, Kauaʻi. Just as Watson, Andrade he offers a good progression of the land and what occurred up to the initial buy out of the entire ahupuaʻa of Hāʻena from the Konohiki of Hāena. Abner Pāki was awarded the land of Hāʻena in the Māhele and he appointed Kekela as the Konohiki of Hāʻena. There were many Land Commission Awards given out in Hāʻena, similar to the Hui of Wainiha, the people of Hāʻena purchased the remaining lands in the ahupuaʻa in January 1875 two years before the formation of the Hui Kūʻai ʻĀina o Wainiha. These types of land sales were not accounted for by the Kuleana Land statistics.

The Queen and I: A Story of Dispossession and Reconnection in Hawaiʻi.

Sydney Lehua Iaukea’s book was selected as part of this literature review because it is the perfect example of the technique of writing that I have chosen to use in constructing this thesis paper. Her use of autoethnography is exceptional and validates the usage of the first person narrative. Often times in academia, theoretical documents are written in the third person which removes the humane, emotional, living moment, experience from the scholarship. Sydney Iaukea writes from a uniquely authentic, perception that enables her to speak of her families history, and what transpired in the life of her Kupuna Curtis Iaukea historically. While at the same time, she relates her own lifestory and is able to visit her grandfather and reflect on his imprint upon the lāhui Hawaiʻi.
Ka Honua Ola ‘Eli’eli Kau Mau The Living Earth I Descend, Deep in the Revelation

Dr. Pualani Kanakaʻole Kanahele writes this book of her own experiences as a Kumu (source) of information relative to Hawaiian language, culture, and customary practices. According to Dr. Lilikalā Kameʻelehiwa, “Pua Kanahele is the Harvard of ‘Ike Hawai‘i.” My thesis has been written with the consious use of the Papakū Makawalu methodology that Aunty Pua Kanahele Kanakaʻole teaches to those who are fortunate to spend time with her. Her book is reflective of her own personal journey in her life. She is a Kupuna and also a quote by Dr. Taupōuri Tangaro, “Pualani is what I call a manō honua, a land shark. When she steps into a space there is an organic recording of energy.” I also feel that Pualani Kanakaʻole’s book is useful to me because she writes it from a similar autoethnographical perspective, the difference between this book and Sydney Iaukea’s book is that the source for Iaukea’s book is her Kūpuna. While in Ka Honua Ola Aunty Pua Kanahele Kanakaʻole is the source. As ʻŌiwi, our historians have the right to be the source because our knowledge is housed within our people, in their chants, dances, language and customary practice.

Hawaiian Methodology

The methodology used in the writing of this thesis is a product of my life as a wife and mother for fifty plus years, my work and access to higher education beginning with; Leeward Community College, Mesa College in San Diego, North Seattle Community College in Seattle Washington, University of Hawai‘i West O‘ahu and

52 Dr. Lilikalā Kameʻelehiwa. “AVA Konohiki Class Lecture” (University of Hawai‘i, Honolulu Hi), August 20, 2012.

53 Dr. Pualani Kanakaʻole Kanahele. “Ka Honua Ola ‘Eli’eli Kau Mau The Living Earth Descend Deepen The Revelation” Honolulu, Hawai‘i, Kamehameha Publishing. 2011: V.
finally at Kamakakūokalani Center for Hawaiian Studies, housed in Hawaiinuiākea School of Hawaiian Knowledge at the University of Hawai‘i Mānoa. A culmination of nearly thirteen years of training and schooling has produced an assortment of methods borrowed from what I feel are best practice usage of the knowledge shared by my Kumu.

**Telling my Moʻolelo**

I tell this moʻolelo as it should be told from a lineal descendent. It is a narrative of understanding and a revelation of why knowing where I come from and the genealogy of this particular ‘āina is so important for me to share with my ‘ohana, and the broader Lāhui Hawai‘i. There has never been a native account of the moʻolelo of the people of Wainiha, Kaua‘i, this story will be the first attempt at telling this moʻolelo ‘āina from a direct lineal descendent. It is important to my family and the larger lāhui Hawai‘i to reclaim our moʻolelo from our perspective and share them with others that also have ancestral ties to the land of our birth.

For this thesis, I have transcribed a portion of the unpublished journal, “The Minutes of the Wainiha Hui Kūʻai ‘Āina 1877-1900”. This record keeping mechanism is valuable evidence of how the people of Wainiha, Kaua‘i took control of their ahupua‘a and actively maintained it for 23 years, and another 56 years, until the dissolution of the Hui.

The auto-ethnographical way of writing this thesis is a vehicle to let the Kānaka of Wainiha, Kaua‘i tell this land story. While at the same time, it allows a contemporary kanaka wahine in 2013, to walk with my kūpuna along the shores of the kahawai (seashore) of Wainiha, work side by side with my kupunakāne (grandfather) Enoka Samuel Kanei Sr. and my kupunahine (grandmother) Kawai‘olumaha‘i Pakui Kanei, and
feel the chilling, sacred wai (fresh water) of Waiʻaleʻale upon my skin. For a brief moment in time, to experience the stories my mother, Mattie Luka, and her younger sister, Jonarie Elena, shared with me about growing up in the most beautiful ʻāina on Kauaʻi Island, Wainiha, Kauaʻi.

Nā ʻōiwi, as oral peoples recorded our histories by storytelling, hula and ʻōli. The themes varied from: war, politics, government, births, unions of high ranked genealogy families and also the daily occurrences of everyday life. Robert Warrior a Native American writer explains the purpose for writing his book “The People and the Word” states, “The purpose of this Introduction is to elaborate on these two issues of the history of Native nonfiction and the way that reading that history informs the intellectual development of Native America.” Moʻolelo, or as Robert Warrior states, “Native Nonfiction” is history or storytelling. This was a method that Native Peoples have used since time immemorial, from our own perspective. An important point that Warrior is making with his manaʻo (thoughts) is that our moʻolelo communicates knowledge to our people. It inspires, affects and influences how we view ourselves as Kanaka ʻŌiwi.

Where does one person begin to change the thinking of our Hawaiian nation? It begins within our families by first offering a chance for the kūpuna to reclaim what is still there—-our culture, language, history, land and genealogy. This paper is being written for my kūpuna, my mothers family----the ones that never knew what it was like to live on the land and work in the loʻi, hear the familiar rythmn of the iʻe kūkū beat against the pohaku kūkū in the first process of creating a fine piece of kapa moe. To know our identity is to know our culture, language, and customary practices.

My Mother Mattie Luka, before she passed away was as an avid hoe waʻa. She paddled for many different hui hoe waʻa from Hanalei Canoe Club to those that took her out to sea and released her in the kai moana the hui Kai Poha. I want my ʻohana to begin their understanding of where we come from by reading this thesis and moving within them the desire to learn more about themselves and their identity. We as people of the land are grounded in the land, we gain our understanding of who we are and where we have come from because of the connection we have with the land.

The moʻolelo ʻāina (land story) of the Wainiha Hui Kūʻai ʻĀina is important to me because my kupunakanāhā (great, great, great, great grandfather), Enoka Samuel Kanei Senior or Kanei Nui was one of the original hui members and to re-tell his moʻolelo is helping me to re-connect with him and my ʻāina hānai (adopted land). In writing this thesis from an autoethnographical perspective, the potent emotions and challenge to infuse the leo (voice) of my kūpuna, the politics of place and time, included with all of my academic training and ʻike (knowledge) is a powerful lei of scholarship that I feel privileged to share with the larger lāhui Hawaiʻi.

One interesting fact that I didn’t realize until after writing the chapter on genealogy and land is that the Hui Kūʻai ʻĀina o Wainiha is connected to me by two of my kūpuna. Enoka S. Kanei or Kanei Nui being my kupunakanāenalima on my Kanei side. While on the other side, my kupunahinekānākolu is Luka Hodge, she married Enoka S. Kanei Jr. On the marriage certificate of Enoka Samuel Kanei Jr. and Luka Hodge, the father of Luka Hodge is noted as Eli Hodge while her mother is Kalenaiki. Without making the connection I am quite sure that there is a generation between Eli Hodge and William Hodge, where I will find the father of Eli Hodge and the son of William Hodge is the
other side of my great grandmother Helena Kanei’s ʻohana.

I am making the presumption that I am connected on both sides of my grandmother’s ʻohana (family) to the Wainiha Hui. Enoka Kanei Jr. and Luka Hodge are the parents of my great, great grandmother Helena Kanei Peoples. She is the (grand) mother of my mother Mattie Luka (keiki hānai) (given to grandparents) and later keiki hoʻokama (legally adopted). Both Enoka Samuel Kanei Sr. (Kanei Nui) and William (Kuene) Hodge were original hui members and were very active in the hui between the years of 1877-1900.

The way to pono is through the genealogy of our families first, then after we understand the kahua (foundation) we can move onto other areas for the betterment of our people such as; land reclamation, political activism, and how our people and lands will survive into the next generation. The re-telling of this moʻolelo ʻāina (land story) relays the history of many families in Wainiha, Kauaʻi. Looking at the Kanei ʻohana, and tracing the land genealogy along with the kanaka genealogy sets the stage to share the further implications of this moʻolelo ʻāina. These types of moʻolelo have shaped the thoughts and actions of a nation of people, one person at a time through the lenses of many different ʻohana ʻōiwi. The need to reclaim our land stories is imperative to our lāhui because the land is who we are, more importantly a comment from my Master Thesis public presentation given by Ilima Long, “these stories are so important because they are not aliʻi stories they are the moʻolelo of the makaʻainana and we need to hear more of these stories amongst our lāhui.”\(^55\) Stories of the common people and how they lived there lives i ka wa ma mua (the time before). This is a land story of the common

\(^{55}\) Ilima Long. Interview in question and answer session S.C. Kaʻahiki Solis Master Thesis Public Presentation. (Mānoa, Hi.) May 9, 2013.
people of Wainiha, Kaua‘i.

The research for this thesis has taken me to many different places as far as the type of writing and people that have written about my family and my family lands. I appreciate the ‘ike and interest I have gained from reading these stories, however, I feel a mo‘olelo ‘āina should be shared through genealogy from the perspective of the kupa ‘āina. Since my ‘ohana that are the kupa ‘āina are no longer physically present—except through my existence, then I will be the one to tell this mo‘olelo ‘āina. I am grateful and have taken into consideration the thoughtfulness and mana that these other stories share about my ancestors. I have provided the reader with context, concepts, and perspective that I use to tell my mo‘olelo

There are many personal factors that outline and influence the background of my writing and work in this paper. I wanted to express that writing a Masters Thesis paper on my family and the land we originate from is important because this knowledge has had the power to influence my ‘ohana politically, socially and economically for generations. I feel this type of power is relative to the power that was generated by the stream that flows through the land of Wainiha. In her childhood my mother Mattie Luka, and her sister my Anakē (Aunt) Jonarie Elena, often referred to the Wainiha River as, “the stream next to the house” as little girls this was how they viewed their world of summers and vacations which they spent with their extended ‘ohana in Wainiha. Māmā (Helena Kanei) sent them to Kaua‘i frequently, often accompanying them or not. Mattie Luka and Jonarie Elena, spoke of the outhouse and shower where they bathed at the end of a long day working in the lo‘i and other productive methods that my Kūpuna used to occupy the time of the children when they were young. Luka said, “There was an outhouse we had to use, that
was our bathroom, it was a small wooden box with a hole and you could feel the makani (wind) on your ʻelemu (posterior) when you sat on it.”

“The shower house had a huge pipe that came right from the stream, and the water, when you turned it on was freezing cold, so we tried hard to bathe before the sun set.”

Their memories were fuel for my imagination and desire to know this land and everything about it for myself. The genealogy of the land is tied to that of my kūpuna, they are intertwined as a double helix in DNA. There were many first times for me in connecting my genealogical ties to the land of Wainiha, driving along the Powerhouse Road with my mother when I was 15 years old I had to get out and wade in the stream, the first time I put my manamana wāwae into the icy water I knew this is where I should live. My mother retold the stories time and again, my curiosity to know more increased. She was the keeper of our family moʻolelo, and in her eulogy, my Uncle Kanei Leonardi stated, “she was the glue that held our family together.”

Documenting the history of ʻohana is evocative; it is the foundation, the end, and the beginning at the same time. The author “consciously reflects on the ways in which historical experience led them to redefine their own view on the relationship between history and individual life.” There is a point in good storytelling, where the storyteller and the story are fused, to the listener.

“When I write this auto-ethnographic account, my aim, beyond understanding myself, is


to connect with as many readers as possible and make them, through their emotional response to my story, reflect upon their own experience as human beings and the construction of their own subjectivity.”\(^{60}\)

Lowenheim in his writing, “The I in IR Autoethnography,” echoes my sentiments when he states, “many works exist that are supposedly aimed at the general scholarly community but in fact are limited to very small audiences {…} many authors are often motivated by considerations of career boost, recycling their own work time after time. In light of this, it seems even more narcissistic than writing that tells about self.”\(^{61}\) Lowenheim clearly articulates why I have chosen to pen my scholarship using auto-ethnography as a method to communicate my thoughts in the most pono (correct) way that I could convey them to my ʻohana and to anyone that reads this paper.

It was customary for my Kūpuna to view their world from a multiplicity of perspectives. Similar to how a scientist or doctors approach their work. Recently my husband contracted an unexplained illness; the doctors had no idea as to the origin of the illness. They had to makawalu (see with eight eyes) the symptoms and by process of elimination they were able to remove possibilities until they found exactly what it was that caused the illness. It is remarkable that Papakū Makawalu is the same process that scientists and doctors use to find the cause of illness. I experienced this while my husband lay in a hospital bed for nearly three weeks---almost dying this past year.

Its one thing to know what the concept of makawalu is and a far more profound enlightening incidence when someone you care for is near death and the process is taking


\(^{61}\) Ibid:1026.
its course. However, they (doctors or scientists) are not able to offer concrete information until they have completely exhausted the makawalu process. I have also come to terms with the fact that makawalu is science and nā ʻōiwi have been living with the knowledge of Papakū Makawalu since time began----in my manaʻo, the Kumulipo is an example of the process of makawalu.

Aunty Pua Kanakaʻole discusses the depth of ecological knowledge of ʻŌiwi by saying, “Papakū Makawalu is the foundation to understanding, knowing, acknowledging, becoming involved with, but most importantly, becoming the experts of their systems of this natural world.”62 My ancestors were experts in the process of makawalu i ka wā mamua (the time before). While attending a presentation of Kaulana Mahina (famous is the moon) by Kalei Nuʻuhiwa for the very first time I was introduced to the phrase Ua Papakū! (Meaning that everything about you is good. It includes the stratums on the earth and the levels of atmospheres in the sky).63

As a haumana (student) of the late Kahuna Lāʻau Lapaʻau, (Priest, Expert Hawaiian Herbal Healing) Levon Ohai, I learned to be consistent in my use of pule (prayer) before, during, and after, knowledge seeking at any repository. I also made it a practice to cleanse daily if possible while gathering research and writing. It is important to recognize the source of the knowledge we are seeking. In understanding ‘Ike Hawaiʻi, (Hawaiian Studies or Culture) which I learned from my mother, Mattie Luka, one thing was to be sure to bring a gift, when visiting someone, and in seeking knowledge or

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information. This perspective was reiterated many times over in my academic career at Kamakakūokalani Center for Hawaiian Knowledge. When working with elders, it is imperative to pray and ask for our ancestors to clear the way before interviewing, so that the elder person’s mindset is clear when they share their thoughts. While on the other hand, as native researchers, we must be prepared to accept when our elders are not ready to speak, or if they choose not to speak at all. Kanaka Ōiwi seek balance and look for the right time to gather evidence. It is very important to be balanced in our work. I am constantly looking for signs—as a means of communication from my kūpuna while conducting research.

Scientist and scholars are now finding that ancestral DNA is a “type of time machine […] which contains a set of genetic instructions that are from the past, that are given to you in the present, with the intention of creating a future. This means that you are already the living center of all time periods living together as one.”64 Kānaka Ōiwi live with the notion of ancestral knowledge, since a child I have known that this idea exists. My mother often communicated to me that the ideas that she referred to were Hawaiian thinking or thoughts—because didn’t she speak ʻōlelo mākuahine she used this term, however, Mattie often heard her mother Helena speak in her mother tongue and she learned to understand the language listening to her kūpuna speak to each other. The Hawaiian thoughts Luka referred to were the ancestral memories that I am referring to presently.

Whether conscious or while sleeping the signs from the kūpuna hoʻomau, they continue, and it is a challenge when sleeping to remember what they are communicating

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to me and why it is important. I have suffered from sleep apnea for many years, and with loving advice from my Kumu Lilikalā Kameʻelehiwa and my dear friend Donovan Preza, I finally addressed this health issue by seeing a doctor and getting a prescription for a C.P.A.P. (Continuous Positive Air Pressure) machine. This machine shoots a continual stream of oxygen into the nose that stops me from losing air while sleeping.

The reason I share this personal information with you is because, before I began sleeping with the C.P.A.P. machine I couldn’t remember dreaming, my thinking was foggy and unclear, and I often woke up feeling tired and suffering from headaches due to loss of oxygen while asleep. It was part of my methodology to address this health issue so that I could think critically and articulate my thoughts in a reasonable manner once again. I came to the conclusion that I was not reaching my deepest and most healthy sleep patterns in R.E.M. (Rapid Eye Movement) I knew I didn’t reach R.E.M.—the state of deep sleep where the sleeper dreams. After using the C.P.A.P. again I could finally remember my dreams and communication from my kūpuna.

It was an emotional revelation for me, that I was the cause for not hearing from my kūpuna, those that have aided me along on this journey of writing and the creation of something so profound to me, at this point it doesn’t matter whether others see my writing in the same way. The mere fact that I can write is the remarkable outcome of this process. I feel I have the gift of being able to tell a good story, however, when plagued by health issues I couldn’t think clear enough to put the thoughts down in a cohesive manner. The writing and methods used that allow a person to think clearly and critically are all a part of my methodology.
Reflecting upon my choice to share such personal mana‘o, I feel that I am writing this paper for my ‘ohana and after them for the lāhui Hawai‘i—my extended ‘ohana. I wanted to be frank about my methodology because many ‘Ōiwi scholars may not have taken into account the idea of addressing health issues in academia. It is assumed that we will be able to write because, we have trained and studied, and have been allowed a position of privilege, working in the University setting, and that the expectations of the status quo are that we must perform. The conscious effort to write in an auto-ethnographical way allows me the freedom to express my thoughts and actions within the academic realm. “We, as Native Hawaiians, must continue to unveil the knowledge of our ancestors. Let us interpret for ourselves who our ancestors are, how they thought, and why they made certain decisions. In the process, we treat them with honor, dignity, love, and respect----whether they be akua, ali‘i, or kānaka---because they are our ‘ohana, our family.”

Aunty Pua‘s thoughts illustrate, for me, the definition of the fullness of the kanaka world.

Methods for Analysis of Archival Documents

Every thesis must have a place within the writing that calls for analysis. In this paper I am analyzing the minutes of the Wainiha Hui while looking for connections between the bylaws or Kumukānāwai and a portion of already translated minutes. I formulate my conclusions on the best practices of land, water, and persistant living shared through the writings of the Wainiha Hui. My method for dealing with the tremendoundous volume of writing in this primary source Hawaiian language document (236 pages), was borrow a writing analysis worksheet from the National Archives in

Washington D. C. I followed all the questions asked on the worksheet and tried to thoughtfully create an answer that helped to direct my analysis towards a conclusion that made sense and was relative to answering the question about best practice methods for the use of land. The document also prompted questions to be answered that were helpful in formulating a summary of the analysis and it also enabled me to organize the research, questions, answers and unanswered question one document. The 16 paukū of the Kumukānāwai of the Wainiha Hui is the focus of my analysis and portions of the minutes of the Wainiha Hui Kūʻai ʻĀina. I have provided the reader with a historical context, methodology, literature review, pilina (connections), and personal moʻolelo, now all that remains is to get into the heart of the ʻimi naʻauao (deep learning) and knowledge that is reflected in the deconstruction of the Minutes of the Wainiha Hui.

Chapter 3 features the kahua (foundation) of this paper, it includes all of the genealogies that was the basis of my research, as well as, the inspiration for the sharing of this moʻolelo ʻāina (land story). This part of the moʻolelo (story, history) illustrates the connection between moʻokūʻauhau (genealogy) and ʻāina (that which feeds or land). This chapter is one of most important parts of this paper because it explains how the land is connected to the kānaka of Wainiha, Kauaʻi.
CHAPTER 3 THE GENEALOGY OF SPAGHETTI

In my ‘ohana on my mother Mattie Luka Kanei’s side, Luka was the eldest of seven siblings. All of whom were half-blood relations except for the youngest, my Anakē Naomi she was keiki hānai (given to my grandmother). Genealogies of families mixing blood with the Kanaka Maoli (native Hawaiian) is the make up of my family. All of my mother’s sibling share the same mother, Ki‘inekili‘ili‘i Kanei. The children have different fathers except my mother’s two brothers John Attilio Kanei and James Puaka‘i‘oe. Ki‘ineki married Attilio Leonardi and he was pure Italian therefore, my dear Anakalās Kanei and Jimmy are half Italian. In my family, as with many other kanaka families, we gather over food to fellowship. Each month we gather, we have a theme luncheon focused on learning about our ‘ohana where we share family stories and renew bonds. These theme luncheons are related to ethnic foods that in turn connect us to the different ethnicities of people that make up my ‘ohana.

Uncle Kanei, the eldest brother of the family usually hosts these parties at his hale. The very first luncheon was focused on Italian food, each family was to bring a dish made from Italy and share it at the luncheon. The same theme goes for Filipino, Spanish, Puerto Rican, Japanese, Peruvian, Mexican and the varieties of different ethnic groups that make up my family are soon represented throughout the year at these gatherings. Everyone makes delicious foods and it becomes a competition, of the best spagehtti, best lumpia, the best Japanese food etc... The motivation for me to entitle this chapter about spagetti is because to make a truly wonderful sauce, there is a genealogy of sauce recipes handed down from generation to generation. Intrinsically a manaʻo ‘Ōiwi, the ability to connect genealogy to a pot of sauce—when the competition is even and two or
more dishes are equally delicious—the genealogy of the sauce becomes the factor that provides the winner with years of wonder and bragging rights of sauce-si-ness.

Contemporarily my ‘ohana is learning about the genealogy of our family at these luncheons and because this paper is written for them and other Kānaka families, we all must understand how important genealogy is to Kanaka ‘Ōiwi. The beginning of this mo‘olelo ‘āina is the genealogy of the land of Wainiha, also of the Kanei ‘ohana, and the formation of the Hui Kū’ai ‘Āina o Wainiha. Aunty Pua Kanakaʻole Kanahele reminds us, “Mo‘okū-auhau is a literary introduction to a family lineage. The family line may include humans, elements of nature, sharks, or other forms of life. If important enough in the mythological framework of the social structure, the name is recorded.”

He kū‘auhau o ka ‘āina o Wainiha (The genealogy of the land of Wainiha)

Ke ali‘i, Mikahala Kekauʻonohi the great-granddaughter of Kekaulike of Maui and the granddaughter of Kamehameha I received the ahupua‘a of Wainiha, Kaua‘i. Wainiha as relinquished by Kamehameha III on January 28, 1848 and given over to Mikahela Kekauʻonohi.67 See also Land Commission Award document number 11216 (LCA 653) and Palapala Sila Nui (Royal Patent) number 7194 (Buke Māhele V9 653). According to Land Commission Award document 11216 there was a dispute between M.Kekauonohi, the heir of the estate of Levi Haʻaleleʻa and A. Paki. The Land Commission Award document states the palena (boundary) of the two-apa‘a ‘āina of Wainiha and Hāʻena, Kaua‘i, in the moku (district) of Haleleʻa.


