HAWAII HISTORICAL REVIEW

VOL. I, NO. 5 OCTOBER, 1963

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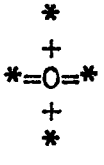

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THE OLD COURT HOUSE ON QUEEN STREET

by

Richard A. Greer
Drawings by Christopher Shinall

Queen Street, between Fort and Bishop, is a busy auto lane by day, a stretch of road to hurry through on the way to or from somewhere else. It attracts relatively few pedestrians at any hour. But a century ago and more it was a nerve center of government and the scene of brilliant social life.

The magnet that drew the crowds was Honolulu's court house, built near the end of Kamehameha III's reign, and in those days a city landmark. It still stands, unmarked, little noticed, but sturdy and clean of line.

The first courts in the islands were held nearby at Governor Kekuanaoa's stone house within the old fort of Honolulu.[1] "Here," wrote a journalist in 1857, "criminals and offenders of all sorts were summarily disposed of in the 'good old days' when we had little law and less equity."[2] By the late 1840's, however, the judicial arena found quarters in other people's houses. At the end of 1846 the king's privy council resolved "To advance to C. H. Nicholson $1,000 and to take a mortgage on his house. It is to be turned into a court house for the foreign judges and Hopkins' house for a district court house, said houses however to be put in good condition."[3]

An act to organize the judiciary department of the Hawaiian Islands was passed in September, 1847. It set up a superior court and otherwise assembled the machinery of law and order.[4] The question then arose: Where to quarter the new superior court? Money to build a court house was appropriated, but in 1847 the kingdom's finance board shifted the funds to a printing office project; meanwhile, a government building was fitted up to serve the superior court.[5] This building stood between Fort Street and Garden Lane, adjoining the premises of the Catholic church, on what was formerly Mr. Paty's lot; it was later occupied by the Sisters of the Sacred Heart.[6]

But the court house question was not so easily settled. Early in 1848 the privy council was at it again. This time it authorized the premier to put up a structure suitable for all the judges of Honolulu, and also for the legislative chambers, on a lot near Mr. Marshall's place. The premier was to work up for the purpose the materials used in and collected for the completion of the late Mr. Richards' house.[7]

This looked promising. More than two years passed, though, without action. In the spring of 1850 the Polynesian called attention to the urgent need for a court house and penitentiary.[8] The court room then in use was intolerably stuffy; to serve on a superior court jury was a trying experience which only the "...usual high respect for the authorities..." persuaded some to undertake. Records and documents demanded better protection than a frail wooden building gave. The newspaper proposed a new court house on the same convenient site.[9]

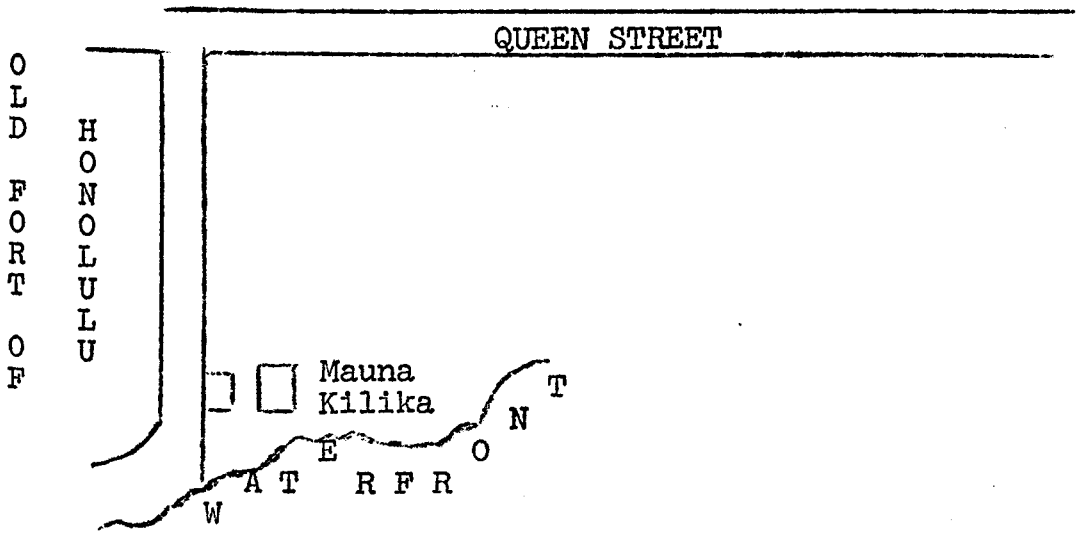
But the matter proved to be a stubborn problem. On May 2, 1850,

the privy council appointed a committee to "...take into consideration the propriety of immediately constructing a substantial court house in Honolulu..."[10] On May 20 its report was referred to Chief Justice William L. Lee for his comments.[11] The report favored building a court house and jail combined; if this was not practical, the jail should come first.[12] A set of plans was attached.