In the book Hā‘ena, Carlos Andrade attributes, “the uncertain state of affairs regarding land on Kaua‘i Island to the Kaua‘i Rebellion of 1824 and the death of Kaumuali‘i.” Further testimonies offered by kupa ‘āina (native citizens) have shown the entire genealogy of the land of Wainiha and all of the Konohiki from the time of Kaumuali‘i. According to the August 22, 1854, native testimony of the kupa ‘āina:

Kekela sworn, I had first lived on the island at the time of Kamehameha I, and I had seen the boundary between Lumaha‘i and Wainiha in Halelea‘a, island of Kaua‘i. The following is the correct boundary, as I have known it. Kahililoa is one by the mountain, from there to the point of the big ridge, running from the mountain mentioned above to the place called Kaukupepeia, where the fungus tree had stood and to the limestone point. The house of Kanealauwahine stood just mauka of this place, this entire house was in Wainiha’s boundaries. The front of the house was facing the kukui tree and this has been for Lumaha‘i. All of this has fallen apart. Kaaluhi is the area from the limestone point to Lehualā‘au, from there to Ka‘ae and continuing to Weka. On to the very sharp peak toward the sea. The deep sea is on the Wainiha side, Lumaha‘i is the dry side.

Kamoʻolehua was born during the time that Kaʻeo was chief of Kaua‘i. Kamoʻolehua states the chief of Wainiha during the time was Manuhiapo and the kanaka was Kuluhhiwaikai, followed by Kamaholelani as the chief and the kanaka was Kekoʻo. After Kamaholelani died Wainiha was conveyed to Kalaimoku with Kipopu as the Konohiki and Kahui as the kanaka. When Kiʻikiʻi the Konohiki of Lumahaʻi died, the land went to Kaumualiʻi and Kahulupue was the kanaka and when Kahulupue died, D. Papohaku succeeded him as Kanaka, in this testimony the term Kanaka is being used synonymously with the term Konohiki (land manager), with A. Pākī as the land chief. The land of Wainiha went to M. Kekauʻōnhi after Kalaimoku’s death and it has been that way until the present time. The native testimony was provided by the people of Wainiha in a land boundary dispute between L. Konia and M. Kekauʻōnhi to determine the boundaries between Hāʻena, Lumahaʻi, and Wainiha, on Kauaʻi Island.”

While the Aliʻi genealogy and pilina (connection) was vast and changed over time as demonstrated by the above testimonies, the kupaʻāina genealogies of Wainiha were more rooted over the generations. The next section begins with my moʻokūʻauhau


(family genealogy) that some people believe to be sacred and should be kept within the 'ohana. As this paper is being written for my 'ohana I openly share it with them, and those that choose to read it. I have learned through a process of many years of education in Hawaiian Studies, culture, history and language that evolution of mana‘o is good and to share genealogy often opens the door for others to make connections.

I must admit that some of my family members were not happy for me to trace the genealogy to the point that may prove that we have less Hawaiian blood quantum than we do. For the sake of these members I will not divulge who they are, however, for me the importance of knowing genealogy is the key to the revitalization of all of our customary practices that will enable our Lāhui to thrive into the future. I created this mo‘okū‘auhau for my ‘ohana it makes reference to all that are connected to my ‘ohana. Long live the Kanei Family. He mo‘okū‘auhau o Kanei.

He ipu hoʻoilina mai na kupuna mai
An inherited container from the nearest ancestress.
Said of the womb, the container by which the family line continues.

1. ‘O Kaua‘i i ke one hānau
Kaua‘i is the birth sands.

2. ‘O Kamohoali‘i ke ali‘i o Kaua‘i
Kamohoali‘i is the king of Kaua‘i.

3. ‘O Wai‘ale‘ale ka wai ola.
Wai‘ale‘ale the life waters.

4. ‘O Kauai o Manokalanipō
Kaua‘i of Manokalanipō.

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5. ‘O Pu‘unui ke kai ola.

Pu‘unui the living sea.

6. He Waianu ka makani o Wainiha.

Waianu is the wind of Wainiha.

7. He Kuamaui ka makani o Wainiha.

Kuamaui is the wind of Wainiha.

8. He Kaawakiki ka makani o Wainiha.

Kaawakiki is the wind of Wainiha.

9. He Papala ka makani o Wainiha.

Papala is the wind of Wainiha.

10. He Akeakea ka makani o Wainiha.

Akeakea is the wind of Wainiha.

11. He Paio ka makani o Wainiha.

Paio is the wind of Wainiha.

12. He Malualani ka makani o Wainiha.

Malualani is the wind of Wainiha.

13. He Nihipali ka makani o Wainiha.

Nihipali is the wind of Wainiha.

14. He Paweo ka makani o Wainiha.

Paweo is the wind of Wainiha.

15. He Luluupali ka makani o Wainiha.

Luluupali is the wind of Wainiha.

16. He Lehualāʻau ka makani o Wainiha.
Lehualā`au is the wind of Wainiha.

17. He Hanakaipo ka makani o Wainiha.

Hakakaipo is the wind of Wainiha.

18. He Pea ka makani o Wainiha.

Pea is the wind of Wainiha.

19. He Maunahina ka makani o Wainiha.

Maunahina is the wind of Wainiha.

20. He Puna ka makani o Wainiha.

Puna is the wind of Wainiha.

21. He Kalalea ka makani o Wainiha.

Kalalaea is the wind of Wainiha.

22. He Hukia ka makani o Wainiha.

Hukia is the wind of Wainiha.

23. He Malama ka makani o Wainiha.

Malama is the wind of Wainiha.

24. He Pueo ka makani o Wainiha.

Pueo is the wind of Wainiha.

25. He Alihiwai ka makani o Wainiha.

Alihawai is the wind of Wainiha.

26. Lele ka makani o Wainiha

Lele the wind of Wainiha.

27. He Kapaia ka makani o Wainiha

Kapaia is the wind of Wainiha.
28. He Aoaoa ka makani o Wainiha.
Aoaoa is the wind of Wainiha.

29. He Hihimanu ka makani o Wainiha.
Hihimanu is the wind of Wainiha.

30. He Limunui ka makani o Wainiha.
Limunui is the wind of Wainiha.

31. He U-a ka makani o Wainiha.
U-a is the wind of Wainiha.

32. He Lupua ka makani o Wainiha.
Lupua is the wind of Wainiha.

33. He Koolau ka makani o Wainiha.
Koolau is the wind of Wainiha.

34. He Puhikai ka makani o Wainiha.
Puhikai is the wind of Wainiha.

35. He Aoao Kona ka makani o Wainiha.
Aoao Kona is the wind of Wainiha.

36. Mohala ʻia me ke one a Kaumualiʻi
Blossoming on the sands of Kaumualiʻi.

37. Paʻa ke aʻa ma Wainiha
Established and rooted in Wainiha

38. Kupu aʻe muʻo ma Hāʻena
Growing and budding in Hāʻena.

Come the misty lehua rain of Waiʻaleʻale.

40. Mai ka ua Loku o Hanalei
Come the pouring rain of Hanalei.

41. Eia ka moʻokūʻauhau ‘o Kanei.
Here is the genealogy of Kanei.

42. ‘O Kawaiʻolumahaʻi Pākui ka wahine, noho pū läua iā Kanei Nui.
Kawaiʻolumahaʻi Pākui is the woman, who lived with Kanei nui

43. Hānau ia ‘o Enoka Samuel Kanei Jr. he kāne, ma Wainiha, Kauaʻi.
Born was Enoka Samuel Kanei Jr. a male, in Wainiha, Kauaʻi.

44. ‘O Enoka Samuel Kanei Jr. ke kāne, noho pū läua iā Luka Hodge.
Enoka Samuel Kanei Jr. the man, lived with Luka Hodge.

45. Huli ma ka ‘ao‘ao o ka wahine ‘o Luka Hodge.
Turn to the side of the female Luka Hodge.

46. ‘O Eli Hodge ke kāne, ‘o Kalenaiki ka wahine.
Eli Hodge the man, Kalenaiki the woman.

47. Noho pū läua o Eli Hodge a me ‘o Kalenaiki.
Eli Hodge lived with Kalenaiki.

48. Hanau ia ‘o Luka Hodge he wahine ma Wainiha.
Born was Luka Hodge the woman of Wainiha.

49. ‘O Luka Hodge he keiki na Eli Hodge me Kalenaiki.
Luka Hodge the child of Eli Hodge and Kalenaiki

50. Noho pū läua ‘o Luka Hodge a me ‘o Enoka Samuel Kanei Jr.
Luka Hodge lived with Enoka Samuel Kanei Jr.
51. Hānau ‘o Helena Kanei, he wahine, ma Wainiha, Kaua‘i.

Born was Helena Kanei, a woman, of Wainiha, Kaua‘i.

52. ‘O Robert Jewel ke kāne, he koa o Amelika wale nō.

Robert Jewel a man, an American Soldier.

53. Noho pū lāua ‘o Helena Kanei a me ‘o Robert Jewel.

Helena Kanei lived with Robert Jewel.

54. Hānau ia ‘o Katherine Ki‘inekili‘ili‘i Kanei, he wahine.

Born was Katherine Ki‘inekili‘ili‘i Kanei, a woman.

55. ‘O John Peoples ke kāne, mai ka ‘āina o Wilikinia Komohana mai.

John Peoples a man from the land of West Virginia.

56. Noho pū lāua ‘o Ki‘inekili‘ili Kanei a me ‘o John Peoples.

Ki‘inekili‘ili Kanei lived with John Peoples.

57. Hānau ia ‘o Mattie Luka Kanei Peoples, he wahine, ma Honolulu, O‘ahu.

Born is Mattie Luka Kanei Peoples, a woman of Honolulu, O‘ahu.

58. ‘O Gilbert Galera, he kāne Pilipino, ma Honolulu, O‘ahu.

Gilbert Galera a Filipino man of Honolulu, Oahu.

59. Noho pū lāua ‘o Mattie Luka Kanei Peoples a me ‘o Gilbert Galera.

Mattie Luka Kanei Peoples lived with Gilbert Galera.

60. Hānau ia ‘o Sheleigh Christina Ka‘āhiki Galera, he wahine ma Honolulu, O‘ahu.

Born is Sheleigh Christina Ka‘āhiki Galera, a woman of Honolulu, O‘ahu.

61. E ola ka hā o ka ‘ohana Kanei.

Long live the Kanei Family
What Is Next?

My ‘ohana’s genealogy is the kahua (foundation) of this paper. It was the inspiration for me to write about my family. Before I began looking at my family genealogy, my Uncle Kanei, began the research and had a suitcase of material he gathered and placed in my lap. It was a passing on of the knowledge from his generation to mine. It became my kuleana to holomua (move forward) with our family genealogy. There were pukas (holes) in places that needed resolution and some of them I filled. Other parts of this research have been left for the next family member to resolve. There is the possibility that when I am truly a Kupuna I will spend hours in the Hawai‘i State Archives, Bureau of Conveyances and all of the state repositories that I have become so familiar with and love, just learning more about my ‘ohana and their genealogies. Until that time or a time that another family member, perhaps the next generation wants to know more than I have already researched then this genealogical research will rest for a brief period.

Now that I have established the Ali‘i connections to Wainiha, as well as, the connection of my ‘ohana (family), I will begin to discuss the deeds of a few of my kupuna who were founders of Wainiha Hui Kū‘ai ‘Āina. (Wainiha Land Acquisition Group) The next section begins with the Kumukānāwai of the Wainiha Hui Kū‘ai ‘Āina, this is the transcribed version in Hawaiian language. I chose to have the next section appear exactly as it is written with spelling errors included, on its own because I feel strongly about this work to remain and be read as it was written. It appears in the original form here, however, I offer a translated version after the transcription for my ‘ohana that do not ‘ōlelo Hawai‘i.
The next three pages are photographs of the Kumukānāwai (Constitution) of the Minutes of the Hui Kūʻai ʻĀina o Wainiha (Land Acquisition Group of Wainiha). These documents are also the transition from the genealogy of the Kanei ʻohana (family) and the ʻāina (land) of Wainiha, to the Kumukānāwai (Constitution) of the Hui Kūʻai ʻĀina o Wainiha. This begins the journey of a group of kupa ʻāina (native people) and their path towards ʻāina autonomy between the years of 1877-1900.

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71 Z. Seta. “Hui Kū’ai ʻĀina o Wainiha 1877-1900” The minutes of the land acquisition group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin 1877. MS. U-29. Hawai’i State Archives.
Fig. 2. Kumukānāwai (Constitution) of Hui Kū‘ai ʻĀina o Wainiha Page 1
Fig. 3 Kumukānāwai (Constitution) of the Hui Kūʻai ‘Āina o Wainiha Page 2
Nā Kumukānāwai o ka Hui Kuai aina o Wainiha, A. D. 1877.

Pauku 1. Ua Hui kekahai poe Kanaka Hawaiʻi Ponoʻi e Kuai e kekahai aina i Kapaia o Wainiha no na dala elima tausani elima haneri ($5,500) ua hoomaka ia keia Kuai ana i Ianuary A. D. 1,869.

Pauku 2. E Kapaia Ka inoa o keia Hui o ka Hui Kuai aina o Wainiha [Wainiha].

Pauku 3. Ua koho keia Hui hookahi Luna nui hookahi Puuku a hookahi kakauolelo, a me lakou e malama i na hana o ka Hui.

Pauku 4. Ma ka Hooholo ana o keia Hui ua Kohoia o D. Nuhiwa Oia ka louna nui o Ka aina ao Z. Seto ka Puuku, a oia no hoi ke Kakauolelo.

Pauku 5. E hookaaawaleia i elima (5) eka, no Kela Kuleana, Keia Kuleana pakahi o na dala a pau o keia Hui.

Pauku 6. O na hana a ka Luna nui o ka malama pono ana a me ka Hoomalu pono ana i Ka aina, a me na waiwai a pau e pili ana i Ka Hui

Pauku 7. O ka hana hoi a ka Puuku oia Ka malama pono ana i Ke dala o Ka Hui, a e hoike mai no hoi oia imua a ka Hui ma kela halawai ana keia halawai ana i ka nui o na dala loa mai ma Kona lima.

Pauku 8. O na hana hoi a ke Kakauolelo o ka malama ana i ka Buke
o ka Hui, a me ka Pepa o ka Hui, a me ke Kakau ana i ka moolelo o na hana a pau mea kela halawai keia halawai a e hoopaa ia i Ka Buke o ka Hui.

Pauku 9. Elua halawa ana o Keia Hui i ka makaiki hookahi, ma ka poaono hope o January, a me Ka poaono hope o July, aka, i hiki no ke hoololi ia Keia mau halawai, ana, ina pela ka manao o ka hapa nui e Ka Hui ma Kekahi halawai i akoakoa mai-

Pauku 10 E akoakoa mai na Dala a a pau o keia Hui, Koenae Ka poe Pilikia maoli i hoike ia mai imua o Ka Hui, a a ponoia hoi e Ka Hui

Pauku 11 O na wahi a pau e halawai ai keia Hui, aia no ia ma na wahi a pau a Ka Luna nui e kihikuhi ai, e hoolaha ia nae i hookahi malama ma mua ae o Ka manawa e halawai [halawai] ai ka Hui

Pauku 12 Ina makemake kekahi Ona hoopauia a mau Ona paha e kuai i ko lakou, Kuleana aina iloko o ka aina o Wainiha, aole ai ia e Ku ai aku me na Kanaka o na aina e aka, e hiki no ia lakou ke Kuai me na Ona o Ka Hui.

Pauku 13 Ina makemake Kekahi O na a mau Ona paka e hoonoho i Hope nona iho maluna o Kona Kuleana pono, o i ai oia e hele ana ma Kahi e, aole e ai aku mamua o elua (2) Hope a e hoike is aku ia mau Ho-
pe (hope) imua o Ka Luna nui o Ka Hui.

Pauku 14. Ina e loaa Kekeahi Hihia ma waena o Kekahi Oma a mau Ona pahu. mawaina o ikou a me na Luna Hui o Ka Aina, alaila, a e waiho ia ia Hihia imua o Ka Hui, mamua o Ka Waiho ana aku imua o na Aha hookolokolo o Ke Aupuni

Pauku 15 Aole e oi aku na holoholona o kela Ona Keia Ona, e hookua maluna o Ka Aina o Wainiha mamua o Ka Umi la.

Pauku 16 E lilo Keia i Kanawai Paa, maluna (maluna) o na Dala a pau o keia Hui aua aponoa e Keia Hui i Keia la 10. o September A. D. 1877. me ko makou Kakau iho i ko makou mau inoa malaloio hei

Hanalei December 28, 1877

Ma Ka la 15 December 1877, ua kudala aku o Wm. C. Bertleman i Ke Kuleana aina Ka Luna Hooponopono waiwai o D. Kaukaha i ke Kuleana aina ma ka Hui aina o Wainiha, au a lilo i Ka Hui ua Kuleana la ma Ka inoa o Z. Seta no na dala he Kanaono Kumauaono ($66.00) Recieved Pement C. Bertleman Administrator of the Estate of D Kauko

Deceased
Hui Kūʻai Āina o Wainiha

List of Names of Original Member

2. Z. Seta 23. Puonioni 53. Kipapa
11. Lauʻi 32. Lono o Līhuʻe 62. Palaʻole
13. Auhea 34. Lonoa [Nonoaea] 64. Kalima
17. Lono o Hāʻena 38. Kalaeloa 68. Kealaikalikhi

The above is a portion of 49 pages of transcription of the minutes of the Hui Kūʻai Āina o Wainiha that can be found in the Hawaiʻi State Archives. I completed this transcription in preparation for the writing of this thesis. However, due to the time factor and the age of the document it was far too difficult to read and transcribe large parts of this material due to the copy and condition of the original document. I wanted to complete the transcription for the entire approximately three hundred pages of this material.

Z. Setah. “Hui Kūʻai Āina o Wainiha 1877-1900” The minutes of the land acquisition group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawaiʻi State Archives.
document; however, it was very hard to read legibly and to transcribe. I will include portions that were translated by Devin C. Forest, a Hawaiian Language Master Student at University of Hawai‘i Hilo, and I will include the translated portions in my analysis.

The following is a translation of the bylaws by Devin C. Forest from its original document in ʻōlelo mākuahine taken from Adam Rooversi’s paper on the Wainiha Hui that was supposed to be published in 2012. The English translation and the transcription I completed in Hawaiian language differ because as a method when transcribing materials the transcriber should always follow the layout of the document. I kept to the exact layout of the document in the transcription.

(Constitution of the Land Acquisition Association of Wainiha) 1877 A.D.

Translation

Section 1. A group of Hawaiian subjects have come together to purchase the land known as Wainiha for the amount of $5,500. The sale of which began in January 1869 A.D.

Section 2. The name of this group will be The Land Acquisition Association of Wainiha.

Section 3. This association has chosen an overseer, treasure and a secretary who will oversee the workings of this association.

Section 4. By consensus of this association D. Nu‘uhiwa has been chosen as overseer of the land, and Z. Seta as Treasurer as well as secretary.

Section 5. Five acres of land will be appropriated for each kuleana and given to every member of this association.

Section 6. The duties of the overseer are to care for, and keep the peace of the land as well as the assets that are a part of the association.

Section 7. The duties of the treasurer are to maintain the monies of the association and to present the amount of money he/she has at every meeting.

Section 8. The duties of the secretary are to maintain the records of the association, as
well as its documents and also to write down the minutes of all the things that are done at every meeting and record them in the association records.

Section 9. This association will meet twice every year on the last Saturday of January and the last Saturday of July. However, these meetings can be changed if that is the will of the majority of the association in attendance at a meeting.

Section 10. All members of the association will attend every meeting, except for those who have good reason (real problem) that is presented to the association and approved by the association.

Section 11. As for the place in which this association will meet, that will be where the overseer decides, notification however, must be given one month prior to the meeting of the association.

Section 12. If one or more owners desire to sell their parcels (Kuleana) within Wainiha, no sale will be allowed to people from other areas. But, they may sell to the owners of the association.

Section 13. If one or more owners want to appoint a proxy for their kuleana(s) while they are going to be in another place. No more than two proxies will be allowed and they must present themselves to the overseer of the association.

Section 14. If a problem arises between one or more owners or between the overseer of the lands, this conflict will be presented to the association before going to the district courts.

Section 15. No more than ten animals per owner will be allowed to be set loose in Wainiha.

Section 16. These will become the regulations for all members of this association that was approved by this association on this day September 10, 1877. Along with our signatures below.

On the 15th of December 1877, C. Bertlemann, The executor of D. Kaukaha's estate auctioned off the parcel of lands in Wainiha, the ownership was taken by the association under the name of Z. Seta for Sixty-six dollars

Summary of Chapter 3

Land stories are people stories. The land tells the history of the people; it is illustrated in the place names of the land. For example my great, great, great, great grandmother’s name is Kawaiʻolumahaʻi Pakui Kanei. The waters of Lumahaʻi.
Lumahaʻi is a place name in the ahupuaʻa of Haleleʻa. Chapter 3 shares the connection between genealogy and land over and over, in the moʻokūʻauhau (pedigree), in the native testimony of the land and in the Constitution and Minutes of the Wainiha hui.

Chapter 4 will begin with the deconstruction and analysis of the primary source Hawaiian language document. I will use various methodology to determine the important communication shared with me through the minutes of the journal written by my ancestors. I will view the bylaws of the Wainiha Hui and analyze them for clarity and understanding of how my ancestors were able to maintain ʻāina autonomy from 1877-1900, followed by an analysis of portions of the Minutes of the Hui Kūʻai ʻĀina o Wainiha. In the process of analyzing the Minutes of the hui, I read every page of the 236 pages looking for references to the best practice methods of kānaka and ʻāina persistence.
CHAPTER 4

Nā Kumukānāwai a ke Aupuni Hawai‘i (The laws of the Hawaiian Kingdom)

The Kumukānāwai (Constitution) of the Wainiha Hui Kū‘ai ‘Āina is the primary source Hawaiian language document that I use to analyze the best practice methods of land management. The use of the land, including the wai (fresh water), kai (salt water), and also how they engaged in the political, social and economic arena will be the basis of my analysis. Portions of translation of this document came from Devin C. Forrest. The other pages of translation were translated by myself and with help from my hoapapa in ‘ōlelo mākuahine and under the supervision of my thesis chair, Dr. Kamana Beamer. It is important to understand that the Hui Kū‘ai ‘Āina o Wainiha (Land Acquisition Group of Wainiha) creation of a Kumukānāwai was extremely significant and should not be overlooked. By 1877 the ali‘i of the Kingdom of Hawai‘i had created several Kumukānāwai (Constitution or source of law) in order to both codify earlier forms of law, as well as, to bring the country on equal footing as other constitutional governments. I will highlight briefly some of the most significant kumukānāwai that I feel influenced my kūpuna to construct their own source of law.

I choose to begin the analysis of the Kumukānāwai of the Wainiha Hui Kū‘ai ‘Āina with the genealogy of some laws of the Hawaiian Kingdom that I feel certainly influenced my kūpuna in their decisions when creating their own Constitution. I will begin with the Māmalahoa a kānāwai a Kamehameha I.
Māmalahoa-kānāwai a Kamehameha

The Hawaiian language newspaper, Ka Nūpepa Kūʻokoʻa published this on March 9, 1867. Kamehameha I by decree stated, “let old men, old women and children sleep in safety on the highway.”

This law originated when Kamehameha I barely escaped death by being beaten by fisherman at Paʻipāʻi in Keaʻau, Puna. This law offered protection against lawless slaughter of innocent bystanders especially to those that were living during the time of war and also heeded warning to any person that may chose to pray upon people that are living their lives day to day without a thought of war or robbery. Those of the makaʻāinana that kept society fed by working upon the land and providing sustenance for the rest of the Lāhui (nation). Kamehameha I must have felt it was very important to create a law to protect those innocent bystanders that continued to live and to work upon the land.