Lee approved the idea of a court house with a jail beneath, and Lee, A. B. Bates, Young (Keoni Ana, premier and minister of the interior), and Governor Kekuanaoa were instructed to draft revised plans and get cost estimates.[13]

Four months later, on September 25, this second committee submitted plans of Messrs. Brandon and Wood of Honolulu; these plans stipulated a two-story building, 85 by 65 feet, with a jail in the basement. The estimated cost of a coral building "...in the most substantial manner..." was $26,000.[14]

On October 2 the minister of the interior was instructed to go ahead with these plans.[15] The site chosen was mauka of Mauna Kilika,[16] a government building situated as shown in the following sketch (not drawn to scale):[17]



But three weeks later Bates objected to this location, arguing that it would be impossible to get a good foundation there, since solid rock lay more than eight feet below the surface in some places. So the privy council appointed Bates, G. P. Judd, and John Ii to select another site and report it and its cost to the next council meeting.[18] The Polynesian opposed this move, pointing to the "...extensive facilities, now entirely useless, occupied by the dilapidated fort and all along the water front on both sides to eastward and westward."[19]

Nevertheless, Judd reported that the committee had found a good situation, held by a private owner, south of Mr. Shillaber's lot (this would be just makai of the present Honolulu Post Office). The privy council approved buying a site running southerly of Shillaber's

house from King to Fort Street, provided it could be bought for a price not above the estimated value of the Mauna Kilika lot.[20]

This was on November 11, 1850. On March 8, 1851, the Polynesian complained of delay, noting that some months since the location had been fixed and the ground staked out. But after a few days' work the site had been abandoned because of the depth of water discovered on the foundation rock. The newspaper urged action, at a new place if necessary, on the grounds of comfort and the need for safekeeping of records. Its question--a familiar one--was, "Who is in charge of this matter?"

Affairs dragged on. Early in April the cabinet council agreed to try to get the property of a Mr. St. John for a court house and prison.[21] In the middle of the month Justice Lee called for immediate progress. By this time he had changed his mind, and proposed that the court house and the prison be built separately but simultaneously.[22] He suggested the old site (Paty's lot adjoining the Catholic church) for a court house. The cabinet council decided that a committee should bring forward a report on this, and that the same committee should try to find a place for a jail.[23]

On the same date Judd, Lee, and Ii reported to the privy council that they were unable to select and purchase a site for a combined jail and court house. They therefore recommended that the two projects be erected on separate lots, and that the minister of the interior go ahead with the court house on the lot then occupied for the purpose, namely, the Paty lot. They further recommended that a suitable person be employed as a superintendent of public works to oversee construction. This superintendent should have power, in conjunction with the minister of the interior, to alter the accepted plan as might seem proper.[24]

The privy council adopted this report, instructing the minister of the interior to proceed with the court house forthwith and to employ a competent clerk for the superintendence of public works, to supervise building.[25] In the middle of May the minister of the interior told the legislature that he had appointed a skilled foreign superintendent, adding that the official's pay would have to be provided for by law.[26]

The Polynesian made an eleventh-hour attempt to push a prison project ahead of the court house. On June 7, 1851, it urged that the former take precedence, although a court house seemed to be first on the list of public buildings about to be erected by the government. The same newspaper article made oblique, but approving, reference to the fact that plans had been drawn with the object of providing a meeting place for the legislature as well as for the superior court.

When in April the privy council had approved separate jail facilities, it thereby scrapped the original plans of Brandon and Wood. The council subsequently agreed to other plans; however, it paid Brandon $362 for his pains.[27] An accident of history has preserved the Brandon-Wood plans, while those actually used seem to have disappeared.

The exact date when construction began the writer cannot tell. June, 1851, seems the most likely month. In October sixty prisoners were employed on the reef, cutting coral blocks. On the night of the twenty-second, they were occupying some native houses near their work

place, in order to take advantage of a low tide very early in the morning. Forty men overpowered the guards and seized gun batteries overlooking Honolulu. Loaded cannon were trained on prominent buildings. But the prisoners lacked fire to set off the pieces. Police scaled the heights commanded by the rebels and subdued them, and the morning of the twenty-third saw law and order ascendant.[28] This incident led to renewed demands for a prison, and the Polynesian declared that the superintendent of public works would be justified in suspending work on the court house until a jail could be built.[29]

By the first of February, 1852, stone work had been completed, and carpenters were laboring on the roof. There was some prospect that the court house would be ready for the meeting of the legislature in April, but it was not.[30]

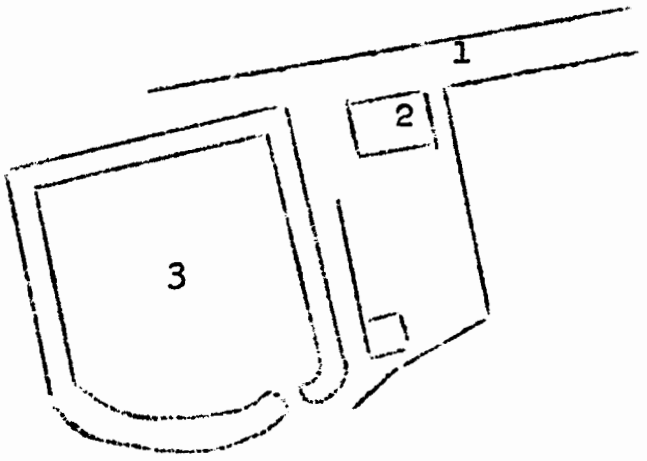
The "...large and elegant structure..." had been sadly delayed in building. In his report to the legislature for the year ending March 31, 1852, the minister of the interior laid the blame on the "miserable quality" of labor employed. Most of the workers were prisoners. They toiled without pay, but the cost of their food and their "extreme indolence" had caused great loss of time and money. The minister said: "Each stone in the Court House according to accounts accurately kept has cost $1.58 3/4, whereas the same stone could have been procured by contract, for less than one dollar each...A further appropriation will be needed for the completion of this building."[31]