Kumukānāwai i kau ma 1839-Kauikeaouli Kamehameha III

(Source of Law of 1839-Kauikeaouli Kamehameha III)

Dr. Kamanamaikalani Beamer in his dissertation, Na Wai Ka Mana? ‘Ōiwi Agency and Imperialism in the Hawaiian Kingdom, sheds light on the reason that “Kauikeaouli was attempting to use laws as a means to restore the state of Pono (secured harmony) that had existed in the later years of his father’s reign.” He references the Māmalahoa of Kamehameha I and reiterates in the Hawaiian language that the chiefs

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should, “e hoi nui aku ko kakou mau kanaka a pau i kuaaina e mahi ai, a e imi i waiwai no lakou.” 74 (People return to the countryside to cultivate and labor for a wealth of their own.) The 1839 Declaration of Rights “established certain protections for the makaʻainana independent of their aliʻi and also recognized property rights.” 75 The two laws written by Kamehameha I and III are examples of the ingenuity of the aliʻi i ka wa mamua (the time before) to ultimately guide their people back to the land just as the Hui Kūʻai ʻĀina o Wainiha.

Kumukānāwai 1840 (Constitution of 1840)

The law was the “first written constitution of Hawaiʻi and implicitly created a constitutional monarchy. Prior to this, Kamehameha III was the absolute sovereign of Hawaiʻi.” 76 The three laws above I have chosen to review are the main Kānāwai (laws) I feel influenced my kūpuna to create their own Kumukānāwai forty years later. Law professor, Stephanie Chen, allowed me to access the then-unpublished legal primer, E ʻOnipaʻa i ke Kulāwi A Legal Primer for Quiet Title and Partition Law in Hawaiʻi. Chen et al. offer clarity in their analysis of moments before the Constitution of 1840:

The origin of the present government, and system of polity, is as follows: Kamehameha I, was the founder of the kingdom, and to him belonged all the land from one end of the Islands to the other,


75 Chen et al. “E ʻOnipaʻa i ke Kulāwi A Legal Primer for Quiet Title and Partition Law in Hawaiʻi” University of Hawaiʻi. Mānoa, Hawaiʻi: 7.

though it was not his own private property. It belonged to the chiefs and people in common, of whom Kamehameha I was the head, and had the management of the landed property. Wherefore, there was not formerly, and is not now any person who could or can convey away the smallest portion of land without the consent of the one who had, or has the direction of the kingdom.\textsuperscript{77}

“Thus Kamehameha III emphasized the trust relationship that had existed between the aliʻi and the makaʻainana for the ʻāina, and its continuance in the new Hawaiian government. During this time foreigners were not given any rights to land.”\textsuperscript{78}

\textbf{Kuʻu ēwe, kuʻu piko, kuʻu iwi, kuʻu koko.} \textbf{My umbilical cord, my navel, my bones, my blood.}\textsuperscript{79} \textit{Said of a very close relative.}

The ʻano (manner) of the puke (book) that contains the Minutes of the Wainiha Hui Kūʻai ʻĀina, is one of poor condition, on the paper binding, of the outside jacket of this large journal. It appears that the person that purchased this writing journal did it with the idea of not losing it due to the size and weight. The outside is in poor, worn, condition, especially the spine which has lost its binding. The inside of this handwritten, Hawaiian language journal displays writing on the left side of the jacket that appears to have been written upon as an after fact.


\textsuperscript{78} Chen et al. “E ʻOnipa’a i ke Kulāiwī A Legal Primer for Quiet Title and Partition Law in Hawai‘i” University of Hawai‘i. Mānoa, Hawai‘i: 9.

Page 1 contains the Kumukānāwai of the Wainiha Hui Kū‘ai ʻĀina in eloquently written cursive script and dated A. D. 1877. Each paragraph begins with the word Paukū (paragraph) written beside each by law. There is no Hawaiian grammar used in the Hawaiian language text of this primary source document. At the time the Andrews Dictionary, first printed in 1865, 12 years before the writing of the Minutes of the Wainiha Hui was, “the most expensive book printed in Hawai‘i other than the Bible.”  The book sold for $5.00, and Andrews received $1.00 per copy. Therefore the dictionary was not available to simple people living in a very remote valley on Kaua‘i Island especially for the astronomical cost of $5.00. ʻŌiwi Maoli that spoke Hawaiian as their first language did not need to use grammar as we do today. They understood the nuances of the language far more clearly than many of us grasp English. In the Kumukānāwai of the Hui Kū‘ai ʻĀina o Wainiha the laws created by the hui members reflect the consistency of their thoughts processes, they were very concerned about creating laws to live a better life than they lived prior to the change of land tenure. Each bylaw is noted beginning with the Hawaiian word paukū or paragraph. In the following section I offer a makawalu of each bylaw and also analysis where I was able to formulate a comprehensive deconstruction of each bylaw of the Constitution.

Paukū ʻekahi (Paragraph one)

The first paukū in this document shows the date of January A.D. 1869 as the beginning date of the sale of the land. However, the year dated for the Kumukānāwai is A.D. 1877. That is eight years between the two dates, 1869 being the purchase and 1877

as the writing of the Bylaws of the hui. The years between these dates could be a result of the hui’s inability to procure the amount of money needed to obtain the land, therefore they placed down a specific amount and worked out the credit terms on the other portion.

The handwriting in the beginning of this document shows the author to be an educated person because the script is beautifully written in a style similar to calligraphy. The first line of the first paukū states in ‘ōlelo Hawai‘i, “ʻUa Hui kekahi poe Kanaka Hawaii Ponoī”81 translated means, Hui a group of people gathered together for business. Pono‘i being the key term that I will makawalu to see exactly what is meant by the choice of this word. Pono‘i is defined in the Andrews dictionary as, “that which belongs peculiarly to ones self, either of person or things, and may be rendered by the terms, own, self only, for your-self exclusively, exactly, truly, exclusively, a company of people for himself, at his disposal, it is my own in distinction from the claim of anyone else.”82

My thoughts are that in the use of the phrase “Kanaka Hawaii Ponoī,” the hui wanted to communicate the land was for them only. I would like to suggest the short span of time between the Māhele of 1848 and the writing of this Constitution in 1877 as 29 years. Prior to the Māhele all the land belonged to the Mō‘ī. The term pono‘i, in my opinion, shows a conscious effort to exert their ownership over all of the land of Wainiha.

In order to make a cohesive argument I will show the ‘ōlelo Hawai‘i or primary source version and compare it to the amended version, also written the same way. The time span between the two documents is a period of 6 years. I will then explain in English

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82 Ibid: 490.
the relationship between the two versions and illustrate how my kūpuna were actively using agency to obtain the land and all of the rights contained within the land.

Pauku 1. Ua Hui kekahi poe Kanaka Hawai'i Ponoi e Kuai e kekahi aina i Kapaia o Wainiha no na dala elima tausani elima haneri ($5,500) ua hoomaka ia keia Kuai ana i January A. D. 1,869

(Amended Version)

Pauku. 11 Ina makemake kekeahi Ona a mau Ona paha e kuai i ko lakou kuleana aina iloko o ka Aina o Wainiha aole e at ia e kuai aku me na kanaka o na Aina e Aka, e hiki no ia lakou Ko kuai me na Ona o ka Hui Ai oleia me na kanaka Hawaii e ae o keia Aupuni.

(Pauku. 11) Section 12, is as follows, “If one or more owners desire to sell their parcels (Kuleana) within Wainiha, no sale will be allowed to foreigners. But, they may sell to the owners of the association.”

However, on page 79 of this document notes the amended bylaws of the hui were re-written to state specifically the selling of the Wainiha

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83 Z. Seta. “Hui Kū‘ai ‘Āina o Wainiha 1877-1900” The minutes of the land acquisition group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawai‘i State Archives. 1.

84 Ibid. 424.

Hui Land would not be open to foreigners, only to owners of the hui or Hawaiian Kingdom Subjects.

Amendment (1883) Section 11: If an owner (s) desire to sell their parcel (kuleana) within Wainiha, no sale will be allowed with foreigners. They may however sell their land to other owners of the association or to a subject of the Hawaiian kingdom.\(^\text{86}\)

I offer that the change in the Kumukūnāwai of the Wainiha Hui suggests that ka po'e aloha ʻāina o Wainiha wanted to maintain and manage their ahupua'a in a traditional manner by purposely keeping foreigners from gaining access to their land. I also feel that this is an example of appropriation of private property by changing the original use of the term “Kanaka Hawaiʻi Pono‘i” in their constitution, and substituting it with the signatures of each hui member. This is a deliberate use of agency to communicate a conscious choice of unity. Six years after the creation of their Kumukūnāwai, hui members were politically conscious of the laws they created. Instead of including all the good people of Hawaiʻi, which might have included foreigners, they chose to exclude the term in lieu of their individual signatures. The translated version of the minutes share the response of the hui members and the remarks that were documented by the Secretary as follows:

Lahaina one of the members present made a motion that the secretary read all the sections of the constitution, supported by D. Nuʻuhiwa. The secretary reads, in that reading of the first section it was moved by Kauka to strike out the words “Hawaiʻi Pono‘i” and place the seventy-one or more names there. The overseer explained [examined] the term “Hawaiʻi Pono!” as Hawaiians and foreigners who have been naturalized. J. W. Mahuiki motioned to terminate, his decision was deferred to the overseer, the section was maintained. Kikiko, Kauka, Mahuiki, Lahaina [?] supported this.

Section 2 was read and approved. Section 3 was read and approved, section 4 is stricken in order to raise up section 5. The overseer moved that it be renamed section 4.

\(^{86}\) Ibid. 79.
The Hui members made a deliberate move in striking the term Kanaka Hawai‘i Pono‘i from the Kumukānāwai. It provides evidence that the Wainiha Hui members were politically astute and engaged in the arena of politics that occurred in 1877 until 1883 when the hui bylaws were amended.

Paukū ‘elua (Paragraph two)

In the second paukū, the naming of the hui was also a specific choice to make in the process of forming a good working group of like-minded citizens. Kānaka Hawai‘i are very specific about naming. It is important to name a child or to give a name of a relative to a child. “Ola ka inoa—the name lives, said when the name of a beloved, deceased relative is given to a child.” Therefore, the hui had to create a specific name for their group. In my ‘ohana the names of our family that have passed on are given again and again. “Kōlea aku i ka ‘ohana. Names are family possessions. In seeking one’s unknown kin, repeat the family names until they are found.” In the Kanei ‘ohana the names of the family have been passed down from child to child from Kanei Nui to his wife Kawaiolumaha‘i. These family names are found in my direct ‘ohana and they are also place names that can be found in the moku of Halele‘a on the moku of Kaua‘i.

I am sure the naming of the Hui of Wainiha was well thought out and specific because they made a law of it. In their Kumukānāwai, it was the second most important mana‘o (thought) of their by laws. The naming of the Wainiha hui viewed as nā ‘ōiwi


88 Ibid. : 1826.
name our children is a similar process, therefore, creating the kama or child the Hui can also be viewed as precious as a child.

Paukū ʻekolu (Paragraph three)

I’ve chosen to makawalu (to see with eight eyes) the terms of the governmental offices, so that I may offer an analysis from a kanaka ʻōiwi perspective. The running of the government of the hui was the third most important manaʻo of the group. They knew they had to elect officials to support the daily governance of the hui. They chose to elect one Luna Nui-overseer, one puʻukū treasurer, and one kākou ʻōlelo-secretary.

Luna- meaning the “upper side of anything; highest place; a person who is over others in office or command, hence an overseer; a headman of the land who gives orders; an executive office of any kind; Luna as opposed to Lalo takes its base from a mans head; all above the height of a mans head is said to be Luna.” The word Nui, “to be great; to increase in size; to swell; to be more; to enlarge; to raise; as the voice, to add, to magnify; multitude; magnitude; greatness; fullness.” My of the term Luna Nui would infer the kuleana (responsibility) of this office was to lead and to grow a larger commitment of wellness for the whole community.

Puʻukū; the meaning of this term according to Andrews Dictionary is “one entrusted with the care of goods.” The first part of the word puʻu has several very descriptive terms that when put together develop a sense of meaning of the kuleana of

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90 Ibid: 430.

this office. Pu‘u; to collect together, particularly in heaps, to heap or pile up stones (with ho‘o in front), a quantity, part; property, destiny, appointment: fortune, a sign of a plural number, to gather or dip water in the hands. This last definition is interesting because the term treasurer is relative to water which is wai, and can also be synonymous with waiwai which means wealth—equating water to wealth is appropriate when the kumuwai (source of water) for the valley of Wainiha comes from high atop Wai‘ale‘ale--known to be one of the wettest places on Earth-overly abundant with wai.\(^92\)

The second portion of the word pu‘ukū, being the word kū. Kū has “two distinct meanings; to stand; to rise up; to strike in a horizontal direction; to be suitable; to be proper; to be fit; the last and most interesting meaning to me is; a portion of land which does not pass with all the land from one to another, but is fixed.”\(^93\) I think its very interesting and enlightening this process of makawalu (to see with eight eyes), and that the term kū could be related to land, which is what this thesis and the office of the pu‘ukū is all about. Taking care of the land and growing the wealth of the hui of Wainiha, so that the waiwai is shared over increasing wealth economically and also of the land base which is the ahupua’a of the awāwa (valley) o Wainiha.

Kākau ‘ōlelo-In the makawalu (to see with eight eyes) process of this term, I will makawalu kākau and also ‘ōlelo. Kākau means, “to write; to put down as words to paper. To dot; to give publicity to a thing; to promulgate, as a law; I kau aku ‘oukou i kānāwai maikaʻi, that you may establish good laws.”\(^94\) It is also not a coincidence in the process of

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\(^92\) Ibid: 409.
\(^93\) Ibid: 294
makawalu that the exact phrase, “that you may establish good laws” would appear in the
definition of kākau. That is the reason why I use the process of makawalu because a
person can gain so much more understanding of terms, phrases, and language in our
native tongue when we closely examine with eight eyes; words, events, and anything
pertinent to hoʻomau (continue).

ʻŌlelo- “to speak; to say, leo, voice, lo, tongue; to teach; to call ; to invite; to give
a name; a word; a speech; a language; counsel, plan; promise; to speak a word; to answer
a word.”95 It would appear that the kuleana of this office is many faceted because it deals
with language and the many forms of communication relative to the success of the hui. I
would say that the kākau ʻōlelo is the communication officer of the group. If this office
did not exist in the Wainiha Hui Kūʻai ʻĀina, I wouldn’t have a primary source document
with which to deconstruct and create analysis. This office, according to the hui minutes is
the official communication link between the government of the land group and the
members. This person was probably the one to oversee placing ads in the nūpepa relaying
information to all kānaka of the hui, one month before their twice a year meetings. I
found several advertisements in the Nūpepa of the Wainiha Hui twice-yearly meetings.
The last phrase states that “e mālama i nā hana o Ka Hui” to care for the workings of the
group. In this phrase I would like to deconstruct the term mālama for clarity. Mālama-“to
keep; to preserve; to serve as a servant; to take care of; as one who cares for another; to
watch over; to be awake to danger; to put and keep things in order.”96 The words to be
awake to danger and to serve as a servant, brings to mind the reciprocal relationship


between the maka‘ainānā and the ali‘i. The responsibilities of each party were in turn to see that the other thrives in good fortune, health, wealth and well-being.

Paukū ‘ehā (Paragraph four)

The fourth bylaw places D. Nu‘uhiwa as Luna Nui and Z. Seta as treasurer and secretary. The responsibility of these three office held by only two officers seems a very daunting task. A heavy kuleana for two people in the beginning of the formation of this hui. However D. Nu‘uhiwa and Z. Seta must have been very well trusted kānaka to be chosen overall by the seventy plus people that formed the hui and voted them into office. This shows that they were political acumen and my Kūpuna were able to maneuver within an economic realm, by assigning the daily work to two people that obviously had the good health and wealth of the community foremost in their minds. Z. Seta is the kākau ‘ōlelo, his writing and organization of thought shows that he is a person that can take on multiple tasks. The fact that he accepted the double assignments also shows that he is an honorable person that is not afraid to work hard even with the stress and responsibility that the entire hui placed upon his shoulders in voting him into two positions, he could have refused but he accepted the task.

Paukū ‘elima (Paragraph five)

In this paukū the division of the land is plain and clearly stated for all to agree. The use of the Hawaiian word ho‘oka‘awale, “to separate as two things that adhere; Hoo. To separate one thing from another; to divide between; to create a vacancy. “97 The upper

portion of the ahupua’a is 7000 acres of land reachable only by mule and no one lives there because it is too difficult to travel. This portion of the valley begins high atop Waiʻaleʻale where the headwaters of the Wainiha River begin. The ahupuaʻa of Wainiha is approximately 15,000 acres. The assignment of land shares shows nearly 1/4 of the land of Wainiha is being divided out between the 71 members.

The land division seems very fair and appropriate because in the Māhele of 1848, the land that the kupa ʻāina were allowed receive from their Konohiki were limited to the house dwelling, yard, and whatever working loʻi kalo they were actively working at the time. This land division is offering 5 acres per person. It seems feasible that 5 acres could easily sustain a family of 8 people or more.

Sydney Iaukea in her book, The Queen and I explains, how land division can interfere with relationships and that “ones lived experiences in a place and the lived experience of the self in the landscape are still present, because land is experienced as an extension of the self/body, thereby provoking emotional attachments to landscape.” Therefore dividing up land is always a difficult task because people have a specific perception of what is the best type of land to be given. The act of giving out the land is difficult because how does one person or a group of people decide who gets what land? If they are already living on the land then it is a matter of measuring out 5 acres around the persons parcel. However, the boundaries may change and the access to water wai or kai may change due to the division. According to the land surveys of the owners that begin on page 7 and end on page 23 of the Minutes of the Hui Kūʻai ʻĀina o Wainiha, the surveys include the palena (boundary), how many loʻi are currently in use, if there is

ʻāina mahiʻai, while most of the surveys include the house, house lot, and the boundaries on all four sides of the lot. A few of the surveys include kihāpai, loko, and kahawai that run nearby the house lot.

Paukū ʻeono (Paragraph six)

This paragraph of the bylaws states the kuleana of the Luna Nui in depth. Mālama pono, pono means; to be good; to be just; to be morally upright; goodness; uprightness; rectitude of conduct; that which is right or excellent; duty obligation; authority; lawful; acceptable; well; right; truly; properly. The next line of the bylaws states to hoʻomalu pono. The makawalu (eight eyes) of the word malu as in hoʻomalu is, “to shade; to overshadow; to cast a shade; to be comfortable, as in a shade when all is heat around, to be in a state of quietness and peace with others; to be favored; to have many enjoyments and privileges, to be fruitful; to be blessed; to rule over; to govern; as a chief to keep order the affairs of state; to make peace; treaty of peace; watchfulness; quietness; protection. The job description of this governance position is a person that is morally upright, good with a sense of duty, while at the same time, is willing to govern justfully and keep the affairs of the state peaceable. This looks to me like the position of the ruler or a president. D. Nuʻuhiwa was chosen because of the character of this person and was thought to be the best person that the 71 kupa ʻāina knew that was fitted for the job. D. Nuuhiwa was voted into this position with the majority consensus to take care of the people, land and wealth of the hui, he was the first Luna Nui.

Paukū ʻehiku (Paragraph seven)

The duties of the treasurer are explained in paukū 7; they show that the assets are cared for by the Luna Nui but the treasurer has control of the money during the meeting so that people may see what is happening with the money of the land hui. The treasurer is to show the money at each meeting and to take good care of all the money of the hui. It appears that the treasurer position and the Luna Nui position cross over many times. Therefore it must be difficult to maintain which person has control of the assets. The monies are the kuleana of the pu‘ukū and the assets such as; holoholona and the iʻa ect...are the responsibility of he overseer. The treasurer keeps control of money and makes sure they are in attendance at every meeting with the money in hand.

Paukū ʻewalu (Paragraph eight)

This section outlines the duties of the secretary. The secretaries work is to take care of the hui book and the papers associated with the hui. The kākau ʻōlelo should also write the story of the hui and all of the work of the meetings of the hui and to prepare the hui book. In the building of the Wainiha Hui this job and the one of the puʻukū are given to the same person. I am not sure this was a wise choice of my kūpuna in the formation of the hui. It seems the two jobs should have been kept separate. I do not understand why one person was given both tasks. I am sure the hui felt comfortable with this action because I do not see any resistance from the group in the minutes in dealing with Z. Seta having both jobs. It appears that the people of Wainiha were familiar with sociopolitical agency, this process of forming a type of government is one of the first steps in moving towards a capitalist society. However, thirty years later,, around the era that Sydney Iaukea’s book is based, the loss of connection to the land is apparent when she states,
“Instead of prior bonds based on genealogy and kuleana, holding and protecting land and inheritance rights now depended on appeals to and success within these courts.”¹⁰⁰ I feel that the Hui should have avoided too much power in just two people, however, the hui later did face a similar situation with the courts in the dissolution of the land hui.

In the formation of the hui it is effective to state the position and job description of each of the offices that make up the governing group of the hui. Similar to that of running a country or state, the work must be very clear as to who does what and what they are allowed to do. The first eight sections of the bylaws set up the government, name the hui, divide the land and assign the jobs of each officer in the government. All of these together help to formulate an autonomous authority within a group of like minded people that are concerned for the well being of the land and those that live together on it.

Paukū ’eiwa (Paragraph nine)

The 9th bylaw reflects the need for the hui to address the issue of quorum, according to Roberts Rules of Law, a quorum is the minimum number of voting members who must be present at a properly called meeting in order to conduct business in the name of the group. A quorum should consist of "as large as can be depended upon for being present at all meetings when the weather is not exceptionally bad." In other words, at best, a quorum is just an educated guess.”¹⁰¹ The hui has inserted this idea of having a majority present at each meeting due to the fact that nothing can be voted or acted upon unless the majority is in attendance. If by chance an important issue has been voted upon


without quorum then the people responsible for the vote are also responsible (including financially) for any decisions they passed without having quorum. It is very important for a hui this size to have the majority of members attend all meetings. This manaʻo has been established in the setting up of the bylaws. Every member must be present by proxy or in person at every meeting. I believe the insistence of the hui to have each member attend had a lot to do with making decisions that would affect the group financially which could lead them to lawsuits. The hui as a whole were responsible for any cost of lawsuits or association with courts. Therefore in the bylaws they stated plainly to offer hoʻoponopono (make things correct) within the hui before taking any problems to outside courts. The hui’s adaptation as active agents shows that they were politically astute about their ʻāina because they wanted a collective decision making process, rather than the Luna Nui making decisions for all.

Paukū ʻumi (Paragraph ten)

This bylaw addresses the issue of kuleana in the hui. The word kuleana has definitions associated to land. They are as follows, “property, estate, portion, jurisdiction, authority, liability, interest, claim, ownership, tenure, affair, province; reason, cause, function, justification; small piece of property, as within an ahupuaʻa; blood relative through whom a relationship to less close relatives is traced, as to in-laws. Cf. ʻākuleana. Kuleana lako, supplies, equipment. Kuleana pule, necessary prayers, prayer responsibilities. Ke kuleana o ke kanaka, man's rights and privileges, human rights.
Kuleana wai, water rights. Ka hoʻolimalima kuleana kūʻai, rental with the right to buy.“\textsuperscript{102}

In reflecting upon the term kuleana as it applies to the rights of a land hui, it’s important to consider ownership, claim, rights and privileges. These terms i ka wa mamua were not considered when dealing with land tenure. Before the Māhele of 1848 nā ʻōiwi would not have considered these terms when dealing with land, because the land belonged to the Mōʻī. The simple fact that this land hui included the term and the expected rights of each tenant to comply with the terms showed that they had already begun to change their thinking about land laws. Although several ka poʻe aloha āina o Wainiha (people that loved the land of Wainiha) had kuleana (responsibility) to the land, I feel the term was placed there to bind the hui member that signed the survey to the laws of the Hui Kūʻai ʻĀina o Wainiha. At the end of most of the surveys a note of “Ko Ke Kulena O Kanaka”\textsuperscript{103} is handwritten after the survey and before the hui members signature.

Paukū ‘umikūmākahī (Paragraph eleven)

The fact that the hui meeting had placed in the bylaws an established convenant between the hui members and the laws by which they will abide by in their own Kumukānāwai or Constitution suggests the importance of each member to attend meetings because everytime a concept or idea was suggested within a meeting, the credibility of the group was only as important as their members engagement in the group.


\textsuperscript{103} Z. Seta. “Hui Kūʻai ʻĀina o Wainiha 1877-1900” The minutes of the land aquistion group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawaiʻi State Archives: 53.
Therefore, it was a great importance to place in their bylaws the when, where and by whom will establish the meeting place. For the hui to remain solvent they had to have meetings that included all of the members. Each member bought into the hui and the hui also had a debt of two-thousand dollars to pay.

Paukū ‘umikūmālua (Paragraph twelve)

This bylaw involves the sale of land. It was placed here so that no hui member may sell their land to outsiders. It was important for each member of the hui to stand united in not opening the sale of land to outsiders. The hui members may only sell their land to the members of the land hui.

I was proud to see my kupuna put a stop to land sales outside of the group. Stephanie Chen illustrates, “In 1835, however, Ladd & Company was allowed to enter into fifty-year leases for land, and in 1841 a secret contract was negotiated to allow this group of sugar planters to lease “all the unoccupied ‘Āina in Hawai‘i,” thereby opening the gates for land users who were non-participants in the trust relationship between ali‘i and maka‘āinana.”¹⁰⁴ My kūpuna were writing their Kumukānāwai 42 years after the occurrence illustrated above in Chens quote. My kūpuna didn’t want outsiders involved in the affairs of their ‘āina because I am sure past experiences left a sour taste in their na‘au when it came to outsiders being allowed onto the land. It is amazing the same mana‘o continues until today in Wainiha, Kaua‘i. It was very hard to re-establish pilina (connection) to my ‘ohana Kanei from Kaua‘i island. They are a very closed knit and tightly wound community on Kaua‘i island, however, as painful as it was for me to

¹⁰⁴ Chen et al. “E ‘Onipa’a i ke Kulāwi A Legal Primer for Quiet Title and Partition Law in Hawai‘i” University of Hawai‘i. Mānoa, Hawai‘i: 9.
accept that I was also an outsider, each time I tried to re-establish connections with them, I do not hold this manaʻo against them because it was placing trust in outsiders that brought the dissolution and the end of the hui.

Paukū ʻumikūmākolu (Paragraph thirteen)

Proxy were allowed in the bylaws, that is if the original member was going to be away for a period of time or moved away to a different place, a proxy or substitute owner was allowed. However this person was also supposed to appear before the Luna Nui of the association. No more than two proxy were allowed.

After reading every page of the Minutes of the Wainiha Hui, I was not able to track the proxies. It would be very interesting to trace their genealogies and connect the proxies to the original members and their land. However, it is a bit outside of the scope of my M.A. thesis but could be a dissertation topic as suggested by my mentor Lilikalā Kameʻeleiwi in our committee meeting.

Paukū ʻumikūmāhā (Paragraph fourteen)

Conflicts between members of the hui if they occurred were to be resolved between the association Luna nui and the group members. No members were to take court actions or take their problems to the district court. I think this paukū was inserted because taking problems to court involved money and the hui didnʻt have the resources to be involved in costly lawsuits or court actions. This bylaw shows that these incidents did occur and the members felt it was important enough to address the issue by having members conform and resolve issues within the hui. This is a way of nā ʻōiwi, a traditional practice of hoʻoponopono that each member would surely have been
comfortable with and practiced within their ‘ohana. Throughout the minutes of the Hui Kū’ai ‘Āina o Wainiha are examples of best practice methods and ho’oponopono was practiced and written into the bylaws due to the desire of the hui to keep their members from seeking court room justice. Here is one example from the minutes of the Wainiha Hui:

Pueo made a motion that the places he chose for a farm and were documented in the books of the Hui, that they would not be taken away. This is also the thought of your secretary. Mahuiki responded saying they were the committee for the land dispute between Pueueu and Pueo. They decided that Pueo would have 11 lo‘i and Pueueu would have 6. Pueo rose again and said that these lo‘i have gone to the haole Jemis Robinson. The overseer looked into the books of the Hui the decision of the seven judges was documented there on the fourth of March 1878. The Overseer/Judges responded it is their (Pueo & Pueueu's) duty to do what the secretary (Z. Seta) had written. After much debate, the haole Jemis Robinson had none of the lands he chose and the 11 lo‘i were returned to Pueo.105

In the translated minutes above the use of ho’oponopono is clearly evident, while at the same time, nā kūpuna are illustrating the active use of agency. The first action and use of agency, is that the two hui members (Pueo and Pueueu) who were disputing their loss of land to a third hui member, Jemis Robinson, sought the counsel of the hui in their attempt to resolve the land dispute. The second action; was the response of the hui counsel to quickly resolve the land issue by dividing the land out to what they deemed as reasonable and fair. The third action; was shown when Pueo appealed the counsel’s judgement by indicating the land had gone to Jemis Robinson. The fourth action; was the Hui Counsel referring to the bylaws and past minutes to gain understanding of the original division of land, which they were held and legally binded to. The fifth action;

was the counsel and hui members actively debated the case and with much input from all active members involved came to unanimous decision that was just and correct.

The members of the Hui Kūʻai ʻĀina o Wainiha were not just familiar with their active use of agency, they were well versed and so familiar with their own Kumukānāwai that they show time and again the use of hoʻoponopono to resolve their inner conflicts. The traditional use of hoʻoponopono made it easy for the members to allow this form of agency to the highest degree

Paukū ʻumikūmālima (Paragraph fifteen)

Only ten animals were allowed to be let loose (for grazing) in Wainiha, if more than 10 were found the owners would pay a penalty. As the hui grew and the years passed the amount of animals allowed changed from 10 to 40. However, the penalty for over the amount of animals in the ahupuaʻa remained the same and increased over the years too.

Paukū ʻumikūmāono (Paragraph sixteen)

All the hui members agreed to the bylaws and signed their names in agreement of the bylaws. As mentioned in previously, I feel the intention for having the hui members sign the bylaws individually was to hold them to the covenant and terms set forth by the hui. A binding act with a purposeful outcome that each member understood and agreed to abide by. The Kumukānāwai was created to establish order in the entire community and those outsiders that were involved with the hui had to accept the laws too.

Summary of the Kumukānāwai 1877

I used the method of makawalu to deconstruct the bylaws, it was a way for me to come to a better understanding of why specific words were written and to further the
process in gaining perception. I wanted to seek the deeper knowledge that I know can be found when papakū makawalu is used. It was a remarkable process that I returned to many times over when writing this thesis. Each portion of this paper was written and re-written as new material and ideas were revealed to me. Many times the words were right in front of me on the page and I just couldn’t make the connection, as in the example of my Kupunakānekānāhā, William Hodge. In looking at primary source documents in ‘ōlelo mākuahine the desire to learn more and know more—as in deeper kaona is manifested within the na‘au. I have a very strong desire to return to papa ‘ōlelo makuahine and focus on just learning the language.

The Hui Kū‘ai ‘Āina o Wainiha was made up of the kupa ‘āina of Wainiha they began writing the constitution of the land acquisition group in 1877. Thirty-eight years before this, the first written laws of the Hawaiian Kingdom government took place, Donovan Preza explains, “the 1839 Declaration of Rights represents the first moment where Hawaiian custom transitioned to a body of written law.”

I feel that the hui members used these laws, and others that followed, from the Hawaiian Kingdom Laws as guidelines in creating their own Kumukānāwai and they were comfortable creating order.

The lo‘i kalo of the valley of Hanalei were created with the same order that was needed to create the laws in the Constitution of the hui. I would like to use the lo‘i kalo of Wainiha as my example of a perfect analogy however, the lo‘i kalo of Wainiha no longer exist in perfect order as they did i ka wa kahiko. In fact very few if any lo‘i exist in

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Wainiha in 2013. Instead of lush green fertile ‘āina the landscape is a development of houses almost one on top of the other.

In 2007, I visited Wainiha and drove up the Power House road, I barely recognized the valley. The last time I visited Wainiha with my mother was in 1976. I clearly remember the house belonging to the Haumea ‘ohana my mom and grandfather pointed it out, it was a green painted plantation hale on stilts. The house was positioned right next to the Wainiha River and there was green, lush grass far up the stream as far as I could see were rolling hills. There was also loʻi kalo and gardens next to the house. In 2007, I drove all the way up the Power House Road until I couldn’t drive anymore, we had to turn around. I couldn’t see the Wainiha Stream at all.

There were so many houses packed into the land adjoining the stream it reminded me of New York City, or Cuzco, Peru, with houses packed into and on top of each other. Where was the lush, green, grass? The loʻi kalo? The kīhapai? It was all gone from vision. I know that the families continue to live in Wainiha and the ‘āina remains under all the development.

Similar to Waikīkī, the beauty of the place continues on, in glimpses of sunsets that over shadow the development of the ‘āina, the land still exists and the kūpuna buried beneath it are still there. This is the reality of the lives we now live as contemporary kanaka ʻōiwi, we must still allow our minds to envision our ‘āina that lives and breathes beneath the concrete and steel that now invades so much of our sacred places. Its the reason we continue to fight and resist development.
Summary of Chapter 4

The Kumukānāwai of the Hawaiian Kingdom was certainly a template for the Hui Kūʻai ʻĀina o Wainiha to use as a model for creation of their own Constitution Bylaws. I strongly feel that the hui members use of agency was due to the fact that they were well exposed to the use of law in their attempt to gain the ownership of the entire valley of Wainiha. It had benefitted them to be well familiar with the use of agency in the successful foray toward land ownership. They chose to include agency in their day to day living, akin to the Mamalahoa a kānāwai a Kamehameha I, where ka poʻe (the people) were safe to move about the land that they worked and lived on because of the kauoha (command) of the law given by the Mōʻī Kamehameha I. The entire process of analyzing the actions of my Kūpuna has been a dynamic practice in the use of makawalu (see with eight eyes).

I have gained much understanding of the process the Hui members used to develop their own autonomous living between the years of 1877-1900. It was one thing to gain clarity in comprehending the Kumukānāwai of the Wainiha Hui, and another, to connect the use of the laws when individual members were actively using them for the betterment of their own circumstances.

In Chapter 5, I will look at the Best Practice Methods that I feel were used by the hui to create an autonomous authority in Wainiha where they were able to manage to live, and thrive on their own, within the boundary of the laws they created. I will look deeply for what I feel were the best methods used by the Hui to achieve this goal.
CHAPTER 5

Analysis of Minutes Hui Kū‘ai ‘Āina o Wainiha

In this chapter I will look at the Minutes of the Hui meetings, according to the bylaws the Wainiha Hui held meetings twice a year on the last Saturday in January and July per Kumukānawai Section 9. The journal of the Minutes reveal the inner workings of the hui on a day to day basis. I translated the minutes of the Hui from page 38 and until page 422. I looked over each page of the minutes for the best practice methods to be used in the analysis of this primary source document in Hawaiian language.107

The journal is broken up in this way: pages 1-218 are consistent in numbering, (168-170 are blank pages) the time period covered in the first two hundred pages are from 1877 until October 30, 1900. After page 218 the journal jumps to page 407, I am not sure if these were lost pages or not. The dates on the pages from 408-432 vary in as shown:

- Page 407 October 1, 1891, October 1, 1891, October 5, 1891
- Page 411 October 16, 1891, November 22, 1891, December 4, 1891
- Page 412 September (1891 not written but assumed).
- Page 414 July 25, 1890
- Page 416 December 10, 1890
- Page 417 June 9, 1890
- Page 418 July 19, 1889, July 22, 1889, August 12, 1889, September 25, 1889, October 14, 1889.
- Page 421 October 22, 1889
- Page 422-426 January 31, 1883 (Amended Kumukānawai 5 pages)
- Page 432 September 1, 1883 (Last page of journal)

The amended Kumukānawai were relegated to the back pages of the journal. Leslie J. Watson author of the unpublished paper, Old Hawaiian Land Hui’s Their Development and Dissolution, refers to the secretary of the Wainiha Hui when he states, “the individual

107 Note- Pages 5-38, 422-426 translated from ‘ōlelo Hawai‘i to English by Devin C. Forrest.
who had been the secretary of the hui claimed to have lost all records so the Hawaiian logically ordered two enormous books about 16 inches by 24 inches and 4 inches in thickness and presented them to the newly elected secretary.”\textsuperscript{108} Watson also states that in 1902-1903 a reorganization of the hui was prompted by W.E. Rowell in the interest of promoting the Kauaʻi Electric Company’s hydroelectric project for McBryde Sugar Company.\textsuperscript{109}

Watson refers different journals and there is only one at the archives that I used to base my analysis upon. The second reason is; in 1902-1903 W.E. Rowell reorganized the hui, the book that I have been using is only dated from 1869-1900. I do not feel it is possible to have re-written and resigned each page of the surveys in the division of the lands. Also the handwriting changes as different secretaries are taking over the kākou ʻōlelo position. I think the secretary found the misplaced original journal of the hui and the second volumes, referred to by Watson, were either lost or disposed of over time. I found notices in the Hawaiian Language Newspapers well into the year of 1923 announcing the meetings of the Wainiha Hui Kūʻai ʻĀina. The journal that I have been using to tell this land story shows the last dated entry as August 10, 1900.

Chapter 5 will look analyze the minutes of the hui and formulate the best practice methods used by the hui to maintain land autonomy for 23 years.

\textsuperscript{108} Watson, Leslie J. “Old Hawaiian Land Hui’s Their Development and Dissolution” (A paper presented at a conference of Civil Engineers at the University of Hawai‘i, requested by Governor Wallace Rider Farrington), December 12, 1932: 30.

\textsuperscript{109} Ibid: 31.
The Best Practice Methods for Kānaka and ʻĀina Persistence

The following best practice methods were discovered by the analysis of the minutes of the Wainiha Hui kept in their journal log books. I made the determination that there are five best practice methods that I observed while reading, transcribing and translating portions of the Minutes of the Hui Kū‘ai ʻĀina o Wainiha 1877-1900. In my assessment of the daily standard of the people of Wainiha, I realized they kept order in the hui by relying on the Constitution, if the laws were broken the hui members were penalized, and each member knew this because they signed the bylaws agreeing to all the terms of the Kumukānāwai.

In the beginning of writing this paper it was very difficult for me to pick out the best practice methods by observing the Constitution alone, however, after using Papakū Makawalu I was able to see with clarity the best practice methods in the minutes. The Bylaws and the Minutes of the hui are two different entities; the Constitution establish the government of the group while the Minutes reflect the day to day work of the group. The best practice methods are as follows:

- Nā Palena (The Boundaries)
- Nā Kālai ʻāina/Nā ʻOkiʻoki ʻĀina (The Dividing of the Land)
- Nā Kapu (The Prohibited or Forbidden)
- Nā Kuleana (The Right, Privilege, Concern, Responsibility)
- Nā Hoʻoponopono (To put into order, to regulate)
The setting and marking of boundaries is very important to nā ‘ōiwi because naming each level or space of an area is a way to achieve balance. Boundaries offer a measure of protection to an area, through the use of boundaries certain actions are accepted or not, setting boundaries helps to define to others what is proper and respectful. Nā ‘Ōiwi spent a large quantity of time making sure that upon each mokupuni the palena were understood and that the konohiki and the kuaʻāina knew them. A best practice method of the Wainiha Hui Kūʻai ‘Āina was to set the boundaries of each members homestead, as in the example of the houselot surveys of my two kūpunakāne; Enoka S. Kanei Sr. and William Hodge.

Nā Palena

Page 17 Paukū ‘elua na palena o Enoka S. Kanei Sr.

Ma ka la 5. O March. M.H. 1878, Ua

Noi o Kanei ia [?] K.

Ma ka Akau o Lauki ma Kahe

Ma (kahema) o Kipapa, Ma ka hikina na

Kapaki ‘elua ma ke Komohana

Ka auwai he aina mahi keia o

Ka pahale o Kipapa.   Kanei

On the 5th day of March the year of 1878 Kanei

Requested the [?]

On the North of Lauki on the south

of Kipapa on the east is Kapiki 2 on the west
the irrigation canal, this is the farm land of
the houseyard of Kipapa. Kanei

Paukū ʻelima na palena o Wm Hodge.

Ma ka la 5 o March- M.H. 1878. Ua noi mai
o Wm Hodge ia Laukalo ma ka Akau
o Kaauomaka ma ka Hikina ka muli-
Wai (muliwai) o Wainiha, ma ka Hema o ka pahale
o Kaai, ma ke Komohana Ka Pali me ke
Alanui Aupuni----He Pahale keia ma
Ka aina mahiai pu. Wm Hodge.

On the 5 day of March makahiki 1878 William Hodge

Requested the laukalo (lo'i) north of Kaauomaka, East of the muliwai (river, mouth, pool near mouth of stream) of Wainiha, on the South side of the house yard

Of Kaai, on the West of the Pali is the

Government Road. This is the

house and farmland together (of William Hodge).111

It appears in the above example that the hui member or the owner of the homestead created their own surveys which followed the original palena used since time immemorial. Most of the hui members families grew up and lived upon the land for many


111 Ibid: 20 paragraph 2.
generations, therefore, it was a simple matter of writing out in each direction where the palena ran into the next one. In some cases hui members ended up with more land than others because they made extra money and purchased land between members. There were some cases where members began with more than five acres. The amount of land varied from member to member and within a set of special circumstances the amount of land given out were not always even—these cases were rare exceptions. The hui members were mainly allotted amounts according to the Kumukānāwai.

A best practice method used by ka poʻe aloha ʻāina since time immemorial has been the setting of boundaries. The Wainiha Hui began their practice of boundary making when they set up their Kumukānāwai, the measure of what is acceptable or not within this land group had to be marked in order to maintain a level of quality of life. The first eight paukū of the Kumukānāwai set up the political boundaries of the hui. Kamana Beamer and Kaeo Duarte, explain the political connection between genealogy and land mapping in their co-authored paper called, “I palapala no ia ʻaina-documenting the Hawaiian Kingdom: a colonial venture?” Beamer and Duarte assert:

A study of the genealogies of Hawaiian aliʻi show the intimate connections of ruling families on differing islands, as well as the fact that very similar languages, political systems of governance, and religious systems were in practice throughout the islands prior to the unification by Kamehameha. Moreover, lands had been bounded and ordered traditionally according to a complex system of palena long before they were mapped onto paper.\(^\text{112}\)

The use of the traditional practice of bounding and mapping was customary in the knowledge of my kūpuna. In the Minutes of the Hui Kūʻai ʻĀina o Wainiha, there are over 69 examples of mapping and bounding. In the division of land each member

produced their own survey by the use of mapping of boundaries in order to secure the parcels that were given out in the land division of the ahupua’a of Wainiha.

In her book, Nā Kua‘āina Davianna McGregor explains palena best, “that their are actually two intersecting areas that make up a cultural landscape---the core area and the broader area of traditional cultural practices.”\(^{113}\) McGregor goes on to explain the usage of boundaries in the traditional “ahupua’a” methodology as the use of particular zones for subsistence; “fishing, hunting, farming and also for customary practices such as heiau for worship and practice of rituals, streams and shorelines for conducting cultural and spiritual customs, and domains for renewel of ties to ‘aumakua and deity, as well as, a place to watch for and witness ho‘ailona or natural signs.”\(^{114}\)

The Minutes of the Hui Kū‘ai ʻĀina o Wainiha were recorded in ‘ōlelo mākuahine (mother tongue), Dr. Kamana Beamer states, “Hawaiian language was a legitimate means of expression in political, judicial and social contexts throughout the Hawaiian Kingdom and prior to the Overthrow of 1893.”\(^{115}\) The Journal of the Wainiha Hui spanned the time before and after the overthrow of the Hawaiian Kingdom, however, they continued to maintain the journal in their mother tongue. I feel this is a means of resistance adapted by my kūpuna because they both could both read and write in English, however, they chose to record all of their hui minutes in ‘ōlelo Hawai‘i.


\(^{114}\) Ibid: 291.

The Wainiha Hui members were actively using the ‘ōihana (trade or tool) of their kūpuna in the creation and enforcement of the hui Kumukānāwai as shown in the translated minutes:

Mahuiki made a motion that all lands connected to Hā‘ena of Wainiha (meaning the boundary lands) for those lands to be for them (the hui)” He also showed how he wrongly assumed that these lands belonged to Hā‘ena so he left some markers on the two corners of the aforesaid area as a sign of the two letters of his two childrens names.116

The use of palena and the enforcement of them was a new form of agency that the makaʻainana of Wainiha adapted to very well. They met frequently with other land hui’s, those that bordered their own lands and discussed the correct palena between members of bordering ahupua’a. In their own voices they assert the palena of their lands, “Kiʻekiʻe (w) rose to say, “the house towards the sea and the house in the uplands those are the pin markers. This place is my and my children’s.” It was set to record.”117

I acknowledge that the hui members tried to maintain traditional and lawful ties to the land by using a very similar dispersal as that used in the Māhele. The amount of five acres per member was the original amount given to each member. Later in the amended bylaws the amount increased. In the Māhele when the Kuleana lots were claimed, the house lot and any working lo‘i would be counted, however, if the land lay fallow, that lo‘i was not counted. The new system of land tenure in Wainiha between the years of 1877-1900 changed the way the kupaʻāina viewed their relationship to land. They were now the communal owners of the entire valley with each allotted parcel individually


117 Ibid: 25.
bounded and prescribed to the owner or hui member.

**Nā Kālaiʻāina Nā ʻOkiʻoki ʻāina**

The division of the land was a very serious action that the Wainiha Hui Kūʻai ʻĀina painstakingly attempted to configure where all hui members were actively involved in the creation of this process. The Kumukănāwai explained the formula for the division of the lands. Each owner was entitled to a specific portion of land divided amongst all of the 71 members of the hui. The act of dividing land is part of the culture of our people. The Wainiha Hui learned from the Hawaiian kingdom and the changing of land tenure. The template the Hui used to divide lands was comparable to those methods used by Kamehameha III in the Māhele of 1848. These methods are two examples in a long history of nā ʻōiwi land divisions.

In her book, *Native Lands and Foreign Desires Pehea Lā E Pono Ai*, Dr. Lilikalā Kameʻeleihiwa expresses the term Kālaiʻāina as, “when a new Mōʻī came to power, either through inheritance or by means of conquering the kingdom through warfare, the new Mōʻī would call a council of Aliʻi Nui to redistribute the ʻĀina on behalf of the Akua. This action was called Kālaiʻāina (to carve the land).”¹¹¹ My thoughts on the term Kālaiʻāina are that this specific term was used in reference to the Aliʻi Nui dealing with the land and politics of a specific time as illustrated in Kameʻeleihiwa’s description above.

My Kumu (source of knowledge or teacher) in papa ʻōlelo Hawaiʻi (Hawaiian language class), Ralph Lalepa Koga, made the assertion that, “the proper term when

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defining the cutting up or carving of land was the hua ‘ōlelo (word) ‘oki‘oki ‘āina.”\textsuperscript{119} (Koga 2010). I looked up the term in Paul F. Nahoa Lucas’s book called “A Dictionary of Hawaiian Legal Land Terms”. The the term ‘oki‘oki ‘āina is defined as, “to subdivide into smaller lots of land, divided: division.”\textsuperscript{120} Therefore, the term ‘oki‘oki ‘āina fits better than the term kālai‘āina when referring to the smaller quantity of land such as the amounts allotted in the Hui Kū‘ai ‘Āina o Wainiha. While the Andrews Dictionary defines the term kālai‘āina as, “to divide, ‘āina land. To manage or direct the affairs of the land, i.e., the resources.”\textsuperscript{121} The same dictionary also defines the term to ‘oki‘oki as, “to cut frequently; to cut into small pieces, to reap, to gather in, as a harvest, to divide out land among chiefs or people: ‘oki‘oki na lii a me na kanaka i ka aina o Hawaii: to cut up: destroy.”\textsuperscript{122}

It was surprising to find the same term used over and again in both definitions the same way by two different dictionaries and two different Kumu of mine that I both respect and admire. I came to the realization that they were not disagreeing on the use of the term, that they referring to two different mana‘o. I found this after looking up the terms in the various dictionaries. Therefore, I have decided that both terms are acceptable and I will use two terms to explain the division of the land. Land research in Hawai‘i is unique due to the fact that we were once our sovereign nation (and still are). There are many issue unresolved that need to be addressed to correct unsettled land issues here in

\textsuperscript{119} Ralph Lalepa Koga. Personal Interview. 2010. Hawaiian language tutor session.