Original estimates for the new court house as drawn up by the finance department in July, 1850, called for an expenditure of $20,000.[32] The sum of $17,500 was appropriated for the fiscal year April 1, 1850-March 31, 1851; of this, $171.13 had been expended by the latter date.[33] The appropriation for the period April 1, 1852-March 31, 1853 was $12,200, with $4,647.23 unexpended at the end of the fiscal year.[34] Following further appropriations, the bureau of public improvements reported as of December 31, 1852, a total appropriation of $16,847.23, with an unexpended balance of $117.75.[35] From all this it would appear that the court house cost $34,229.50, a very considerable sum for that time, and one which apparently justified the minister of the interior's strictures.

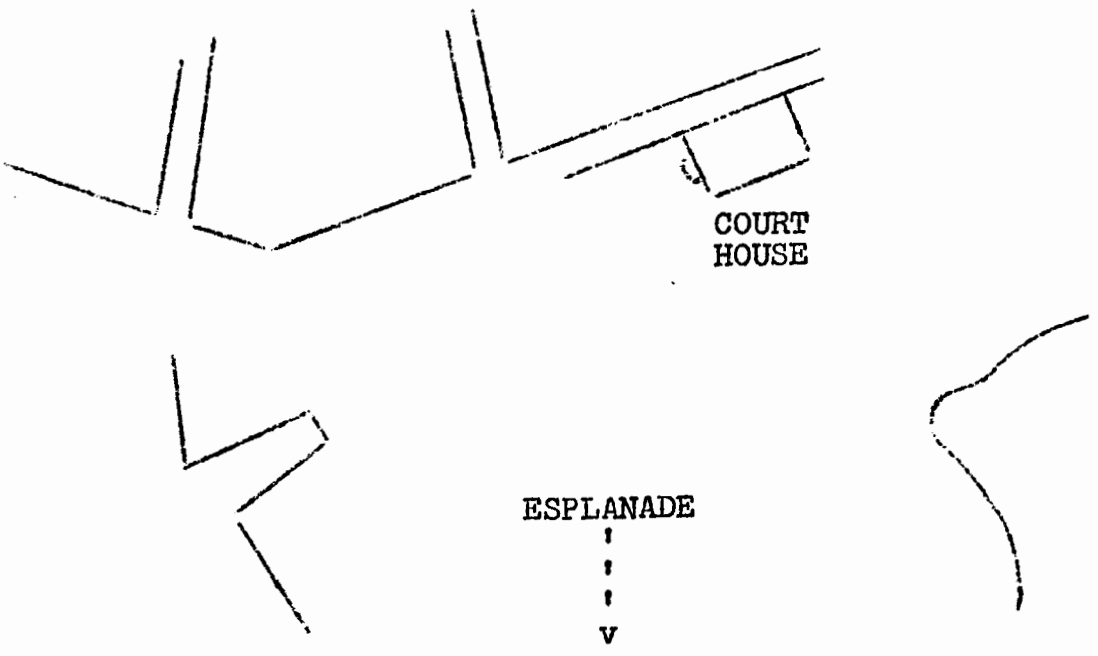
Finishing work was in progress at the court house early in April, 1852; when completed, the building was the second largest in Honolulu, and the most costly.[36] The Emmert drawing of 1853 faithfully reproduced its appearance, as the writer will show at the conclusion of this paper. A copy of the drawing is in R. J. Baker's Honolulu in 1853..

Despite the privy council's resolution of April, 1851, the site finally chosen for the court house was the one selected in October, 1850--on Queen Street mauka of Mauna Kilika.[37] At the time the court house was built, and for several years thereafter, the surroundings remained much as they had been in 1843. This is shown by W. Webster's working sheet for a government survey reported January 20, 1854:[38]

1--Queen Street
2--Court House
3--Fort of Honolulu



And ten years after its erection, the court house remained a prominent landmark:[39]



During the twenty-two years that the court house served as a public building several alterations took place. The superior court room provided by the plans was a floor-to-roof chamber some thirty feet high.[40] It proved too wasteful of space. In 1853, $1,200 was appropriated to extend the second-story floor to cover the entire area of the building[41] The purpose was to provide accommodations needed to house the legislature.[42] But the amount appropriated in 1853 was not

sufficient, as estimates for the work exceeded $2,000.[43] The "fine new room" thus provided for was occupied by the supreme court on April 5, 1854.[44] In addition, partitions had been built on the lower floor, making for the safekeeping of records under the care of the registrar of conveyances.[45] The total cost: $2,492.86.[46]

In 1857 the collector of customs asked for storage room in the court house basement. This involved fitting seven iron gratings on windows and removing stone partitions in the cellar, replacing them with pillars. This work, certified safe by the superintendent of public works, made available to the government 500 coral blocks worth fifty cents each.[47]