\textsuperscript{120} Paul F. Nahoa Lucas, “A Dictionary of Hawaiian Legal Land Terms” (Honolulu, HI: Native Hawaiian Legal Corporation, 1995), 46.


\textsuperscript{122} Ibid: 84.
my one hānau. As a land researcher the first area I had to become familiar with was the
termonology of different types of lands and how the kūpuna explained the nuances of
each land division.

Land terminology is important to understand in land research because there are so
many different forms to address changes in land division. Sometimes its something so
minute that its hardly noticable but when dividing land every foot counts. I will makawalu
several terms to give context for an arguement that I want to establish about how Kūpuna
referred to ʻāina or that which feeds.

In the Andrews dictionary, Mokupuni means “Moku, an island and puni to surround,
the full form for island surrounded by water.” 123 While Moku means to divide in two; to
cut; a part of a country divided off from another part, an island or land separated from
other land by water; a division of an island, a dividing line; boundary between the
different divisions of an island; for me a more familiar term for this word is a district
Kalana, “the name of a land division of an island next less than moku with okana in some
places.” 124 Okana, “a district or division of country containing several ahupuaʻas; a
division of food in dividing out.” 125

The term ahupuaʻa, as in the ahupuaʻa of Wainiha, Kauaʻi. “Ahu, collection and
puaʻa hog, name of one of the smaller divisions of a country, made of up several ili, and
under the care of a head man (konohiki); a hog paid the tax of that district to the king. A

123 Lorin Andrews. “A Dictionary of the Hawaiian Language” Island Heritage Publisher. (Waipahu, Hi.),


125 Ibid: 83.
city; a village; a settlement, as the capital of said ahupua’a.”  

126 Il means “The name of a small district of land, next smaller than an ahupua’a. There are thirty-three ili’s in the ahupua’a of Honolulu.”  

127 Moʻo, “a narrow strip of land; a division of land next less than an ili; a planted patch of food, provided it be much longer than it is wide.”  

128 Which brings us to the last term in this contextual process of makawalu; Apana, “a fragment a patch; a piece; a slice; as of bread; a portion; A piece of any human body; a sector a circle; A division of people.”  

129 The above definition of terms came from the Andrews Hawaiian Language Dictionary. In the Hawaiian Language Dictionary by Pukui the term ‘āpana means, “a piece, a slice, portion, section, segment, installment, part, land, parcel, lot, district, sector, ward, precinct. A kuleana or land division may consist of several ‘āpana.”  

130 In the Buke Māhele, Wainiha, is an ahupua’a in the moku of Halele’a awarded to the ali‘i Mikahela Kekau‘ōhio.  

131 In the Minutes of the Wainiha Hui there are several references to parcels of land that are well known and often times overlooked in the inventory of land divisions, one such tract of land is the small islet of Naue. In the hui minutes Naue is associated within the ahupua’a of Wainiha, the surveys that identify the divisions of land extended to each hui member go on for pages and pages in the


129 Ibid: 46.  


journal log books using Naue as a boundary marking the borders of Wainiha. Naue is also declared as an ‘āpana of Wainiha in 8 pages of surveys in the Minutes of the Wainiha Hui.¹³² I also found two log entries on July 12, 1895 on page 194 and August 10, 1895 on page 196 referring to Wainiha as an ‘āpana of Hanalei.

The kūpuna’s understanding and relationship to the land was very different from how contemporary ‘ōiwi view land today, we often think we understand how our kūpuna viewed land and the terms they used were pa’a. However, what I have found is that many times the land terms may overlap one another just as I illustrated by the definitions of land terms, and also, how different Kumu viewed the use of these terms. In the makawalu of land terms we often saw that the word for a parcel of land was also related to some type of food, or a way to grow food, and also as portions of food. In the same way the definitions of land termology differ the kupa ‘āina of the land of Wainiha and the moku of Halele‘a overlapped and used the same words to express different mana‘o. Finally the last thoughts on the division of land and how we name the various parcels are all relative to the person that is making the reference and if the other party they are communicating with are of a similar mindset.

Nā Kapu

The word kapu in the Andrews Dictionary is, “To set apart; to prohibit from use; to make sacred or holy; to consecrate, to put on airs of distance or separation from others; prohibited; forbidden. A best practice method passed down through generations of genealogy is to place kapu on specific food items and plants that are not available during

certain times of the year because they may not be bearing fruit or, as in fish, they could be spawning. The cycle of reproduction of the animals and plants of an ahupua‘a was noted by the konohiki.

In the Minutes of the Wainiha Hui, the hui members and the Luna Nui placed kapu on materials available in the ahupua‘a continually throughout the entire 23 years of Minutes. There are lists of specific plants and animals that were not allowed to be touched from month to month and even from year to year. The journal entries are hard evidence that the hui members were using traditional hana such as placing kapu on specific types of fish in the kai and wai of the ahupua‘a.

On July 25, A.D. 1890, “The hui committee placed a kapu on seven subjects of the house, three of them were on fish as follows: 1. Kapu ka ‘Ama‘ama, O‘opus ame Moi.”133

Once again on August 7, 1891 the entry states: “E mau loa ke kapu o keia mau i‘a, Wī, O‘opus, ‘Ama‘ama, He‘e, Moi. A constant kapu on these fish Wī, O‘opus, ‘Ama‘ama, He‘e, Moi.”134

In my analysis of the hui minutes, I found that the hui members were using the resources of the ahupua‘a to generate revenue that would help to pay off the hui payments that were due each month as a hui member. There are listings of times when the hui members “rented the resource” of the muliwai, (rivermouth) kahakai (seashore) or the kai he‘e.135 (sea water where octopus live)

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133 Z. Seta. “Hui Kū‘ai ʻĀina o Wainiha 1877-1900” The minutes of the land aquisition group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawai‘i State Archives: 159.

134 Ibid: 59.

After the resources are reaped or harvested, a payment is indicated with the name of the user of the resource, and the amount of money they paid for the rental. In my estimation this was a way that the hui was able to generate revenue for the people to pay off their debts. Therefore, it made sense for the hui to place a kapu on specific materials that were being used by the kupaʻāina of Wainiha.

In this sense, the collective Hui became the Konohiki. They took on the traditional role of the Konohiki, together and individually, the officers of the land group monitored the resources with a very sharp eye, they knew exactly what was going on with the resources day to day. Fish were not the only resource that was placed on kapu, the puhala of Naue was also placed on Kapu. In the detailed listing of resources used by the hui members, it showed they were harvesting and selling the lau of the hala trees. I encountered several pages of the usage of the lau as a resource to generate revenue.\(^{136}\)

Nā Kuleana

Kuleana as a best practice method is important when working communally as nā ūpuna lived and worked i ka wa mamua. “Kuleana is a right of property that pertains to an individual, it is also a part or portion or right in a thing. In reference to land it is a small claim inside of anothers land, that is, a reserved right in favor of some claimant.”\(^{137}\) The example of the last definition would be the Kuleana parcels that were claimed by the makāʻainana in the Māhele.

\(^{136}\) Ibid: 48.

Kuleana as a right that pertains to an individual or as a part of a thing such as a land hui is the basic definition of the term that I will use. The Hui Kūʻai Āina o Wainiha Minutes reflect many instances where individuals are given, accepting or removing kuleana from an individual or a group of people.

“Kikiko made a motion about the things that were restricted to them. It was decided the heʻe be gathered by women.”

In the book Hawaiian Fishing Traditions Beckly states, “There are two ways of heʻe or octopus, fishing: one for shallow water and one for deep water. In shallow water the spear is used. Women generally attend to this. Their practiced eyes can tell if a heʻe is in a hole whose entrance is no larger than a silver dollar, and plunging their spears in, they invariably draw one out.” This best practice method is a practice used i ka wa kahiko and is still being used today. Some customary practices were the responsibility of the men and some for the women.

“Ma ka lā 10 of Aperila A. D. 1880, ‘Ōlelo hoʻoholo e koho iā Kanei i Luna Nui Paniolo, no ka hui o Wainiha.” On the 10 day of April 1880 it was decided that my grandfather E. S. Kanei was chosen as the Head Cowboy for the Wainiha hui. The responsibilities of the members of the Wainiha hui were many and varied, each person had to work hard at their own kuleana in order to live well between the years of 1877-1900.


140 Z. Seta. “Hui Kūʻai ʻĀina o Wainiha 1877-1900” The minutes of the land aquistion group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawaiʻi State Archives: 40.
Hanalei July 30, 1895 (Copy Na Leka letter)

J. Bryant Esq., Waimea, Kaua‘i

Dear Sir:

Please send directly to me six dollars for your Property Taxes. (6 Shares in Wainiha Hui Land) no to Mr. W.E. H. Deverill. Hoping will soon have royalty.

Yours Truly signed (?) Titcomb

Manager Wainiha Hui Lands. 141

In this last entry I am making the assumption that each hui member was tasked to find a way to pay his or her own property taxes. If the hui treasurer paid them then perhaps he had a way to divide up the shares into increments of 6 so that he could pay off the taxes over a period of time each year. They may have figured out a formula that worked well to pay the taxes. It was a responsibility of the hui to pay the property taxes and I thought it was interesting to see a copy of the letter written into the hui journal. There was work for both men and women, as well as time for individual and group efforts within this hui. Each member whether they were male or female had to hold their own responsibilities to the communal whole of the hui. One example of a group effort toward a common goal was when the hui members gathered at the home of the member named Kaumai‘a, “some owners gathered to build a kahe (fish trap) on the 12th of May 1879. Here are the 9 owners and proxies. They did this as a personal project and also

farmed the whole area, “from head to tail” of the property belonging to Kaumaiʻa.\textsuperscript{142}

Ka poʻe aloha ʻāina o Wainiha (The people who love the land of Wainiha) were highly invested in the land and the people that they lived with. Throughout the minutes of this land hui there are many entries and passages where people worked together, whether it was to build a fish trap, or as in my kūpunakāne Enoka Samuel Kanei, to hold the office of the head cowboy, and also to make sound decisions about the future, in each meeting they made decisions as a group of like minded people working to live well off of the land of their birth.

Kuleana was inherent in the way they lived their lives together taking into consideration their neighbors and what was best for the whole group. For the most part, if one views the genealogy of the families that lived in Wainiha, there were so many connections and intermarriage of families that many members were related. Therefore, it was most important to carry out the responsibility required by every member to the hui, because they were family, and they were invested in the Hui Kūʻai ʻĀina o Wainiha between the years of 1877-1900.

\textbf{Nā Hoʻoponopono}

Hoʻoponopono according to Andrews Hawaiian Dictionary means to; see Pono, good; right. To rectify; to put in order; to make correct; to do rightly. The term hoʻoponopono states to see Hoʻopono. To rule over; to be a superintendent. To regulate;

\footnote{Z. Seta. “Hui Kūʻai ʻĀina o Wainiha 1877-1900” The minutes of the land aquistion group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawaiʻi State Archives: 30.}
to correct what is erroneous. I relate to the last term as my understanding of what hoʻoponopono means, to correct what is erroneous. The first part of the word hoʻo used as a prefix to a verb means to shade, as in the word, malu or hoʻomalu to cause a shade, to overshadow; pono, good, right, hoʻopono, to correct, to make right, to be broad, to extend, to enlarge. Pono means to be good, to be blessed, to be for the comfort or convenience of one, to be well in bodily health. To justify one suspected of wrong. To clear or acquit, as an accused person. Goodness; uprightness; moral good, rectitude of conduct. That which is right or excellent. Duty; obligation; authority. Lawful, acceptable; proper; fit. When looking at the term while analyzing the Minutes of the Hui Kūʻāina o Wainiha, I realized the Hui were steadfast in their use of the Kumukānāwai to guide their judgement on how to deal with difference, conflict, disputes and pilikia (trouble) within in the community of the hui.

Hoʻoponopono and land conflicts occurred in the minutes enough times to be able to create a specific best practice method of the process of hoʻoponopono. The Kumukānāwai of the hui state in paukū (paragraph) 14, “if a problem arises between one or more owners, or between overseers of the lands, this conflict will be presented to the association before going to the district courts.” The Constitution bylaw states for the hui members to resolve problems inside the hui without going to court. I will illustrate conflict resolution shown within the hui minutes as follows, “We seven are the appointed

144 Ibid: 166.
145 Ibid: 490.
146 Ibid: 3.
judges to examine the problem between Pueo and Puouou (Pueueu). We have decided to divide the lands into a loʻi (Konohiki) for Pueueu and 11 loʻi for Pueo.”

Stephanie Chen et al. explain in the legal primer, E ‘Onipa‘a i Ke Kulāiwi, the court cost associated with land partition proceedings. Chen explains, “Initially all cost are paid by the plaintiff, however the cost can become quite substantial particularly in cases with many co-tenants.” The owners of the Hui were familiar with the court cost associated with the land partition proceedings that is why it was so important to have each member sign onto the Kumukānāwai so that they were familiar when the hui expected payment of any kind. Therefore, it was best to solve any problems in house to avoid cost to the hui inside of the district court system.

The next example is that of a husband and wife in a conflict about the land they shared, the minutes do not explain why they were in conflict. The text states that they came before the “judges” to look for resolution of their conflict. The entry is as follows:

Wainiha March 4, 1878. We are the judges who were appointed by the association to consider the land debate between Kuki (w) and Kanahele (k). We have decided to divide evenly the land called Kapā‘eli for Kuki (The upland section) and the seaward part for Kanahele.

The judges made a very quick decision to divide one portion of the land mauka (inland) and the other portion of the land makai (seaward). A very good decision indeed so that the two would not need to cross paths too frequently and the peace would be kept well.


148 Chen et al. “E ‘Onipa‘a i ke Kulāwi A Legal Primer for Quiet Title and Partition Law in Hawai‘i” University of Hawai‘i. Mānoa, Hawai‘i: 47.

149 Z. Seta. “Hui Kū‘ai ‘Āina o Wainiha 1877-1900” The minutes of the land acquisition group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawai‘i State Archives: 14. See figure for this page of the Minutes.
within the limits of Wainiha. The next section is a prime example of the goodwill between three land groups; Hā‘ena, Wainiha, and Waipā. The passage is as follows:

By request of Mahuiki the members met in committee to discuss the money making group, passed. D. Nu‘uhiwa made a motion that the money making group only have 12 working days per year, this was not passed. A motion was passed to give power to be shared between the secretary and the money holder (probably from the group) to decide what can be done. After much deliberation two copies were written to Mahuiki Hā‘ena and D. Nu‘uhiwa Wainiha. It was decided that Mahuiki be the one to meet with Kukui of Waipā. By request of J. H. Halemano, the business was ended with a prayer by the presiding officer.\(^{150}\)

The above section shows that the use of agency and conflict resolution was not only used within the hui of Wainiha, but also between the Luna Nui of the Hui Kū‘ai Āina o Hā‘ena whose Luna Nui is Mahuiki, D. Nu‘uhiwa is the Luna Nui for the Wainiha Group, and Kukui is the Luna Nui for the Hui Kū‘ai ‘Āina o Waipā. All of the Luna Nui from three different land hui’is in Halele‘a were conferring with each other about money making business in a group they called “the money making group.” This shows that the Hui’s often worked together for the benefit of each of their own land acquisition groups to prosper. This way the three land groups avoid conflict and work towards a communal goal of money making.

The use of ho‘oponopono, a very familiar practice of nā ‘ōiwi is being used in the Hui Kū‘ai ‘Āina o Wainiha, the Hā‘ena and Waipā land groups. I found this bit of information exciting because it exemplifies the use of agency between the land hui’s just in one moku (district) of Halele‘a. A key factor in the use of ho‘oponopono is “a

\(^{150}\) Z. Seta. “Hui Kū‘ai ‘Āina o Wainiha 1877-1900” The minutes of the land aquistion group that purchased the valley of Wainiha beginning 1869. Documentation of minutes begin in 1877. MS. U-29. Hawai‘i State Archives: 38.
collective sense of spirituality and trust.”151

The leader of each group must be sound in their attempt to seek pono for each hui. The art of ho’oponopono was probably practiced within each hui Luna Nui ‘ohana or community. It was something that most ka po’e aloha ‘āina (people who love the land) had an intimate knowledge of within their own family. It is why I chose this specific topic as a best practice method because in my perusal of the Minutes of the Wainiha Hui, I noticed many times that the owners of the Hui and the Luna Nui would come together peacefully to reconcile their difference using conflict resolution methods.

The best practice methods I have chosen has been through careful analysis of the Minutes of the Hui Kū’ai ‘Āina o Wainiha. Another factor that has helped me to be an expert witness to the best practice methods of land resource management used by the Wainiha Hui is my experience working with Hawaiian Kingdom land documents as a comparative tool. The exposure to these land documents and the knowledge contained in them helped me to re-enforce the ‘ike shared in the documents of my kūpuna of Wainiha, Kaua’i. Many scholars have looked at land resource management methodologies and have not articulated the Best Practice Methods as I have through the leo of my Kūpuna of the Hui Kū’ai ‘Āina o Wainiha.

CHAPTER 6 ANCESTRAL LANDS FOREVER

The valley of Wainiha, Kauaʻi was purchased by the Wainiha Land Hui in 1877, however there were many kānaka living in the valley that were already owners of land due to Kuleana Award titles that were issued to them before the creation of the hui. Here is a list of Kuleana Awards and names of the kānaka i ka wa mamua that already owned portions of land in Wainiha. Several of the ‘ohana names are repeated as founding hui members of the Wainiha Hui Kūʻai ʻĀina. The list is as follows: Auhea (11609), Kaulahea (9805), Napea (9802), Ninaulia (9803), Kanohi (9801), Kapua (9804), Naoi (11053), Kaninui (9076), Kalaepaa (9207), Pumaia (9267), Kimo (11031), Kaahu (9215), Peiho (10586), Kaioe (11063), Kaohi (9117), Kowelo (11063), Keikinui (9266), Piiahiki (10697), Naauole (10334), Kauhi (9269), Kaio (9268), Kaohi (9117), Kapuumaka (9271), Pumaia (9267), Peiho (10586), Nahiniula (10329), Kenoi (9796), Lolaiki (9798), Keaka (9171), Kimo (11031), Kealai (9169).

Dissolution of the Hui Kūʻai ʻĀina o Wainiha

In 2007 when my Anakalā Kanei Leonardi dropped a suitcase of genealogy material into my lap, I was astounded at the volume of palapala (documents) he included in his research. The main portion of the papers that he left to me was old court documents from the early part of the 20th century. I never dreamed I would write my Masters Thesis on that very material. The hardest part of this moʻolelo ʻāina is yet to come; this part of the land story is difficult to tell, because it is the part where we see the end of the Wainiha Hui.

152 Indicies of Awards made by the Board of Commissioners to Quiet Land Titles in the Hawaiian Island (Star-Bulletin Press, 1929).
In order to understand this part of the moʻolelo ʻāina (land story) o Wainiha I must offer context for what I am about to share about land partition laws. The unpublished legal primer entitled, “E ‘Onipa’a i Ke Kulāiwi”-along with the assistance of Stephanie Chen, Kainui Smith, Mari L. Tsukayama and Lisa Higa enabled me to shed light on the court documents that explained the partitioning of the Hui Kūʻai ʻĀina o Wainiha.

I have offered solid information as to the use of political acumen and agency of my kūpuna that were key members of the Wainiha Hui Kūʻai ʻĀina; they were Enoka Samuel Kanei Jr. and William Kuene Hodge. I also feel that I have proven that this small group of kupa ʻāina, maintained land autonomy, during the 23 year period of which they kept careful documentation of the Minutes of the Hui Kūʻai ʻĀina o Wainiha. This land hui was a group of ka poʻe aloha ʻāina (people that loved the land) that were able to demonstrate that they were also experts on best practice methods for the survival of water, land, and persistent living.

In the last and final part of this paper I will share the court documents that ordered the partition of the land hui of Wainiha and try to explain the process in a simple way so that I may gain understanding of this process too. The Legal Primer that Stephanie Chen et al. allowed me to use has been so helpful for me to understand the legal ramifications of the final years of the Hui Kūʻai ʻĀina o Wainiha.

Cotenancy in a Partition

The information I gathered on Land Partitioning Laws are from the Legal Primer that Stephanie Chen allowed me to use to gain understanding of how land partition laws work in Hawaiʻi. “Where two or more people own interest in the same parcel of land at
the same time.”¹⁵³ The primer went on to use the analogy of marriage to further clarify the term, “think of cotenancy as a marriage because cotenants have certain duties, rights, remedies and defenses available under Hawai‘i law in the event that things don’t work out.”¹⁵⁴ Marriage and divorce I do understand because I have been through it before and its something I have first hand knowledge about. In marriage one partner has the right to sever their relationship from the other, just as in cotenancy “the right to sever ones interest from his or her cotenants is called-partition.”¹⁵⁵ The Primer goes on to explain that the remedy of partition is like a divorce in a marriage. It is the ultimate remedy that a cotenant has to sever his or her ties to the other cotenants.

Partition

Chen states, “There are two basic ways to partition: (1) partition in kind, or physical division of the land, where the co-tenants receive portions of the land according to their interests, and (2) partition by sale where the property is typically sold at a court-ordered public auction and the proceeds are divided among the co-tenants according to their interests.”¹⁵⁶ The information I offer is very basic toward understanding land partition law in Hawai‘i. I do this to simply provide context for the court documents that I will use to finish telling the mo‘olelo ʻāina (land story) of the Wainiha Hui.

¹⁵³ Chen et al. “E ‘Onipa’a i ke Kulāwi A Legal Primer for Quiet Title and Partition Law in Hawai‘i” University of Hawai‘i. Mānoa, Hawai‘i, 18.

¹⁵⁴ Ibid. 18.

¹⁵⁵ Ibid. 18

¹⁵⁶ Ibid. 18.
Wainiha Hui Land Court Document

A copy of the court document of the Final Decree In Partition filed on November 21, 1947 at 3:44 P.M by Leoti V. Krone, Clerk Supreme Court, Territory of Hawai‘i and Ex. Office Clerk Circuit Court 5th Circuit. No. 109.

At Chambers

In Equity

McBryde Sugar Company, Limited,
a Hawaiian corporation,
   Petitioner,

vs.

William P. AARONA; Ruby
AHAKUELO; HENRY AHI: et al.,
   Respondents

Viousek, Pratt & Winn,
404 Alexander & Baldwin Bldg.
Honolulu, T.H.,
Attorneys for Petitioner.

I transcribed the above portions of the document because I have not created digital copies of the documents I have. I am not sure I will ever make digital copies of them. This part is very difficult for me to look at because I know the outcome and I am not sure I want to share the documents in digital form. I prefer to see them as hard copies—the way my kūpuna viewed them. The court document begins with a cover page and goes on for 23 pages. The genealogy of the land hui is told in the 23 pages of the court documents. What has taken me over 100 pages to tell is over in 23 pages. I find irony in this and it is with deep kaumaha that I begin to share the end of the moʻolelo ʻāina with you.
The first page of the court document states the respondents named therein as tenants-in-common thereof the lands of the Hui Kūʻai ʻĀina o Wainiha. This information is interesting because in the case of a court proceeding, the hui is thought of as one body. Therefore, any cost incurred in the district court is the responsibility of the hui altogether. The hui members were very well informed politically-between the years of 1877-1947 there were at least 100 Hawaiian language newspapers that aided in helping the people of Wainiha, Kauaʻi remain politically informed.157

A quick review of Chen et al., Legal Primer states that “partition in kind, or physical division of the land, where the co-tenants receive portions of the land according to their interests.”158 The court document on page 5 states, “because of the variation and classes of land and in the values thereof, the partition should be made on the basis of value of one whole share in the Hui Kūʻai ʻĀina o Wainiha. As of May 23, 1944, one whole share was worth $5, 599.5414.”159

Between the years of 1896-1902 the members of the Wainiha Land Hui began to die off. The Hui lapsed in their organization and meetings. A new generation was coming of age and many of the residents of Wainiha began to move away from Kauaʻi for various reasons. At this time a civil engineer employed by McBryde Ltd. named W. E. Rowell, came up with an idea to create hydroelectric power to supply energy to their pump machinery. The cost of coal was too expensive to run the water pumps what better source


158 Chen et al. “E ‘Onipa’a i ke Kulāwi A Legal Primer for Quiet Title and Partition Law in Hawai‘i” University of Hawai‘i. Mānoa, Hawai‘i. 18.

of water than one of the wettest places on earth? Hanapepe and Wainiha are directly across the island from one another. Rowell’s idea was to build a pump house on a river and use the water to create electricity. By running a cable across the island he could use the Wainiha River as his water source. However at the time the Hui had lapsed and the land and water rights belonged to so many different owners he could not get a consensus of approval to put his plan into works.

Rowell re-organized the Hui and presented them with the idea of leasing the water rights. He would just borrow the water and put it back into the kahawai. He offered 1500 dollars per annum (a year) for a period of 50 years. The Hui came together and accepted his offer. This occurred around 1902--nearly 50 years later McBryde Sugar Company forced the hui to partition proceedings (it was a way to get access to the water and land) forcing the hui to dissolve. By 1947 McBryde had approached every ʻohana that owned land in Wainiha to buy their land. In 1906 the idea became reality.

The court documents explain, “McBryde Sugar Company, Limited holds a lease upon portions of the lands of said Wainiha Hui, or interests or rights therein, being a lease of water rights, rights of way, etc. from officers and members of said Hui to William E. Rowell, dated February 27, 1903, March 3, 1903, May 21, 1904 and July 2, 1904, the rights of the original lessee, said William E. Rowell, having passed mesne assignments to said McBryde Sugar Company Limited; that the rent due and payable under the lease is currently $1,500.00 per annum, payable at the rate of $750.00 on September 1st and March 1st of each year; that the awards to said McBryde Sugar Company.”

As a young girl I do remember my Grandpa Peoples booming voice when he spoke out in anger about Grandma Helena’s decision to sell the Wainiha Hui Lands. He shouted, “Yeah Mama went with Kiʻineki to Kaua‘i, and they stayed long time there. I never figured out how she managed to stay so long there without money, she was using the money she got from the sale of the land in Wainiha. Grandpa Peoples went on to shout expletives about grandma Helena’s actions—best kept to the ‘ohana.

In an interview with my Uncle Attillio John Kanei Leonardi or Uncle Kanei as he is referred to by my ‘ohana, explained, “the reason for my grandma Helena leaving Wainiha, Kaua‘i was because she was tired of the inter-marriage occurring between close family members. She didn’t want her keiki to marry close family.”

My thoughts about my kupunahinekānālua and her decision to sell the family land of Wainiha is relative to time, place and the context, and constraints that she was working with at the time of her decision to sell the lands. When my mother Mattie Luka was a child, she witnessed the Japanese bomb Pearl Harbor and she often referred to Martial Law and the protocols imposed upon the people of Hawai‘i during and after World War II. Just three years before her choice to sell the Hui lands of Wainiha Helena Kanei Peoples was living under Martial Law. “Martial Law- the imposition of military rule by military authorities—with the suspension of constitutional rights that military control of civilian life entails. In Hawai‘i, martial law was declared within hours of the Japanese attack on Pearl Harbor on December 7, 1941, and it lasted, with some modifications, for

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nearly three years, until October 24, 1944.” The loss of rights and the imposition of a military regime in Hawai‘i during that time must have influenced Helena’s choice to sell the Kaua‘i lands. There was also a consolidating of -military, political, and economic power. The last having a very large impact on the ahupua‘a of Wainiha, Kaua‘i.

By June 20th 1947, McBryde Sugar Company representatives approached every family that owned land in Wainiha. They also approached my Kupunahine Helena Kanei Peoples to purchase her rights to the Wainiha Hui Lands. Helena Kanei Peoples owned three parcels of land: Lot 280, Lot 281, and Lot 34. Her home at the time was on O‘ahu island, where she had a family and was married to John Peoples a haole man from West Virginia. According to the family stories, Grandma Helena never disclosed to her husband John Peoples the fact that she had sold the Wainiha Hui lands. He didn’t find out until years later that she had sold her family land in Wainiha, Kaua‘i. Therefore, due to reasons of her own and acting upon her own free will, my Grandmother Helena Kanei Peoples, severed her ties to Wainiha, Kaua‘i in one solid movement as she signed away her rights to the three parcels of land that remained in her ‘ohana for 70 documented years before her decision to sell, and before that since time immemorial.

Fig. 5. Bill of Sale. Helena Kanei Peoples to McBryde Sugar Company Ltd. June 21, 1947
Final Impact on a Kanaka Wahine in 2013

ʻĀina (land) and moʻokūʻauhau are clearly intertwined when kanaka ʻōiwi (native people) envision land, land practices, sustainability and survival of a group of people so that they may thrive into the next millennium. The hard lesson learned while gathering research for this thesis is that as human beings we remove ourselves from our ʻāina we all must follow the way of our early ancestors in the way that they treated land, water, air and all of the physical elements of our environment. This awareness is not a new idea to us, in the analysis of the Minutes of the Wainiha Hui, my kūpuna revealed so many secrets that took several months for me to digest and allow their manaʻo to surface. I had become so resistant to listening to their voices almost indifferent because I completely turned my mind off to the possibility that there was substantial, solid, and new learning that is available if we just open our mind and allow the process of critical thinking to occur. I view this type of reasoning as a makana (gift) because I have found that it only happens if a person is physically, mentally and spiritually tuned into learning. Its enlightenment.

Through the past six years of training and learning at Kamakakūokalani Center of Hawaiian Knowledge, I have come to the realization that the methodology I used in my research was a culmination of years of life experience, coupled with specific learning tools such as Aunty Pua Kanakaʻole Kanaheleʻs Papakū Makawalu methodology, the higher level of heightened spiritual belief that becoming a haumana laeoʻo (graduate student) requires. It is a constant reassessment of every type of learning and different training that seeking proficiency in Hawaiian language, history, and culture in the
university setting offers a graduate student. Exposure to so many sources of knowledge which includes teaching and the learning that one recieves while teaching others about how to learn. As I view what I have learned in this thesis research, I cannot simply speak about the highlights of this paper. I have to express how I have changed my thinking in the way that I approach research and convey how each section of this paper required a different methodology in order to reach enlightenment.

Hawaiian scholars today must offer to our lāhui (nation) the importance of knowing who we are as a people. One of the things I learned from the research on my ancestral lands is that we must be concious of the connections we seek and choose not to seek with our ancestral lands that includes our ancestors. Land research is a quick way to be grounded in identity. When searching through primary source Hawaiian Language documents and not completely proficient in the language—much of the time spent in research is struggling with translation. This moved me to challenge myself to do more, read more and understand more than I thought I could. Its a forceful move toward the direction of gaining more knowledge uncovering secrets that my kūpuna have for me, that is locked away in a vault of language just beyond my grasp.

This is how I found the connection of the other side of my ʻohana, the Hodge side. In my genealogy mele (song) Luka Hodge and Eli Hodge are my grandparents, I didnt realize William Kuene Hodge was also my grandparent and that I have gathered pages of documentation on this man and his ʻohana down to the a picture of his great, great grandson, a hapa kanaka ʻōiwi/kanaka ʻeleʻele kāne with the same name as my elder brother---Kamakualani. Dr. Lilikalā Kameʻeleihiwa in Hawaiian Studies 341—Genealogy class taught us to look for family names in searching for pilina (connections)
because kanaka ʻōiwi will name and rename their children inoa ʻohana (family names). More recently as I was looking in the Buke Māhele to find specific information on who relinquished the ahupuaʻa of Wainiha to Mikahela Kekauʻōnohi, I found a Royal Patent awarded to William Hodge in Waikīkī, Oʻahu. The importance of writing and thinking as an ethnographic writer and researcher is the win-win that one receives when writing about a subject so familiar and at the same time strange---ones own self. In learning about my kūpuna I have discovered so much about myself: I am well versed on how to makawalu (see with eight eyes) one word that offers a plethora of information. While at the same time, the researcher, is forced to observe various terms, definitions, words and ideas that generate another level of deeper thinking and knowledge.

The makawalu methodology applied in thesis research allows the opening of concepts that seem so simplistic yet they are remarkable when taken apart and viewed in sections similar to dissecting a kidney or a frog in science class. The scalpel cutting through vein and artery offers the student many varied levels of learning on how the blood system works, or the levels of epidermis that animals and humans have in their bodies.

This was how I approached the analysis of the Kumukānawai of the Wainiha Hui Kūʻai ʻĀina. I approached each paukū (paragraph) with the idea of defining what the term meant, then in what context was it was applied, and I did the same with every term I was not familiar with and soon I had deconstructed and found resolution in analyzing why the hui approached various political, social and spiritual ideas for the chance to live in ʻāina autonomy and for the environment to thrive for the next generation.

I wanted to infuse all the knowledge I gained in my involvement with the United
Nations Permanent Forum, presentations at the World Indigenous Peoples Conference, my work as graduate research assistant working with Ancestral Visions of ʻĀina Konohiki, into this thesis paper.

The remarkable energy and information discovered came to me in the analysis of the Minutes of the Wainiha Hui Kūʻai ʻĀina. The fact that I had to physically search through nearly 300 hundred pages of primary source Hawaiian Language documents was a sheer task on its own. However, until a researcher really gets into the material and understands it well, that is where the true learning begins. I was afraid to attempt this challenge because I doubted my own ability to understand translating documents. I am not the best person in translation, however, I can truly say that I have gained much more understanding now being exposed to so many different sources of Hawaiian language material and documents. One source will lead the researcher to the next source and soon there are hundreds of documents—all pieces of evidence that help to strengthen the research arguments.

Many indigenous ideas were crafted by the owners of the Wainiha Hui, the fact that they continued on with traditional practices of placing kapu on hard to find resources from fish to plants and even the lau (leaves) of the lauhala tree of Naue were placed on kapu. This was to preserve the resource of the ahupuaʻa, it would be helpful contemporarily to be able to once again place a kapu on materials that become scarce in our society so that we may preserve them for the future.

My ancestors in Wainiha, Kauaʻi were remarkable because they were living in a time of so much transition toward the capitalistic society that we live in today, when a few years before they were not even able to read or write. However, that didn’t stop them
from being innovative and they kept to the constant productive work ethics that working
upon the land demands. In our present circumstance nā ‘ōiwi are living in similar
transitional times, we are in fighting for recognition as a first peoples of this land.
However, if we ban together and begin to resolve how to feasibly place kānaka back onto
the land, we are one step closer to an actual land base.

If I could suggest one thing that I learned from my kūpuna in completing the
research of this mo’olelo ‘āina, it would be an easy answer. They were not fearful of the
future, they dove into life with open minds and strong backs. This type of thinking has
almost dissappeared from our lāhui, because our people are living a stagnant life of
working, returning to their mortgaged homes, watching television every day, and living
the capitalist life of American citizens.

The research and impact that this body of work has had upon me is to set into
motion a hui that is land based and implement the Best Practice Methods used by my
Kūpuna in the Hui Kū‘ai ‘Āina o Wainiha. This Hui would be a working model for nā
kānaka ‘ōiwi of various differing political affiliations to work together on one parcel of
land. In order for our people to have a government we must have a land base. If we have
hundreds of “pockets” of Kānaka that are taking care of small parcels of land, working
togther in a cooperative environment upon the land, sharing our love for our one hānau,
this is a first step toward solid nation building. It would be an impetus toward building a
foundation of kānaka ‘ōiwi that are landed peoples. Due to our political circumstance we
are citizens of the United States, however, if we can come together working on land and
the eventual ownership of “pockets” of land parcels—perhaps this idea would catch on
and we could seemingly move our people back onto the land. What we have to gain from
this type of movement is that our people learn to farm the land and ocean together---even with differing political philosophies. If the whole project failed to gain our lāhui the beginning of a land base—then we would have many more people than today working on land and teaching their ‘ohana ‘āina autonomy.

I learned from my kūpuna that we must return to living and caring for the ‘āina, the wai (fresh water), the kai (sea water), we must learn to feed ourselves from the land once again. It doesn’t necessarily mean that we have lo‘i kalo in every household (that would be a solution)—just that we have to change our mindset and live well—live better lives so that our land will continue and our people will continue. E ho‘omau ka lāhui Hawai‘i.
APPENDIX

Transcription 1

The following Appendix contains portions of the Minutes of the Wainiha Hui that I transcribed from the original copy. I kept the transcription of the 48 pages of Hui Minutes exactly as they appear in the Minutes of the Wainiha Hui page per page. The corresponding page numbers of the Hui Minutes appear at the top of the page while the page of this paper is centered in the middle of the page.

pa hui no ka pauku 4
a ole e ae ia kekahi mea
alaila o keia hui pa i na Eka
i hai ia aela maluna koe wale
no ka pa hale a pa mea Kanu-
o Kumea amau mea ^e Kue. i
mai Olelo o Keia pauku hoo-
uku ia aia i hookahi Haneri da-
la [dala]

Pakui na ka pauku 14
ina o oe aku mamua o ke
40 alaila e uku ka ona nona
ia Holoholona i Umi dala
ina aole e loaa Kekala
alaila elilo ia Holoholona
i Ka Hui.
Transcription 2

Kunuikanawai o ka Hui Kuai
aina o Wainiha, A. D/ 1877.

Pauku 1. Ua Hui kekahī poe Kanaka
Hawaii Ponoi e Kuai e kekahī
aina i Kapaia o Wainiha no
na dala elima tausani elima
haneri ($5,500) ua hoomaka ia
keia Kuai ana i January A. D. 1,869.

Pauku 2. E Kapaia Ka inoa o keia Hui
o ka Hui Kuai aina o Wai-
niha [Wainiha].

Pauku 3 Ua koho keia Hui hookahi
Louna nui hookahi Puuku
a hookahi kakauolelo, a me
lakou e malama i na hana
o ka Hui.

Pauku 4. Ma ka Hooholo ana o keia
Hui ua Kohoia o D. Nuhiwa
Oia ka louna nui o Ka aina
ao Z. Seto ka Puuku, a oia
no hoi ke Kakauolelo.

Pauku 5 E hookaawaleia i elima (5)
eka, no Kela Kuleana, Keia
Kuleana pakahi o na dala
a pau o keia Hui.

Pauku 6 O na hana a ka Luna nui
o ka malama pono ana a me
ka Hoomalu pono ana i Ka
aina, a me na waiwai a
pau e pili ana i Ka Hui
O ka hana hoi a ka Puuku
oia Ka malama pono ana i
Ke dala o Ka Hui, a e hoike
mai no hoi oia imua a ka Hui
ma kela halawai ana keia halawai
ana i ka nui o na dala loa
mai ma Kona lima.

Pauku 8. O na hana hoi a ke Kakauolelo
o ka malama ana i ka Buke
o ka Hui, a me ka Pepa o ka
Hui, a me ke Kakau ana i ka
moolelo o na hana a pau mea
kela halawai keia halawai
a e hoopaa ia i Ka Buke o
ka Hui.

Pauku 9. Elua halawa ana o Keia Hui
i ka makahiki hookahi, ma ka
poaono hope o January, a me
Ka poaono hope o July, aka,
i hiki no ke hoololi ia Keia
mau halawai, ana, ina peola
ka manao o ka hapa nui e
Ka Hui ma Kekahi halawai
i akoakoa mai-

Pauku 10 E aokoakoa mai na Dala a
a pau o keia Hui, Koenae
Ka poe Pilikia maoli i hoike
ia mai imua o Ka Hui, a a
ponoia hoi e Ka Hui.

Pauku 11 O na wahi a pau e halawai
ai keia Hui, aia no ia ma
na wahi a pau a Ka Luna
nui e kihioki ai, e hoolaha
ia nae i hookahi malama ma
mua ae o Ka manawa e halai-
war [halawai] ai ka Hui.

Pauku 12 Ina makemake kekahi Ona
hoopauia a mau Ona paha e Kuai i ko
lakou, Kuleana aina iloko o ka
aina o Wainiha, aole ai ia e
Ku ai aku me na Kanaka o na aina e, ake, e hiki no i
Transcription 4

lakou ke Kuai me na Onao Ka Hui.

Pauku 13. Ina makemake Kekahi O na a mau Ona paka e hoonoho i Hope nona iho maluna o Kona Kuleana ponoi, o i a i oia e he-le ana ma Kahi e, aole e ai aku mamua o elua (2) Hope a e hoike is aku ia mau Hope (hope) imua o Ka Luna nui o Ka Hui.

Pauku 14. Ina e loaa Kekeahi Hihia ma waena o Kekahi Oma a mau Ona pahu. mawaina o lakou a me na Luna Hui o Ka Aina, alaila, a e waiho ia ia Hihia imua o Ka Hui, mamua o Ka Waiho ana aku imua o na Aha hookolokolo o Kea Aupuni.

Pauku 15. Aole e o i aku na holoholona o kela Ona Keia Ona, e hooku-ai maluna o Ka Aina o Wainiha mamua o Ka Umi, la

Pauku 16. E lilo Keia i Kanawai Paa, maluna (maluna) o na Dala a pau o keia Hui aua aponioa e Keia Hui i Keia la 10. o September A. D. 1,877. me ko makou Kakau iho i ko makou mau inoa malaloioh nei.

1. D. Nuuhiwa
2. Z. Seta.
3. [?] Kanehuehu
4. J. Kolo
5. Kahukai
6. ES. Kanei
7. Kikiko
8. Kawaanui
9. Punipea
10. Kanoahi
11. Lauki
12. Kalaniakea
13. Auhea
14. Pueo
15. Kahuiki
16. Kuke
17. Lono o Haena
18. Onaona
19. P. Hanson Kainoa So
20. Kealaula
21. Kaikaina so
22. Kakuai [?]
23. Duorio[?][kona X Kaka
24. KomaiKeano
25. Kahea
26. J. Kauka I.
27. Kanehe
28. J Paakiki
29. Pukoula
30. J Kanui
31. Kelauano X
32. Leono o Lihue
33. N.B. Kalebua
34. Lonaaea
35. Kahui
36. Makahuki
37. Makaikai
38. Kalaloa
39. Ninaulia
40. D. Nuelohiki
41. Julius Titcomb
42. [?] J. Robinson
43. W. Hodge
44. P. Keohi
45. Kailoi
46. Kelekema
Hanalei December 28, 1877

Ma Ka lā 15 December 1877, ua kudala aku o Wm. C Bertlemann i Ka Luna Hooponopono waiwai o D. Kaukaha i ke Kuleana aina ma ka Hui aina o Wainiha, au a lilo i Ka Hui ua Kuleana la ma Ka inoa o Z. Seta no na dala he Kanaono Kumauaono ($66.00)

Received Pement C. Bertlemann
Administrator of the Estate of D Kauko deceased
Transcriptions 7

[Blank in Original]
Ma ka la Umi o Sepa A.D. 1,877
Ua noi mai o D Nuuhiwa
i Ka L. nui (?) ke kakau olelo
i wahi mahiai ai pau
Hale Ma na palena o Ha_
Kapo (Hakapo) ma Uka a o ka Uapo
o Umi ma kai

D Nuuhiwa
Hoike Z. Seta Kakauolelo
Ma ka la Umi o Sep A.D. 1877.
Ua noi mai o M Kai
kai [Kaikai] i wahi Mahiai ai
pa Hale Ma na palena
o D. Kahule ma kai ao
Kaai Manu o Puweuweu
ma Uka

Mc Kaikai
Hoike D. Nuuhiwa Lunanui
Ma ka la Eiwqa o November. M.H. 1,877.
Ua noi mai o Z. Seta i ka Luna Nui
& ke Kakauolelo o ka Huia Kua
aina o Wainiha. ia Kamaalewa-
Penei na Palena ma ka Akau ka
muliwai o Wainiha ma ka hikina
D. N. Kaohule kona wahi, ma ka hema
o Kaunupepeiao he puu ia ma ke ko-
mohana [komohana] o Umi Loi & Ke alanui he pa-
hale [pahale] keia 1 loi ai o Kapaeli ma
uka iho o Kauapo o Umi. Z. Seta.
ua apono pu aku ka {Kakauolelo o ka
Hui i keia noi. {Hui o Wainiha

Hoike D Nuuhiwa Luna nui
Ma ka la Eiwa o Nowemaba
M.H. 1877. Ua noi mai o C.N. Ka-
ohule [Kaohule] w. i ka Luna Nui & Ke Kakau-
olelo [Kakauolelo] o ka Hui Kuai Aina o Waini-
ha [Wainiha] i keia pahale o Kamaalewa
maluna. Penei na palena ma
ka akau ka muliwai o Wainiha
ma ka hikina Ko S. Puuaeu
ma ka hema ko Kalauahea
ma ke Komohana, Ko Z. Seta
oia ka pahale, 2 Kolu loi
me kahi apana kula mawaho
ho [mawaho] iho he aina Kanu Keia
Ua apono ka Hui Kuai Aina
na [Aina] o Wainiha i Keia noi
D.N. Kaohule w
D. Nuhiwa Luna nui
Ma ka la Umi Kumama-
A.D. 1877
lua [Umikumamalua], Ua noi hou a i keia Apa-
a [Apana] Aina mahi.
Penei na palena Kawaihæ
lalo ma ka hikina, Kahihi ma
ka hema me ke kula o Puana, Ka-
puuaheu lulo ma ke Komohana the pali o Puumalemole ma ke
Komohana. Eia ae ia e ka Luna
Nui. Mr. D.N. Kaohule (w)
D Nuhiwa L. Nui
Ma ka la umikumamalua
o Nowemaba, A.D. 1877, Eia noi au
i ka Luna Nui o ka Hui ia
Apoa mai kalahiki mauka Au-
wai [Auwai] o Kahawai [?] ma Kai, me Kahi
pule pu e pili ana ma Kai, me kahi
pale pu e pili ana a me Ke Kuleana
o Nowemaba, M. H. 1877. Ua noi
Uelawa
mai o ^ [?] i Ka Luna Nui o ka
Hui a [?] elaua penei ua
Palena ma ka akau o Kaula ma
ka hikina o Kapaeli, ana ka he-
ma [hema] hikina o Kapaelei, ma ka he-
ma ko Luna Nui wahi, ma ke
Komohana. Ka Auwai, he aina mahi ai Keia me Kahi pa hale ma Kai e pila ana me ko Kimo Laus, ma Ka Hikina moku palai o Uukuike ma ka akau i Kula ma Ke Komnohana, me pali ma ka hema. O Maumaikai he pa haleia, Maleona Kalili

D. Nuuhiwa L. nui
Ma ka la Umikumalua o Nowemaba, A. D. 1877. Ua noi mai o Auhea ia Kawaihae la-lo [lalo] . peneni na palena, ma ka akau ke Kuleana o Kuluanui, hikina kula ma ka hema owaena, ma ke Komohana Kawaihae luna me Kaukaaekue i pa hale.

Auhea * Kona Kuha
D. Nuuhiwa L. nui

D. Nuuhiwa L. nui

Ma noi moi o Kalaeloa ma ka la umikumalua o Nowemaba M.H. 1877, J. Ku Luna Nui o Ka Hui i Aina mahi ai. o Kapuahea [Kapuahea] o luna me ka pahalae makai o Naue e pili ana me Ko Kiule Kahi ka, me keia aina mahi ai, o Omolehulehu e 3 loi.