Improvements to the court room were made in 1866. New matting was laid down, and woodwork repainted and varnished. Over the entrance to the lobby was hung a lifesize portrait of Kamehameha V by M. Dudoit, while a portrait of Kamehameha I by J. Sawkins decorated the opposite wall.[48] Behind the dais where the judges sat a drape of green damask was placed, and above it hung the national arms and motto, surmounted by two crossed spears and a crown. On the room's south side was a "...new and very handsome clock...", and beneath it an indicator of the days of the week and month.[49]

Four years later work began on the iron fence which was for many years a feature of the court house grounds. Recently imported from England, it was set in a stone base laid in cement. At the corner of Queen and Fort Streets an elaborate iron drinking fountain was installed. Unlike the constantly-running fountain on the Bethel Street corner, it was spring-operated--a novelty in the Honolulu of 1870.[50]

When the court house was built, the city gained a new and bigger set of public rooms. The result was that the chambers dedicated to the government's judicial and legislative processes were the scene of a rich variety of private and community functions. Even before the court house was ready, at least two religious groups asked to use it for services.[51]

The first organization to use the court house was, apparently, the Royal Hawaiian Agricultural Society. Its second annual meeting took place there on June 1, 1852.[52] On the sixteenth, Police Justice C. C. Harris, and on the seventeenth, Chief Justice W. L. Lee and the clerk of the superior court, moved into their offices.[53] The superior court room was not yet finished, but it was ready for the court's July term, which Judge Lee opened on the fifth of that month.[54]

Late in June several prominent men wrote to the minister of the interior, deposing that because the seamen's chapel was too small, Honolulu's foreign residents had formed a church and separate congregation. They lacked money to build at the time, so asked to hold their meetings in the court room.[55] The government gave permission, and a month later (July 24) the congregation of the "second foreign church of Honolulu" advertised Sunday worship led by the Rev. T. E. Taylor at the new court house.[56] At this time the only other foreign public English services were at the seamen's chapel.[57]

A partial but representative listing of the many--and sometimes singular--activities noted by the Honolulu press as having occurred at the court house gives an excellent idea of the building's importance in early days:

November 3, 1852--a preliminary public meeting called to discuss ways of increasing exports by organizing a joint stock company to open new plantations, etc.[58]

December 18, 1852--removal of the office of the land commission (which awarded claims resulting from the great mahele) to the first floor.[59]

December 30, 1852 and January 3, 1853--nomination and election of the two legislative representatives and the road supervisor for Honolulu.[60]

February 22, 1853--a fair held by the Stranger's Friend Society for the benefit of destitute foreigners.[61]

June 7, 1853--the annual meeting of the Royal Hawaiian Agricultural Society.[62]

July 18 and July 30, 1853--protest meetings of the public (foreigners) against the handling of the great smallpox epidemic. The second meeting was largely an anti-G. P. Judd gathering, a focus of the campaign that resulted in Judd's retirement from the Hawaiian government.[63]

September 7, 1853--a meeting to form a mechanics' association, a mutual relief and benevolent society for workingmen.[64]

November 10, 1853--a ship captains' meeting to set pay rates for sailors and dock workers.[65]

April 15, 1854--offices of the district attorney of Oahu and the registrar of conveyances moved to the first floor rooms, makai.[66]

April 29, 1854--election of the school commission.[67]

May 4, 1854--concert of Mrs. Fiddes, assisted by several members of the Amateur Society.[68]

May 6, 1854--a notice asks for the return of borrowed law books to the law library.[69]

June 3, 1854--a meeting of American residents in the legislative hall to adopt suitable measures for the celebration of the approaching Independence Day.[70]

June 13 and 14, 1854--annual meeting and fair of the Royal Hawaiian Agricultural Society.[71]

July 4, 1854--Independence Day ball and fireworks display.[72]

November 16, 1854--a fair given by the ladies of Honolulu for the benefit of Masons and Odd Fellows.[73]

June 5, 1856--a ball given by Prince Lot Kamehameha.[74]

July 4, 1856--Independence Day ball.[75]

November 13, 1856--a great ball given by the Chinese merchants of Honolulu and Lahaina in honor of the king and queen; the affair was reported to be the most elaborate of its kind ever held in Honolulu.[76]

March 10, 1857--Prince Lot read to the privy council a message of thanks from the Fort Street Church for the use of the court house as a place of worship.[77]

May 25, 1859--formation of the Queen's Hospital at a meeting of subscribers, who organized themselves, adopted the hospital's name, and selected trustees.[78]

November 28, 1860--a fancy ball given by Foreign Minister R. C. Wyllie, reported to be the first fancy ball worthy of the name given in Honolulu.[79]

June 20, 1861--a ball and banquet given in honor of Lady Jane Franklin by W. L. Green, H.B.M. acting commissioner and consul general.[80]

December 11, 1869--a ball given by officers of the king's staff in his honor.

January 8, 1873--election of King Lunalilo.

February 12, 1874--election of King Kalakaua and the court house riot.

February 14, 1874--special session of the legislature addressed and prorogued by Kalakaua. This was the last legislative session held at the court house.[81]

February 18, 1874--a convocation of the supreme court heard C. C. Harris speak at his commissioning as first associate justice.[82] Harris had been a police justice during the building of the court house and was one of the first officials to occupy it when it was opened in 1852.

The election riot badly damaged the court house, but the government made repairs.[83] Kalakaua's ambitious plans for his kingdom's capital city held no place for the mended landmark, however. Aliiolani Hale, begun at the close of Kamehameha V's reign, opened its doors the first of May, 1874, and with the removal of legislative and judicial quarters thereto, the court house lost much of its usefulness.

Late in April, 1874, rumors said that the building would be rented; in passing them on, the Advertiser remarked that "...it seems like profanation to pile up vulgar sugar and molasses in those classic shades."[84] But the action proposed was even more drastic. On April 28 a meeting of the cabinet council unanimously agreed to offer the court house and lot at an upset price of $25,000.[85] Four days later it lowered this to $20,000.[86]

Following this decision, on May 9, 1874, E. P. Adams, auctioneer, advertised the coming sale of "...all that certain valuable parcel of land in Honolulu, with the buildings thereon, known as the Court House Premises."[87]

The legislature, then in session, rose in wrath. On May 13 objectors in the House of Representatives made a nearly successful attempt to rush through a bill whose object was to stop the sale.[88] The bill proposed to amend the civil code, which allowed the minister of the interior with the approval of the king and privy council to dispose of public property. The amendment excepted "...all pieces of Government land in the district of Honolulu, which may only be disposed of with the consent of the Legislature."[89]

The Advertiser commented that while the policy of selling valuable government property at that time could be questioned, the legislature's attempt looked like a move to censure the ministry, and it was so interpreted. The proposed amendment failed to pass by five votes; it was consigned to a select committee chaired by a strong friend of the ministry.[90]

A result of the political upheaval was that the court house sale was postponed to July 11.[91]

On May 30, the Advertiser reported:

> The radical measure of the session--a bill to tie up all government property in Honolulu beyond the power of the Cabinet to sell or lease--was frustrated, or perhaps we should say, compromised, on Tuesday (May 26). The bill had slumbered on the Secretary's table for a week, by which delay its friends lost ground; for without a doubt it would have been carried after its second reading if pushed.

C. R. Bishop had introduced the bill; it was he who offered the "compromise" amendment, which substituted the control of the privy council for that of the legislature.[92] The Advertiser remarked that this was a putting forward of the "irresponsible body" of the privy council as the executive, in marked contrast to Kamehameha V's constitution of 1864, which gave that body almost no responsibility.[93] The same newspaper later characterized the attempt to block the court house sale as "...an outburst of mistaken patriotism, (which) caused whole days to be wasted in debate."[94]

The amendment that passed and was approved by Kalakaua on July 13 restricted the minister of the interior in his negotiations by adding a provision that no sale of one land or lot exceeding $5,000 in value could be made without the consent of the king and a majority of the privy council.[95]

Following this requirement, the minister of the interior on August 14 asked for Kalakaua's views on the proposed sale.[96] The matter then went to the privy council which, four days later, approved the transaction by a vote of 18-2 after a lengthy discussion.[97] The upset price remained $20,000.

The auction, twice postponed, was finally announced for Saturday, September 19, at noon.[98] The Advertiser predicted that the property would prove very valuable in the future.[99] On the designated day the auction took place; the purchaser of what was reported to be "...the best business stand in Honolulu..." was H. Hackfeld and Company. The price paid: $20,000.[100] The area bought was 48,016 square feet--243.2 feet on Queen Street, 160.7 on Fort Street, 274 thence to Widemann Lot, and 213.6 back to Queen Street.[101]

The court house's new owners at once set about altering their property to suit their needs. By the first of November, 1874, all partitions of stone, both upstairs and down, had been removed, new floors laid, and various other changes made. Iron doors and window shutters were installed, and the wooden cornice and water spouts replaced with concrete. The building was rendered fireproof, and later, on the makai side of the lot, a stone warehouse, about 100 by 50 feet, was erected.[102] At a still later date the court house quartered offices of the Pacific Mail Steamship Company.

From 1874 to 1902, when the present main office building at the corner of Fort and Queen Streets was occupied, the court house sheltered head offices of Hackfeld and Company.[103] Then for many years it served as a grocery and feed warehouse.[104]

In 1927 a committee of the Hawaiian Historical Society suggested

to American Factors, successors to H. Hackfeld and Company, the desirability of putting a commemorative plaque on the building. The firm's directors approved, and the tablet was erected in 1928.[105] It read:

> This building was formerly the Court House and Parliament House of the Hawaiian Kingdom. In this place Prince William C. Lunalilo was elected King of Hawaii, January 8, 1873, and Chief David Kalakaua was elected King, February 12, 1874. On the latter occasion occurred the famous riot between the adherents of Kalakaua and the followers of Queen Dowager Emma, which was suppressed by the aid of marines from the United States warships 'Tuscarora' and 'Portsmouth', and the British warship 'Tenedos'.

In June, 1963, the plaque was gone, and no marker remained to attest the court house's historic past.

At the end of 1944 American Factors completed a replastering of the building, as cracks and chinks had appeared on the outside walls. Mr. H. A. Walker, then president of the firm, remarked that although some day the court house might have to go, in the meantime American Factors would make every effort to preserve it.[106]

About ten years ago the court house's interior was entirely remodeled to provide office space, and this use continues to the present time.[107]

While examining various representations of the court house at the Archives of Hawaii, the writer was struck by a number of dissimilarities occurring among pictures made at different times. The sum of these changes, found by comparing the Emmert drawing of 1853 with the court house's present appearance, has materially altered the building's aspect and, the writer believes, its dimensions also. Two obvious courses of action presented themselves: first, a chronological arrangement of the available pictures, and second, a thorough examination of the court house itself.