S. Kalaeloa
D. Nuuhiwa Lunui
Ma ka la umikumamalua
o Nowemaba M.H. 1877. Ua noi
mai o Kolo i Ka Luna Nui i Aina
Mahi ai me ka pa hale.
O Kapaeahaia lalo, me Kaneaawa
i aina mahi, me I Eka makai
e pili ana me ka palai he pa ha-
le [hale] keia. [?] Kakauolelo
D Nuuhiwa Lunanui
Ma ka la Umi Kumamalua o
Nowemaba M. H. 1877. Ua noi mai
o Kahakai i Ka Luna Nui & Ka-
Kauolelo [Kakauolelo] i Aina mahi ai me ka-
pa [kapa] hale. Kaunolono paweo
kohe lepo, he aina mahi ai keia
o Kipapa akau i pahale hikina
Ko Kawaanui makai, Ko Kanei ma
uka Kanakahou Kahakai
D. Nuuhiwa Luna nui
Ma ka la Umi Kumamalua
o Nowemaba M.H. 1877. Ua
noi mai o Kaa Luuwai i Ka Luna
Nui me Ke Kakauolelo i aina mahi
ai me ka pa hale, Keanaiki
& Kini I makai o Kini 2, he
aina mahi keia, akahi pa hale o
Mahunoenoe, hikina, Mahunoe-
noe [Mahunoenoe] loi & Kaile loi, hema, ko Kapua
Komohana alanui, akau Ko W.H.
Kuene me ke Kula
Kaai Luuwai
D Nuuhiwa Lunanui
Ma ka la umi kuma-
malua [umikumamalua] o Nowemaba M.H. 1877.
Ua noi mai o K. Kikiko i ka
Luna nui & Kakauolelo o ka
Hui i Aina mahai ai me ka
pahale, Ka Aina mahi o
Kapoopoo penei aina palena
Ma Ka Akau a Hanau, hiki
ma Kahawai, hema o Mauna-
loa [Maunaloa] Komohana he awawa
Ka pahale o Kaluopa penei
na palena, Ma ka Akau Naoi
hiki ka Auwai, hema Kula
Komohana, he awawa A. Kikiko
D Nuuhiwa L nui
Ma ka la umi Kumamalua
A.D. 1877

O Nowemaba ua noi mai o Paaki-
ki [Paakiki] i ka Luna Nui me Kakauolelo
o ka Hui i Aina Mahi ai me
Ka pahale o Ka Aina Mahi o Ka-
limukele [Kalimukele]. Penei: na palena, hi-
kina [hikina], Kapuaaha, hema o Akele
Komohana o Poni, Akau, Kahawai
Kaulu, kona mau palena, ma ka
akau o Kini Makaokulai me ke kula
hikina Kahawai, hema ka Laaui ki
Komohana auwai, he mau aina
mahi keia. ka pahale o Kaulu.
D Nuuhiwa J. Paakiki

Ma ka la iwakalua o [?]
a 1877 ua noi mai o Lahaina
i kaluna nui i pahale ai
na mahi pahale 2 eka
aina mahi e Kolu eka eli
ke me kamana o pauku eli
ma o ke Kanawa o kahui.
Ohia papa ai na wahi ma
kaakau he kahawai ma ka haki-
kina [hikina] he pahale ma ka hema
he pali ma ke komohana he
pali, Lahaina He nauulu hope
Ua [?] lilo au i keia w-
ahi [wahi] Ko Hoenaulu ku hapa
Kaaniae kona kuai a ko
lilo ia kai
D Nuuhiwa Lnui. Lahaina
Ma ka la Umikalua o Nowe-
maba A.D. 1877. Ua noiau i Ka Luna
Nui & Kakauolelo i Aina Mahi, pa ha_
le [hale] akau. D. N. Kaohule & Paveo hikina
kula, hema Ka Lahaina wahi Komoha-
na [Komohana], he Kula.

Kalauahea, Pakuku (w) Kona kaha X
Nuuhiwa L. nui

Ma ka la Eka o Maraki A. D.
Akahi Tasani iwalu halele Kanahiku
Kamamawalu.

Ua noia mai o W.B. Kamso
I wahi mahi ai pahale e like me ka
pauku elima o Ke Kanawai
Makah i Kapaia o Papalanui.

D Nuuhiwa L. nui

Ma ka la Eha o Malate A.D. akahi kau
sani Ewalu halele ka hiku ku mawalu
Ma kahi i kapaia o Malohulo elike me
ka pauku Elimai na Palena Huina wai o
Apee ma ka akau, maka hikinaaina o Kanahele-
hema Ninaulia, Komohana Kahawai

D. Nuuhiwa L. nui
Received of Kenny the sum of $80 on behalf of the Wainiha company

Jus J. Robinson

M Makaawaawa

O makou no LunaKanawai ihiku i hoonohoia e nana i ka hihia mawaena o Pueo Anne Puouou
Ko hookolo nie makou e mahele ia Ka Aina & Keia Aha ihiku-eono
lo i Konohiki no Pueueu, a he 11 loi no Pueo.
D. Nuuhiwa Luna Hoomalu
Mr Knuehuehu Komike
D. Lahaina " " "
A Kikiko " " "
Kauka " " "
M. Onaona " " "
Hahuike

Wainiha March 4th, 1878.

O makou o na LunaKanawai
Miku i hoonohu ia mai e Ka Hui
e noonoa ia ka Hihia hoopapaapaa ai a Maweana o Kikoi (w) a me Kauahele
ua hooholo makou 2 mahele like
ia ka aina, o Kapeeli loi no Kuke
a makai o Kapaelii no Kanahele
D. Nuuhiwa L. Haolalu
Mr Kuehuehu Komike
D. Lahaina " " "
A Kikiko " " "
Kauka " " "
Alanuiki " " "
M. Onaona " " "
Malati 4 1878

Ua noi mai o Mr. Kuehuehu iwahi
mahī ai a i Pahale i ka Luna nui
a me ke Kakauolelo i ka Aina i
kapaia Kainoa o Paieie e like
me ka Pauku Elima o ke kumu
Kanawai. Ma na Palena ihoie
ia malalo iho nei makai o Keana
iki mauka o Kikiko ma ke Kome
Hana [Komehana] Ka Hauai ma ka hikina
o Hikiaina Mr. Kuehuehu

D Nuuhiwa Luna Nui
Ua noi mai o Kumahakaua
i wahi mahī Mahī ai ai pa
hale ma ka Aina i kapaia
o Umi i ka Luna nui ame
ke kakauolelo ma ka
la Elima a Malati 1878.
penei na palena Alanui
Aupuni ma kahawai o
ko laloko ma Ka Komohana
o ka pa o kekea ma
ka hikina.

Kumahakaua.
D. Nuuhiwa Lunanui
Ma ka la Eha o Marati A. D. Hookahi
mamawalu Ua noi mai o D. B. Kaha
waii [Kahawaii] i wahi mahiai i pahale makahi ka
pa ia [kapaia] o Kiihua e like ka nui me ka
pauku Elima o ke kumu Kanawai
ma na palena i Hooakakaia paid mak
akai Kanohi mauka kahawai ma ka
hikina ma ke komohana kahawai

D. B. Kahawaii

D. Nuuhiwa Lunanui
Ma ka la Eha. Maraki . A. D.
Hookahi Kaukani Ewalu Hanele
Kanahiku Kumamawalu.

Ua noi mai o T. Kauka I i
wahi i Pa Hale ma kahi i ka
pa ia o Kalaopa Elike me ka
Pauku, Elaima o ke Kumu Kanawai
Ma na palena i Hoike ia
   Malalo iho nei. Aka Polaole
Hema ka papa. Komohana
Auwai: Hikina Kahawai.
& Aikahi wahi mahi o Kapahale o Kalaopa
   T. Kauka  D. Nuuhiwa L.nui

Ma ka la Elima o Marate A. D.
Hoikahi kau kani ewalu hanele kana
hiku Kumamawalu       Ua noi mai J. C. Keiole
i wahi mahi ai ai pa hale ma kai
o Naue o Paulepelepe Elike me ka
pauku Elima o ke Kumu Kanawai
& Paopuaa wahi mahi ai. Julius, Titcomb
   D Nuuhiwa L.nui

Ma ka la 5.  o Maraki M.H. 1878.
Ua noi mai o Onana ia Papalanui
he aina mahiai keia, o Puana, ma
ka hikina Kahawai, ma Kahema o Keapua, ma ke Komohana o Hele
a o ka pahahele, o Kakaekae.
   D. Nuuhiwa L.nui
Ma ka la 5. o Maraki. M.H. 1,878.
Ua noi mai o Kanahele, K. ia Kaelewai
ma ka hikina kahawai, mak a akau
Kahawai no ma ka hema- o Kapaele
ma ke komohana o Punipea- He aina
mahia keia- Ka Pahale o Kalolo. ma
Kai o Naue.         Kanahele
   D. Nuuhiwa
Ma ka la 5. o March- M.H. 1878. Ua noi mai o Waialeale ia Hoohila he aina mahi keia- o Paio ma ka hikina o Kapuakea ma ka akau- a he pali ma ke komohana – o Aahale ma ke ko mohana- [komohana] a me ka pahale maia wahi no- D. Nuuhiwa Waialeale.

Ma ka la 5. o March- Ua noimai o Charles – Kalaepaa, ma ka hikina kahawai- ma kahema, o Naoi, ma ke Komohana he auwai- he aina wahi keia o Kaaluhea ka pahale.

D Nuuhiwa Charles [?]

Ma ka la 5. o March. M.H. 1,878. Ua noi mai o Makaauawa K. o Paoonui [Paoonui] mai ka Akau. ka pali, maka hema kahwawa, ma ka hikina kaha wai [kahawai] , no- ma ke Komohana he pali no he aina mahi keia, me ko pahale pu no maia wahi. Makaawaau[?]

D Nuuhiwa

Ma ka la 5. o March. M.H. 1,878. Ua noi mai o Kalima. K. ia Paaui. Ma ka akau o Paakiki, ma ka hema o Kuene Mr Kalili ma ka hikina ka hawai – Komohana a nui ai no. ke aina mahi keia, Ka pahale, o Kaulu Hua– D Nuuhiwa Ka Lnui

Ma ka la 5. o March. M.H. 1,878. Ua mae o Pake Kapua, ia Kini ma ka akau o Kaai- ma Kahema o Paakiki, ma ka hikina maka okalai, ma ke komohana auwai he mahi keia. Pake Kapua

D. Nuuhiwa
Ma ka la 5. o March. M.H. 1,878. Ua noi mai o Pueueu ia Uiwui me
Nakualaa ma ka akau a Naau
ole [naauole] ma ka hema o Pueo- makahi-
D Nuuhiwa

Ma ka la 5. Marc. M. H. 1878. Ua
noi o Kanei ia [?] K.
Ma ka akau o Lauki ma kahe
ma [hema] o Kipapa. ma ka hikina na Kapakieluua, ma ke komohana
Ka auwai, he aina mahi keia o ka pahale i Kipapa Kanei
D Nuuhiwa

Ma ka la 5. o March. M. H. 1878.
Ua noi mai o Kawaanui ia
Hakolima, a me Kanuanuii.
ma ka akau o Kanialawaia ma kahikina kahawai ma ka hema o Kahui, ma ke Komohana he auwai, he aina mahi keia ka pahale o Kaakau. & Maunahina
Aina Mahi, D Nuuhiwa Kawaanuii

Ma ka la 5. o March. M.H. 1878
Ua noi o Beni ia Kapaeli ma ka akau o Kanaihele ma ka hema
ma Kahawai: makahema Kelekomo Komohana o Punipea. Ka puli ale Hanai paa- Beui
D. Nuuhiwa

Ma ka la 5. O March. M.H. 1878 Ua
noi o Kelekona ia Kaloihuai ma ka akau o Beni- ma ka hikina kaha
wai [Kahawai] ma ka hema o Peiho- ma ke Komohana auwai, ka pahale Kapapala
D Nuuhiwa Kelekom

D. Nuuhiwa

D. Nuuhiwa
Ma ka la 5. o Maraki M.H. 1878 Ua noi mai o Kalehua ia Lukuhania ma ka akau he pali ma Kahikina he pali makahema he pali ma ke Komohana he Kahawai, o ka pahale o Kalaopa Kalehua

D. Nuuhiwa
Ma ka la 5. Maraki M.H. 1878 Ua noi mai o Kaikaina Keahia, ia Puuauelua, ma ka akau o Komoalewa [Komoalewa], ma ka hikina he Kahawai ma ka hema he awawa wai make Komohana o Kawaihaeiki, o ka pahale o Io. Kaikaina [?]

D. Nuuhiwa
Ma ka la 5. o March. M.H. 1,878. Ua noi mai o Kealaulaiki ia Awini ma ka akau Kahawai ma ka hikina o Kulikulu ma ka hema Pukaiki, ma ke Komohana o Pahoa, o Ka pahale o Awini Kealaula

D. Nuuhiwa
Kamohuku
M.H. 1,878. Ua noi mai o U-Kanohuku, & Luiki ia
& Halilaukoa, ma ka akau o D.
Kaohlule- ma ka hikina o Kiwaa
Kamoolehua
ma ka hema auwai, ma ke komo-
hana, Ka auwai. o Ka pahale, o
Luliupali- U-Kanohuku & Lui.-

D. Nuuhiwa
Ma ka la 5. o March. M.H. 1,878. Ua
noi mai o Kanehe ia. Kapohaku
ma ka akau o Kapohaku ma
ka hikina, o Kimo Kahui ma ka
hema, o Puniaia, ma ke Komohana [Komohana], ka auwai; o ka pahale, o
Kau [?] Kanehe.

D. Nuuhiwa
Ma ka la 5. o March. M.H. 1,878. Ua
noi mai o Palaole, ia Kalaopa
iki [Kalaopaiki], ma ka akau o Paloa ma
ka hikina ke Kahawai; ma ka
hema Kaukua I, ma ke Komohana
Ka auwai o Ka Pahale, Kalaopa-
iki.

D. Nuuhiwa—Palaole
Ma ka la 5. o March. M.H. 1,878. Ua noi mai
o James. Robinson. ia Lelehe pahale Keia aia
ma Kai o Naue- a me 11 Loi ai ma uka
ih o Ko Pueue mau Loi he aina mahi
ai.

D. Nuuhiwa James J. Robinson.

Ua noi mai o James Lewia ia Pahelehala
ma Kai o Naue, Ma ka akau ka Pahaleo
Punipea. ma kaHlkina ka pahale o Apoe
Pake. ma ka Hema Ka Pali ma ke Ko-
mohana [Komohana] o Kalili. a me Mahuiki he
pahale keia- a me Kawiliauki 4 Loi ma
Wainiya ia ka la 5. o March. M.H. 1,878.

James-Lewis-

D. Nuuhiwa
Ma ka la 5. o March. M.H. 1,878. Ua noi mai o Punipea ia Papakaheka ma ka akau o Ka Pahale O Pueeu. ma ka Hikina ke alanui aupuni, ma ka Hema o James Lewis ma ke Komohana Kula o Ka Hui he pahale [pahale] keia- a me Kamalohilo he aina mahi ia.

D. Nuuhiwa

Ma ka la 5. o March. M.H. 1,878. Ua noi mai o Julius Titcomb is Kapaumaikai ma kai [makai] o Naue. ma ka akau. Ka pahale o Kalaeloa, ma ka Hikina ka pahale of Kalihi, ma ka Hema ka Pali, ma ke komohana [komohana] o Hawaikahe- he aina pahale keia-a me Poapuaa aina mahi ma Wainiha

Julius Titcomb

D. Nuuhiwa


D. Nuuhiwa

Ma ka la 5. o March. M.H. 1,878. Ua noi mai ’o Beni Kuki ia Kalolo- makai o Naue- ma ka Akau, o Keonehali ma ka Hikina ka pahale o Kanahele ma ka Hema he pali- ma Ke Komo hana [Komohana] o Hauaimaa- a me Kapaeli ma Wainiha he aina mahi keia

Beni Kuke

D. Nuuhiwa

Ma ka la 5. o March. M.H. 1,878. Ua noi mai o Wm Hodges is Laukalo ma ka Akau o Kaumaka ma ka Hikina ka Muli wai [muliwai] o Wainiha ma ka Hema o ka pahale
Transcription 22

o Kaai, ma ke Komohana Ka Pali me ke
Alanui Aupuni—He pahale keia me
ka aina mahia pu. Wm Hodge

Mar. 17 A.D. 1879

Hui Kuai Ka ua Akahi
   Ua halawai ka hui ma ka
Hale o Pueo. Kohoia o J.H. Ha-
lemano [Halemano]i Luna Hoomalu [?] keia
na hana me ka puke a ka loina
hoomalulu. Hikiko hui ka moolelo
o ka halawai i hala ma ka no i ka
Luna Nui ua a ponoia.

Noi mai ka lunanui he olelo hooho
lo [hooholo] heluheluia na Rula e Kamailio
ai kela a keia dala Kue maikai
Luna Nui aole he Rula nolaila ha
   Heluhelu mai o D. Nuuiwa
ka luna hoomalu a na Komite
ua olelo hooholo Ua [?] oia me Eha
mau dala pu meia; e puni me ka
Luna Nui o Haena, aina hoikea mai
[?] ua ma lie ua keia e noho
like; a ponoia, a ponoia ma ka
Luna Noi mai Pueo he olelo hooho
lo [hooholo] & Kohoia i kakau olelo me [?]
hooholoia ka mea e kakau nei i kakau
olelo & P Kahohi i Puuiki no ka
makani a ka hui

Noi mai o Kahaiki he olelo hoo
hooholo o na wahi a pau e pili ana me
Hui o Wainiha nei [?] lakou
[?] [?] [?] hoike pu mai no kona
[?] [?] [?] no Haena ma wahi
nolaila, ua waiho oia hoi mau
finish later hard to read
Appendix 23

[?] mai o ko Huiki o lakou
na Komite me ka Aina Manawa
o [?] Mr Pueo; a ua hooholo
lakou he 11 loi no Pueo. 26 no
Pueueu, Ka mai-hou mai o Nu-
[?] ua mau loi la i ka hao
le [haole] James Robinson, Nana ka L. Nui
i ka buke o ka Hui; ua paa ka
olelo hooholo a ma Luna Kanawai a hiki
o ka la Eha (4) o Maracki M. H. 1878.
[?] mai ka Luna Nui ma oleia
la ka hana no kela hana ana a
ke kakau olelo Z. Seta. Mahope
o ka paupau loiihi ona, ua noi
aku na ka hai o James . Robinson.
i kahi ana i koho ae ua hoi aela
no Mr. Pueo. Ua loi 11.
Ku mai o Kiekie [?] moolelo
o ka hale makai & ka hale mau ka
oia ka makia o kela wahi no'u
ua wahi no kela mau [?] liilii
paa noia [?] nona ia wahi
kamailio mai o kahia no kahi o ka
nahele [kanahele] [?] i ka hoo (Komo)
Ku mai o Mahuiki, [?] olelo hooho
lo [hooholo] e pakahi ua upena inu ona ma kuai o ka aina
Mr oopu, keia mai ka L. Nui a
Mahope ka paapuaa loiihi ana ua
hooholoia ka upena i kahi [?]
Ku mai o [?], he olelo hooholo no hoo
hi o kahakai ana e mahi [?] ke noi a J. H Halemano ua [?]
Ka Aina no Hookaikai
Ka mai kahuiki he olelo hoohole
aole e koho ko ka he ona i kela wahi
ma hana imau a ka wahi a hiki i
ka loaa ana mai o ko lakou Laipi
ka (Kii o Haena) noa ke noi a waha
ina ua hooholoia, aole maikai keia
hooholo ka mana o a ka mea kakau
J. H. Halemano, ua olelo hooholo;
ka aina e pili ana ia Pueo & Kuehu
ehu [Kuehuehu] pahale Paulike, Ua ke noi
a Pueo 2 heluheluia kahi a hui
[?] i koho ai, Heluheluia ka
Luna Nui o Paieie kahi mahi-
aole ihoia ka inoa o ka poe hoale
a mamuli ka noonoo ana na
hooholoia o [?] ka pa hale
no [?].

Kumai o D. Nuhiwa he olelo
hooholo, kohoia i 13 Komite hoo
ponopono Kaawai & Na Rula e
pili ana Kanawai o ka Hui a
hoohui aku Mr Ke Aupuni.
Oia ua Komite D. Nuhiwa
J.H. Halemano, J.N. Mahuiki.
Mr. Kuehinehi, D. Kauka I
Ma ke noi a Mahuuki
hooponioa ua hana, a halawai
hou ua komite ana ka 22
hoohulia, hookuia ua hana
me ka puke o ka Luna Hoomalu

Halawai elua (2) Mar 22, 1879
Ua halawai ua Komite ma ka
[?] [?] ka Luni Nui D. Nuhiwa
Hohoiia o J. H. Halemano i luna hoo
malu [hoomalu] weheia ma hana me ka
pilina a ka Luna hoomalu.
Noi mai o Lahaina kekeahi o na
dala i hiki mai, no olelo hooholo;
E heluhelu pa kahi mai kakaua
oelelo i na pauku apau o ke Kumuka
nawai [Kumukanawai] i ko kuai a e D. Nuuhiwa
Heluhelu kanaka e kakau nei ke
heluhelu ana ka pauku 1
Ka ke no i "kuuka ka pae e
na hua olelo Hawaii pono, a e
pakui i keia mau hua olelo, Kono
hiki [Konohiki] inoa aku o Kalai mai na
Luna Nui. ma hua olelo, kana
hiku [kanahiku] inoa a ku, kalai mai ka
Luna Nui, na hua olelo Hawaii
Luna Nui, Na hua oeleo Hawaii
pono-i ua pilia'u i ka Kanaka
Hawaii pono & na Kanaka o
na Aina e i hookupua Noi
mai J.W. Mahuiki & hoopau
loa, hoihoi a [?] J.W. Mahuiki
i kana ku mai Pun Luna Nui
ua mau keia pauku ko hua
i kana ku
maloko o Kahi i oleloia maluna, e hi-
ki [hiki] no ia ia ke hoa maikai aole pepehi
aina he poho kona e kai aku i ka
ona nona ia ma holoholona elike
ka uku me ke poho,
Aina hoi he aina aole paa i ka
pa, e hoa maikai no, aole hoi poko
pala pu ka pa hale

Puro he olelo hooholo e malama ia
i manawa e hoa ai i na holoholona o
ka aina o Wainiha , hooholoia o ka
malama o lune, ke paa ka pa
D. Nuuhiwa he olelo hookolo e koho
i Komite e hui me na pake , hooho
loia [hooholoia] o D. Niulohiki
D. Nuuhiwa he olelo hooholo o ka
pule hope oJune oia ka manawa e
hopu ai ina holoholona komohana
na oi & na pho lalo hooholoia.
D. Nuuhiwa olelo hooholo e malama
ia ka paina o ka La Kuokoa ma na
hale, e waiho i na hana e a e. hooho
loia [hooholoia]. Panee na hana a ka malama
o lurai, hookumuia me ka pule a ka
L. hoomalu.