The Emmert drawing can be accepted as showing the court house as it looked on completion. Fortunately, there is in the Archives an undated photograph which shows the building just as Emmert represented it. This photograph was made at some time during the period 1870-1874, apparently, since although the building is unchanged, the iron fence and drinking fountain erected in 1870 are in place. This would suggest that during its period of service under the government, no exterior alterations were made in the structure.

The second photograph in the series as arranged by the writer probably dates from 1881 or shortly thereafter. Shown in the distance is the Wilder Building, built in 1881 on the present C. Brewer and Company site. By this time the arrangement of the windows on the facade had been changed. Traces of masonry inserts are visible, proving that the outside windows on both floors had been blocked out. The gable and cornices had been redone, as noted above, and the shape of the ventilator in the gable altered to its present triangular form.

A third photograph comes from the year 1890, or thereabouts. Electric poles, though primitive, are in evidence; a sidewalk along Queen Street testifies to progress. The middle window of the back three on the Queen Street side of the court house has been blocked out, but the continued presence of the original one-story adjunct at the back--probably a toilet--argues against any extension of the building prior to this time.

Passing over two other photographs of the 1890 period which show the facade, the writer calls attention to two photographs of the same general vintage which give oblique views of the court house on the yard side. These show a concrete warehouse abutting the main building and running off to the right into the yard. The present metal tie-rods in the side walls just below the cornice are pictured. The upper back window has been fitted with metal doors (open), and an outside stairway leads to them.

A later photograph, almost certainly from the very late 1890's, shows a sidewalk on Fort Street and a flagpole in front of the court house. The present-day gabled window cornices on the facade have been installed. The portico before the door is still there; otherwise, the facade looks just as it does in 1963. The iron fence and drinking fountain are still in place.

The last photograph of the series, and a most revealing one, appears as Plate 85 in R. J. Baker's Honolulu Then and Now. It is dated 1941, or before the replastering mentioned above. There are six windows on the Queen Street side instead of the original five. Just behind the last tie-rod (toward Bishop Street) is a section containing two windows--a section which clearly appears in the photograph as of a slightly different shade. The writer used this photograph together with his measurements to form his hypothesis that an extension has been added at the Bishop Street end of the court house within the last sixty years or so.

Measurements were taken in June, 1963, by the writer, Jane Silverman of the Library of Hawaii, and Mr. Kazu Tsuchida of American Factors. Mr. H. C. Eichelberger, executive vice-president of that firm, authorized the undertaking, and assigned Mr. Gilbert Hee of the office services division to provide necessary help. The cheerful and valuable cooperation of all concerned is gratefully acknowledged.

Results of the measurement follow:

1. Overall exterior length: 108' 8"
2. Overall exterior width: 56'
3. Windows: 6 on Queen Street side (both floors), 5 on yard side (upper floor only; doors have been cut through on lower floor), none on back of building, 2 plus doorway on lower front, 3 on upper floor front.
4. Window alignment: back 4 windows are in line, side to side; front two windows on Queen Street side straddle window on yard side.
5. Width of windows: openings in masonry approximately 53"
6. Space between windows on Queen Street side: front of building to first window, 8' 5"; between first and second windows, 9' 2"; between second and third windows, 14' 10"; between third and fourth windows, 18' 4"; between fourth and fifth windows, 11' 5"; between fifth and sixth windows, 11' 3"; sixth window to back of building,

8' 3"

7. Thickness of side wall at ground level: 34"
8. Overall length of basement: 71'
9. Overall width of basement: 50'
10. Height of basement from floor to sidewalk level: 5'
11. Small basement room, mauka-ewa corner: 19' by 29' 3"
12. Dimensions of sample coral block: 21" by 21" by 9"
13. Front wall of front well (Queen Street side) to front wall of basement: 54"
14. Front wall of front well to front of building: 7' 6"
15. Back wall of rear well to back wall of basement: 16' 9"
16. Back wall of rear well to back of building: 51' 1"
17. Position of tie-rods: front rod located at front of building. Second rod is equidistant between first and third. Third (back) rod is 33' from back of building.
18. Supporting pillars in basement: brick
19. Basement walls, building walls, and walls of small basement room: coral blocks

An 1870 photograph showing an oblique view of the back of the court house is reproduced in R. J. Baker's Honolulu in 1870. The second floor back contains windows, and is surmounted by a corniced gable identical to that of the facade. At the present time the wall is blank, and without a cornice.

Inside the court house are remains of what appears to have been a thick partition. This juts out some three or four feet on both sides of both floors. The partition is between the second and third windows on the Queen Street side, and between the first and second windows on the yard side.

Originally there was a small one-story chamber running across the back of the building. Its Queen Street wall was flush with that of the rest of the court house. This chamber, which shows clearly in the Emmert drawing and the 1870 photographs, is now gone.

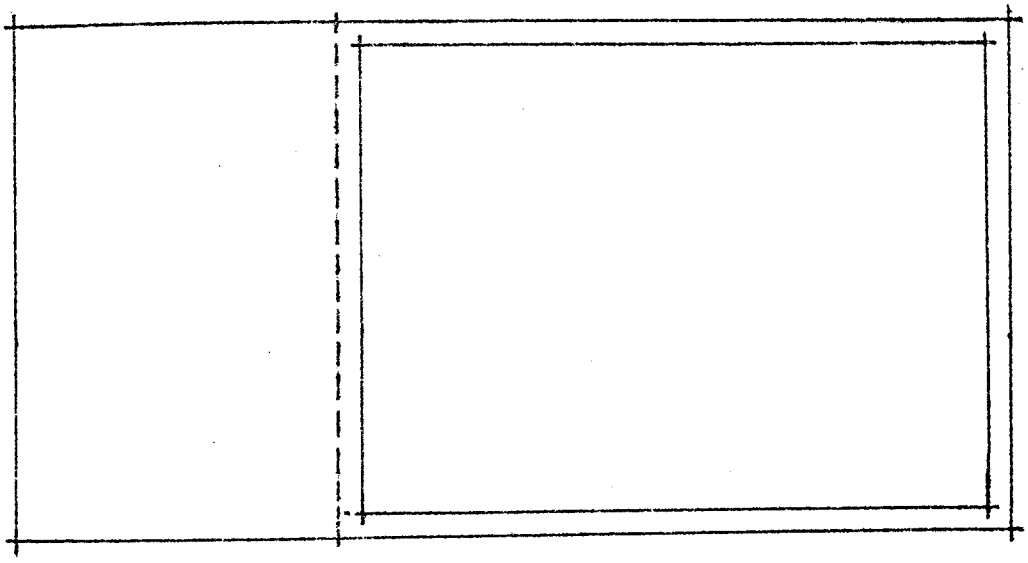
Inside both wells on both sides of the building are steps or remains of steps, originally coral. This suggests that there were four doorways into the court house basement. The entrances on the Queen Street side show clearly in the 1870 photograph cited above as the first of the series.

Evidence supporting the idea of an extension of the original building toward Bishop Street includes:

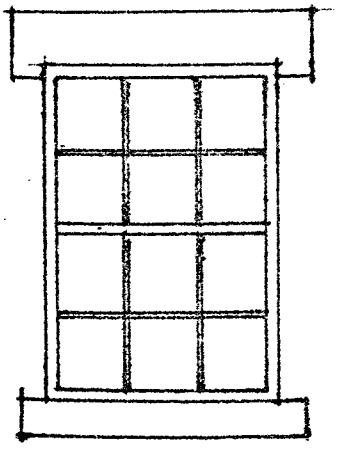
1. The placement of the tie-rods. They were manifestly installed to strengthen the old walls. Why, however, is there no rod at the Bishop Street end?
2. The discrepancy between the length of the building and the length of the basement. The basement runs nearly to the front of the court house, but ends almost 35 feet short of the back.
3. The addition of a window on the Queen Street side, but with two wide blank wall spaces instead of the one appearing in Emmert's drawing and the 1870 photograph.
4. The blank back end, which is without window or cornice.

Reviewing this evidence, the writer postulates an extension of about 30 feet, inside space, since 1900. Structural engineers could easily verify or disprove this hypothesis. If it is true, it leads to

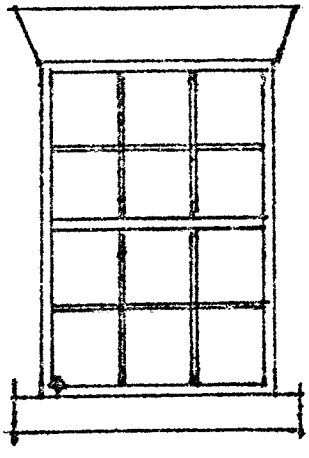
A



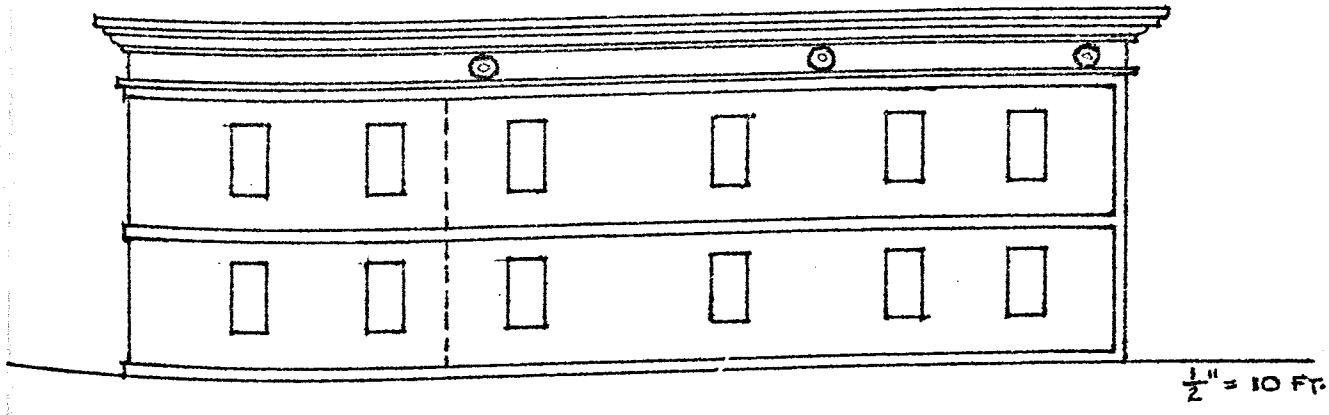
B



C



D



$\frac{1}{2}$" = 10 Ft.