D. Nuuhiwa, he olelo hooholo e koho
ia [kohoia] S.K. Pureoreo, i Komite e kii
ku ina mea apau ma ka lima o Keano
wahine kane make hooholoia [?]
Ua hoihoi mai kau olelo hooholo o ka la 17 Ua no heleki
Paku i ka pauku 15

Ina o i aku na holoholona
o kela & keia ona mamua. Umi (10) e uku oia
i umi $10 dala pakahi ae lawe koke aku ma
waho o na palena o Wainiha
No Ka Hui Kaumai e a
Ua Hui kekahi mau ona & Kekahi ma
hope oahana e hana ia Kaumauea e kukulu
i kahi ma ka la 12 o Mei A. D. 1879
Eia ua Ona S.K. Curusu, Neeso
Makaikai, Kikiko, Kameo, Cap., Auhea.
Puuku, [?] , Kanohi, Luna Nui, D. Nuhiwa
Kakau Olelo, a Luna hoohana, D. Nuilohiki
Eia ua hope Ohana, Kaopai, Puro, Kuanu-
lani [Kaunulani] Niu Pohiki, Auka, Pokana D. K. Nuhiwa,
Ua lawe lakou i keia i kumuhana ma
lakou, ana lawe pu no hoi i ka hana
no ka ma i a ma ia wahi mai ke poo
a ka [?] o Kaumaia

D. Niulohiki
Kakau Olelo

Ma ka la 26 lur. A. D. Hookahi
Tausani su aluhaneli Kanahiku
Kumamaiwa,

Ua noi mai o W. B i pahale nona
makahi i Kapaia o Kule'e'ele Eia ma
palena ma ka Akau o Hoohila
H.K. Kahawai Hema Kanohi K.M.
Pali W. B. Kameo

D. Nuhiwa
D Niulohiki, Kakau Olelo
A.D. 1879. Ua noi au i ka L.N. & Ke Kakau
olelo o ka Hui ia Kaneaawa & Kapauahea
lolo i Aina ma i a, & Kapahale Hanaima
Haulaloa Kole
D. Niulohiki Kakau Olelo

D. Nuhiwa
Ua halawai ka Hui ma ka hale o
Ka L.N. D. Nuhiwa ka Luna Hoomalu
mau ma ka noho. Weheia na hana
me ka pule a ka L. Hoomalu.
Ua ek noi a D. Nuhiwa e heluhelu
ia ka moolelo o ka halwawai i hala aponoia
ma na mea nui wale no i hai aku ai ke
kakau olelo. No na paku o ka pauku 13
& 15 Aponoia; aia a noho mai ka hapanui
o na dala apau. hooholoia

Olelo hooholo, ma na Luna e ohi aku ina
sala Duke ma ka lima o na ona palua
dala na ona maloko nei pakahi ina ona
mawaho, hooholia

Hapai hania ke kumukana no ka
upena o ka Hui o Mar 17 A.D. 1879. Ua puka
ma ka ihu keia olelo hooholo

Puro kue i ka pa lua dala ina ona
oloko nei a pa kahi i ko waho mahohe o ka
paapaa loahi ana ua hooholo loa ia eike
me ia mamua [?]

Ma ke noi a D. Nuhiwa, ua panee
na hana a ka malama o Ianuari A. D. 1880
Hookumuia me ka pule a ka L. Hoomalu
Penei Kahohi.

D. Niulohiki

Hoi hope Kakau olelo.
Na dala i hiki mai Pueue, Silauanuu Makai
kai, Pen Kanohi, Auhea, Kameo Kealaula, Nina
ulia, Kelekoma, Kahakai, Kawaanui, Lima
hiki hope mai kahuai w/ Puro/ D. Nuhiwa

D. Niulohiki
1879 8  
6 CK 29  Loaa mai ma kou lima mai 
ke kakau olelo mai i keia la iwakalua 
kumumamawalu o Ock. A. D. 1879 ua dala 
ke Kanakolu kumamalua ($32.00) Kuke 
haawinaia ma ka ike o 
D. Niulohiki Ka kau Olelo 
P. Kanohiki Uuku 
Kuke o ka Aina o Wainiha 
Oct 28, Auhea  $2.00 
Pahuku 2.00  Nov. 3 Kanei 
2.00 
Ninaulua 2.00  "  Kaaki 
2.00 
Kahakai 2.00  "  Pumipea Jures 
1.00 
Ueleona 1.00  "  Peni Kuki w 
1.00 
Kikiko 2.00  "  Keano Z. Seta w 
1.00 
Nonoara 2.00  "  4 Kauka I 
2.00 
Kealaula 2.00  "  Kawaanui 
2.00 
Kaikaina 2.00  "  Kuui 
1.00 
Kelekoma .50  "  Luke Lono w 
Kauohi 2.00  "  S. Kameo 
2.00 
Lahaina 2.00  "  Laau Onaona w 
1.00 
Kalima 2.00  "  Kuohule w 
2.00 
Naakiki 2.00  "  Wm Hodge Ku[?] 
2.00 
Pururu 2.00  James Robinson 
1.00 
Wahinehaole 1.00  Kimo Ruisa 
1.50
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<td>aku ke k. Olelo</td>
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1879. Nov. 5  Ua loa mai ma
ko'u lima na dala umi kumawalu
a ($12.00) mai ke keakau olelo mai
D. Niulohiki

P en, Kahohi Puuku

Nov. 12 Ua kaikai $2.00 Kihulu [?]
" " Kueauhau 2.00
D. Nuuhia $2.00 $4.00 Nov 12 Haawia ma
ka lima o P. Kanohiki ma ka ike o
D. Niulohiki kakau olelo
" 25 Kuki w $ 1.00
" 5 Cones (Kone) 4.00

Ma ka la 21 Decmaba 1879

Ua hoo-
kolokolo [hookolokolo] ia ka hihia mawaena o keletoma
a me Ninaueleia  Ua hooholo ia a ma
Komite no Ninauoliea ia Aina
Eia ka Inoa o na Komite

D. Nuhiwa Lunamalu o Ke Komite
D. Lahaina
Kikiko
Dueo

Maka la iwakalua kumamaeia
o Deckemaba akahi Tausani ewalu [?]
ki kanahiku kumamaiwa
Ua noi mai o Kaleia i pahale
o Mokakahai, hik Nonoapii, He ma
alanui Komohana, Aina Kuai o
S. Ione (Aiko)

Kahea
Transcription 33

Ma keia la 31 Dekemaba
1879,. Ua noia au i ka Luna Nui
e Kakau Olelo i keia apana
Aina no ka hui o Wainiha
aina kahi & Pahale o Uakalau
ohe. Akau kahea hikina
Ua kaoalihi hema Poleakea
i ka pali, Komohana Mahuiku
  E. Kauai

D. Nuuhiwa Luna Nui
D. Niulohiki Ka kau Olelo
  Ma keia la 31 o Dekemaba
A.D. 1879. Ua noi au i ka L. Nui
& Kakau olelo i keia apana
aina o ka hui o Wainiha o
Halawai, e Aina Uahi & Paha
le [pahale] Penei na palena, akau
Kula e pili ana me ke alanui
hikina, Kani, Herma, Pali
komohana Papohaku
  Mahuiki
D. Nuuhiwa a Lunanui
  D. Niulohiki K. Olelo
Dec. 31 6 L Comi (Kome) $4.00
Poe i koe i ke duke o la A. D. 1879

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Transcription 34

Ua ka la 5th o Ianuari
A.D. 1880. Halawai ka hui ma ka hale
o Wm Hodge (Kuene) kohoia o 226
Halemano i Luna hoomalu, ke kakau
olelo mau ma kana Oihana mau
Wehe ia na hana me ka pule a ko
luna hoomalu.

Ua ke noi a ka Luna nui & he
heluheluia ka moolelo o ka halawai i hala
ma ka noi ua a pono ia ka moolelo.

Noi ke kakau olelo e kala mai ia ia
ina he mea hiki, a ina aole malu
[maluna] iho ona. Kue ia Pueo, Kikiko
Kuehuehu, Lahaina, Punipea
mahope o ka paapaa lohi ana
panee, olelo hooholo ua kikiko no
ua mea kapu, ua hooholoia o ka hee
e lilo ina wahine, waiho nui o W. Hod
-ge [Hodge](Kuene) na wai pani ua kahe
oopu, Hahele a kule haoleiaClaim N°69. Kaniau

Kaaiaweaweu not Sworn-deposed- He is Claimants Attorney
and confesses that they claim only in behalf of the children of
Kawailepolepo, who are minors. The father on his dying bed ordered that the children be left under the care of the Missionaries [Missionaries] until grown up; and that Kaapuiki and Kaniau should have the property in their care in the interim; and then deliver it up to them.

(Note) For the decision in this case refer to the testimony taken in Kaapuikis claim No 3. (Page 9)

Waiho mai D. Nuuhiwa e e paia ka palena e pili ana me Haena, aponoia Waiho mai ka Luna hoomalu he olelo hooholo, ae Kukulu ka hui i hale no lakou aponoia Noi ia pre
Ua halawai ka Hui ma ka hale o
ka L. N. D. Nuhiwa Ka Luna hoomalu
mau ma ka noho Weheia na hana
ma ka pule a ka l. Hoomalu.

Ma ke noi a D. Nuhiwa e heluhelu
ia ka moolelo o ka halawai i hala aponoia
ma ua mea nui wale no i hai aku ai ke
Kakau Olelo. No ua paku o ka pauku 13 & 15 Aponoia aia a noko mai ka hapanui
o na lolo apau hoomalu
Olelo hoomolu nana luna ohi aku ina
kala Deke ma ka lima o na o na palua
kala na ona maloko nei, pakahi ina ona
mawaho, hoomoloia

Hapai honiuia ke kumuhana no ka
upena o ka Hui o Mar 17 A.D. 1879. Ua puka
ma ka ihu keia Olelo hoomoloa
Puro Kue i ka pa lua dala ina ona
olokonei a pa kahi i ko waho mahope ma
paapaa loihia ana ua hoomoloia Elie
me ia mamua,
Ma ka noi a D. Nuhiwa, ma panee
ua hana a ka malama o Ianuari A. D. 1879
Hookuuia ma ka pule a ka L. hoomalu
Puri, Kanohi.

D. Niulohiki
Kakau Olelo.

Hoi hope
Na Dala i hiki mai. Pueuru, Lilauanu Makai
kai [Makaikai], Peu, Kanohi, Auhea, Kameo, Kealaula, Nina
ulia, Kelekoma, Kahakai, Kawaanui, Lima
hiki hope mai Kahuai w/Purlo/D. Nuhiwa

D. Niulohiki
Kakau Olelo
1879
6 Ck 29. Loa mai ma kou lima nui ke kakau olelo mai i keia la iwakalua-kumamawalu o Oct. A. D. 1879 na dala he Kanakolukumamalua ($32.00) keia haawina ma ka ike o D. Niulohiki Kakau Olelo P. Kanohiki Puuku

Kuke o ka Aina o Waniha

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<th>Auhea</th>
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1879 Nov. 5 Ua loaa mai ma
ko' u lima na dala umi kumamawalu
a ($12.00) mai ke kakau olelo mai
D. Niulohiki

[?] Kanohi, Puuku

Nov. 12 Makaikai $2.00 Kihulu [?]
" " Kuehuhu " 20.00
" " D. Nuuhiwa 2.00 $4.00 Nov. 12 Haawiia ma
ka Lima o 10 Kanohiki ma ka [?]
D. Niulohiki kakau olelo

" 25 Kuki w$1.00
" 27 Laniela Kanahele $1.00
" E Gomes (Kone) $4.00
Ma ka la 21 Decmaba 1879

Ua hoo-
kolokolo [hookolokolo] ia ka hihia mawaina o Kalo [?]
a me Ninaulia Ua hooholo ia a ma
Komite no Ninaulia ia Aina
Eia ka Inoa o na Comite
D. Nuuhiwa Lunamalu o ke Komite
D. Lahaina
Kikiko
Pueo
Ma ka la iwakalua kummalua
o Dekemaba Akahi Tausani ewalu [?]
Ei Kanakhiku Kumamaiwa
Ua noi mai o ka luna i pahale
o Mokokahai, hiki Nonoapii hema
alanui Komohana Aina Kuai o
C. Cone (Aiko)
Kahea
D. Nuuhiwa L.malu
D. Niulohiki Kakau Olelo
Wainiha Dekemage 3-30 1879.
Ma keia la 31 Dekemab
1879 Ua noi au i ka Luna nui
& Kakau Olelo i keia apana
Aina no ka hui o Wainiha i
Aina wahi & Pahale o uakalau
ohe, Akau kahea hikina
Ua kaoalihi hema paleakea
a ka pali, Komohana Uahikike
L Kauai
D. Nuhiwa Luna nui
D. niulohiki Kakau Olelo

Ma keia la 31 o Dekemab.
A.D. 179. Ua noi au i ka L. Nui
& Kakau Olelo i keia apana
Aina o ka hui, Wainiha o
Halawai i Aina Mahi & paha
le [pahale] penei na palena, akau
Kula e pili ana me ke alanui
hikina, [?] hema Pali
komohana Papohaku.

Mahuiki
D. Nuhiwa lunanui
D. Niulohiki K. Olelo
Dec. 31 C. Coms (kone) $4.00
Poe i koe i ka duke. Ra. A. D. 1879

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<td>Wahinekapu</td>
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</tbody>
</table>
Ma ka la 5 o Ianuari
A.D. 1880 Halawai ka hui ma ka hale
o W\textsuperscript{m} Hodge (Kuene) Kohoia a JH
Halemano i Luna Hoomalu, Ke kakau
olelo mau ma kana Oihana mau

Weheia ma hana me ka pule a ka 'luna hoomalu.

Mea ke noi a ka Luna Nui e he
heheleia ka moolelo o ka halawai i hala
ma ka noi ua a pono ia ka moolelo
Noi ke kakau olelo e kala mai ia ia
ina he mia hiki, aina aole malu
ua iho ana, Kue ia Pueo, Kikiko
Kuehuehu, Lahaina, Punipea
mahope o ka paapaalohi ana ua
pane, olelo hooholo ua kikiko no
ua mea kapu, ua hooholoia o ka hee
e lilo ina wahine, waiho [?] o W. Hod
ge [Hodge] Kuene ua wai pani ua kaho
oopau [kahoopau] Hahele akula hooeleia
Waiho mai D. Nuuihiwa e paia ko
palena e pili ana me Haena a ponoia
Waiho wai ka Luna hoomalu ke olelo
hoohoilo , e kikulu ka nui ihale no lakou
a ponoia, Noi ia Pueo i kuleana hou
nona no ka olo o Kona mau dala ma
hope o ka paapaalii ana ua pane
Ma ke noi a ka Luna Nui ua pane
na hana a ka halawai o Iurai
hookuia ma ka pule a ka Luna
hoomalu

D. Niulohiki
Kakau Olelo
1880
Feb 7. Halawai ka hui ku ika wa ma ka hale o Pueo, J.H. Halemano Luna hoomalu ke kakau olelo mau weheia ma hana ma ka pule a ka L. Hoomalu. Hoike mai ka Luna Nui ina inoa o ka poe i Komo i keian hui Kuai Aian e hoi hoi [hoihoi] e ko lakou mau dala. [?]
Koelepo, Wahine o Kapu, Puulaalulu kokua ia Pueo, Kikiko Kanahele e hoihoi e like me ko Lakou lilo Hoopunaia e waiho a ka malama o Iurai, hooholoia. Uahu i ke he olelo hooholo no ka la 17 o Maraki A. D. 1879. E kau pule i ka olelo hooholo o ka la 30 o Ianuari A.D. 1880. Ua ke no i a Pueio ua timeke ka hale kalai ua ia a nhuu, Mahuiki ku no ia ia me ka holelo hooholo o ka halawai o [?] ina ua oiaio ka olelo hooholo aina ua oiaio ole oia iho la no.
Pueo ina e waiho lakou (Haena) i ko lakou koi ana i ko lakou lihi alaila hiki a ina aole; e pa no elike me ka olelo hooholo Kalai mai ia kaha he mau olelo e pili ana o na kai ana no na lihi aole pela. Ua ke no i a J.H. Halemano Ua hoomana ia ka olelo hooholo e noho like.
Olelo hooholo no Pueo e waiho i ka oi o na holoholona, e lilo ia no ka hui, a e waiho i kanaka maikai malaila, kokua ia Mahuiki D. Nuuhiwa e kalai palenaaina hoomaikai loa ma ua mea ku ole.
Transcription 42

ike kanawai, Aina ua ku i ke kana
wai [kanawai], e waiho aku i ke kakau olelo a na
na [nama] e koi aku elike me Kanawai o ka hui
Ma ke noi ku i Luna Nui ma na makaou e
hele [?] i ka ohana apau, o na
Tomike aku ma hope. hooholoia, a e
hoihoi i na hana i loaa ia lakou a
waiho aku i ke kakau olelo.
hooholoia, Eia na dala hele iau me na
makua D. Nuuhia , C. Kikiko, no Wainih
Mahuike kahao no Haena L.N. Paniolo
Pueo, J.H. Halemano, Nonoaea, &
Peni, Mahi, Kanei, Kanehei, Kealaula
hooholoia. Noi mai o Peni e pepehi
i kona hui iloko o ka ina Kuai ai
noi o Kuki(w)

Wainih Feb. 7, AD. 1880
Kuki Aloha oe o kau noi o ka la 5
o Ianuari, Ua hooholoia, Ua waiho mai
o Beni i Kona ae i keia la, ua nele ia
iloko o kou mau kuleana iloko o ka hui
Kuai Aina o Wainih ua pa a ke
hoopau loa aku nei kau ia e kou lima
Peni
Ua ike maua a me kekahi mau [?]

D. Nuuhia
D. Niulohiki. K. Olelo. Hooholoia
Ua ke noi a ka L. Nui e hooponoia
mau hana. Ma ka noi a Mahuiki Sr.
Tomike ka hale no ka hui imi loaa
hooholoia PP SS. Olelo hooholo na D. Nuuhia
no ka hui imiloaa, 12 la hana i ka makh
ki [makahiki], hookea olelo hooholo hooholoia
E haawinaia ka mana i ke kakaou olelo
mawaena o ka mea dala ma ke kakaou
olelo, ma laua e hooholo o ka mea hiki
mahope o ka noono ana ua kakauia
ua Kope elua ia mahuiki Haena
Wainih o D. Nuuhia a ua pono
Aepono no i kela Dala keia Dala
Hooholoia o Mahuiki ke hele a hui
me Kukui o Waipa, ma ka noi a JH.
Halemanao, ua hookuia na hana me
ka pule a ka lima hoomalu
D. Niulohiki Kakau Olelo.

Feb. 13, A.D. 1880  Halawai kou hui ku i ka
ua ma ka hale o Kikiko. Kohoia o Kiki
ko [Kikiko] i Luna hoomalu ke kekaou olelo mau,
weheia na hana me ka pule a ka Luna
hoomalu Ku mai o Keletoma hai mau
no na wahi i koho mau ia aole nae
i hana ua lilo ia C. Gomes (aeko)
W. Hodge, [?], Lahaina, D. Nuuhi
wa [Nuuhiwa]no ka hapa loa o keia hui ua
hoopanea a ka halawai o Iurai
hookuuia ma ke no i kuehuehu
pule hookuu a
D. Niulohiki Kakau olelo
Kamaliu
Mar. 13  A.D. 1880  Halawai ka hui me
ka hale o i C. Kikiko, Kohoia o
D. Kanohi i Luna hoomalu, ke ka
kau olelo [kakau olelo] mau kana hana weheia
na hana me ka pule a ka Luna hooalu
D. Niulohiki, no ka la i e kolu o Meyh, ma
mu hale anei, ma kohi hookahi ma kahi
hookahi hale o S. Kikiko noi hou ke ka
D. 1880, Ape. 10
Halawai ka hui
ma ka hale o ke kikiko o kohoia o
Ke kikiko i L. hoomalu ke kakau
olelo mau weheia ua hana
me ka pule a ka L. Hoomalu
ka hana (1) No na ona me na
ohana (2) no na holoholona me
ke kui kahi, me ka hui o naena
(3) N. Hale e paa ia ia e like me
ka hoolohi o ka pauku (15) o ke
Kumu Kanawai a pono ia
(1) no ka ohana ma ke
noi a Pueo e hoopololei loa ia ka
ahua olelo ohana a e kakau
pololei loa ia iole e paewaena
maupopo aku, Kikiko no Nokipi
kona ohana a ponoia ke ’
kahi oi a ka hana a me ka
kikiko, a ponoia
D. Niulohiki. Olelo hooholo
e lawe ka hale a noonoo i ka
pauku no na holoholona o na
ohana, aole hoi E hui pu
me ko ka ona a ponoia
kohoia i mau Tomike huli
kanawai, Kuehuehu Makuiki
kaha na Tomike no na oha
na [ohana] D. Niulohiki, Pueo, Ninaulea,
Lahaina, kikiko.
Ma ka hoike o na komike L. Hoo-
malu [Hoomalu] Mahuiki ua waiho mau lakou
[?] elimha holoholona o na ohana
hooholoia.
Olelo hooholo ua Pueo [?]
mai oia i kana oihana paniolo
hooholonia
Olelo hooholo na D. Niulohiki
no ka aina ka pa, hooholoia
Ma ke kokua a Kuehuehu
Olelo hooho'olo na D. Nuuhiwa
e hanaia na mua apau e pili
ana ma waena o Wainiha me
Haena ma ke noia a Nahuiki
e waihoia a ka malama o Ianuari
Kue e ia e Kuehuehu me ka
pane a ka Luna Nui o Wainiha
i ka Luna nui o Nanea no ke [?]kahie na i keia la, hooho-
loia.

I keia la Umi o Aperila
A.D. 1880, o ka poe o Wainia i ka
hui o Haena a me ka pae o Waini-
ha.

I keia la Umi o Aperira
A. D. 1880 Ua holo ke kuikahi
mawaina o Winiha me Haena
Hanai a e kou lima.

Mahuiki Luna Nui
O Haena
J.N Hauip Kakau Olelo o ka Hui
o Haena.
Aperila 10. A. D. 1880 Waini
ha

Olelo hooho'olo e koho ia Kanei
e Luna Nui Paniolo, no ka hui
o Wainiha, hooho'oloia

Olelo hooho'olo na D. Niulohiki no
na holoholona o na Pake, ma
ka hoopapa'a luiki ma a ona
ke noia a Kuehuehu ua ninau
pono ia ua hooho'oloia ma ka maka
maka o ka haawina o na holo-
holona o ka ono Aponoa i ka Hui
D. Niulohiki hookuuia ma hana
me ka pule a ka Luna hoomalu
C. Kikiko
D. Niulhiki kakau olelo
Wainiha Aperila 10 A.D. 1880

Aperila 11 A. D. 1880.
Halawai na wahine
ma ka hale o Pueo ke Kakau
Olelo D. Niulohiki ma ka noho
Luna Hoomalu
Ua ka ninau a Kahuai i [?]
ka ia ka moolelo ka la 10 Feb 1880
Ua heluhelu ke kakau olelo
a na moolelo a i elaua aponoia
Ua helu'ke kakau olelo ina moole
lo [moolelo] elua oia keia e lilo ke kai
hee ina maluna no ka manana mau
a o ko lakoi mau hoilina na ka
moolelo o Ianu. 1880. Ko Feb la 7, 1880
Ma ke noi a Kikiko lakou koke
ia ke dala i keia la ma ka pili
[?] ua aponoia waiho mai ka kuai
ke pila ua ku ka wahine e o ana i
ka nee ina olala $5.00 ma ka ninau ana
ia ana ua aponoia waila mai o Luu
wai he olelo hooholo e pani ke Komo au
a o ua wa hine i keia la hoolei
Pila no na wahine I ka nee i
Waiho ia mau e Kaike ma ke noi
no kahawai 2 kala aku ma ka
ninau

Akahi dala aku wahine hookahi
i kela me keia ma ka like imake
a make i
Hoolimalima ana i ka mea
ma ka la hanakah kummakolu.
Ianuari ua lilo ka hee o [?] ai
mai Huina ka hee a hiki i Ahu
a o ka hee a pau o keia mau kai
ua lilo ia ana kou na wahine ku
namunamu mau
o ko makou mau hooilina aponoio makou me na keiki a i ke
kahi a makou wahine o hooukia ina dala elima i komo i keia hoolimalima i hooukuia aia ina dala elima aponoia.

E kaporanio ka hee ona Kai i olelo loia [oleloia] a hiki i ka la o ke kakau olelo o kahea ai alaila e like a ponoia
Ina e hele ana ke ka loi wahi a mau wahine paha i keia Hui mai kahi e a piha ka makahiki, a oleia e uku i ka dala i kauia ma luna ona aina mala i mai o k
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