Drawings by Christopher Shinall

Mr. Shinall's drawings provide visual evidence supporting the writer's hypothesis regarding the extension of the courthouse:

Drawing A:

Shows the discrepancy between the length of the courthouse and that of the basement. Note the fact that the basement ends just where the dotted line cuts the courthouse in Drawing D.

Drawings B and C:

Show the different types of lintels used on the Queen Street side of the courthouse. Type C is found on the first four windows (from the building's front); type B is found over the last two. This supports the postulate that the middle window of the last three as originally built has been blocked out, and that the existing last two windows belong to a later extension.

Drawing D:

1. Shows the position of the tie-rods;
2. Shows existing window arrangement, with two broad blank spaces;
3. Shows the vertical raised-stone edging at the front of the building. This edging originally existed at the back also, as an early photograph proves; the present structure, though, has no such vertical edging at the back corner.
4. Shows an interpolated dotted line which runs from the point at which the basement ends to a point just behind the last tie-rod. The windows behind the line have type B lintels; those in front of it have type C.

the further conclusion that the original inside dimensions of the court house must have been identical with, or very close to, those specified by the Brandon plans preserved in the Archives of Hawaii.

Such matters may concern only the antiquarian, but it is important for all Honolulans to recognize that the old court house on Queen Street is a significant legacy from the past. It deserves preservation for the future, and it deserves proper marking now.

NOTES

1. Warren Goodale and Thomas Thrum, "Honolulu in 1853," Hawaiian Annual, 1899, p. 83.
2. Pacific Commercial Advertiser, October 1, 1857.
3. Privy Council Records, Vol. II, p. 104 (December 10, 1846). Archives of Hawaii.
4. Statute Laws of His Majesty Kamehameha III...Passed by the Houses of Nobles and Representatives...1847, Vol. II (Honolulu: Government Press, 1847), pp. 3-65.
5. Report of the Minister of Finance, 1847 (Honolulu: Charles E. Hitchcock, 1847), p. 6.
6. H. L. Sheldon, "Reminiscences of Henry L. Sheldon of Persons and Events in the Hawaiian Islands from 1846 to 1853," Vol. I, Nos. 1 to 34, inclusive, written in 1881. Typescript, p. 8. Archives of Hawaii. The government owned the lot at this period. See letter, W. Goodale to Henry Rhodes, July 24, 1851, Interior Department Letter Book No. 3 (August, 1850-May, 1852). Archives of Hawaii.
7. Privy Council Records, Vol. IV, p. 360 (January 27, 1848).
8. Polynesian, April 6, 1850.
9. Ibid.
10. Committee members were Keoni Ana, Lorrin Andrews, and A. B. Bates. Privy Council Records, Vol. IIIB, p. 637.
11. Ibid., p. 651.
12. Reports to the Privy Council, F.O. and Ex., February-July, 1850 (May 20, 1850). Archives of Hawaii.
13. Privy Council Records, Vol. IIIB, p. 659 (May 27, 1850).
14. Letter, Brandon and Woods to William Lee, September 23, 1850, enclosing plans; report of committee to privy council. Reports to the Privy Council, F.O. and Ex., August-November, 1850 (September 25, 1850). The plans as filed showed a jail yard covering the extent, roughly, of the present-day American Factors complex.
15. Privy Council Records, Vol. VIA, p. 10.
16. Ibid.
17. From the Alexander Simpson map of August 25, 1843, as reproduced in R. J. Baker, Sketches and Maps of Old Honolulu (Honolulu: R. J. Baker, 1950), plate 10.
18. Privy Council Records, Vol. VIA, p. 48 (October 23, 1850).
19. Polynesian, November 2, 1850.
20. Privy Council Records, Vol. VIA, pp. 114-116 (November 11, 1850). For the location of Shillaber's place see R. J. Baker, Honolulu in 1853 (Honolulu: R. J. Baker, 1950), p. 60.

21. Cabinet Council Minute Book, 1850 to 1854, p. 295 (April 4, 1851).
22. Ibid., p. 297 (April 16, 1851).
23. Ibid.
24. Reports to the Privy Council, F.O. and Ex., 1851 (April 16, 1851).
25. Privy Council Records, Vol. VIB, pp. 346-348 (April 21, 1851).
26. Polynesian, May 17, 1851.
27. Privy Council Records, Vol. VIB, p. 421 (August 18, 1851). The old Honolulu fort continued to house prisoners until August 22, 1857. At that time prisoners were transferred to the new Oahu Prison at Iwilei. The old fort was demolished in the fall and winter of 1857.
28. Polynesian, October 25, 1851.
29. Ibid.
30. Polynesian, February 7, 1852.
31. Report printed in the Polynesian, April 17, 1852.
32. "Budget of the Deficiencies and Wants of the Royal Exchequer ...for the Fiscal Year Ending March 31, 1851." File, Finance Department, April-December, 1850. Archives of Hawaii.
33. "Appropriations and Expenditures for the Year Ending March 31st, 1851." File, Finance Department, January-April, 1851.
34. Polynesian, July 24, 1852.
35. Report of the Superintendent of the Bureau of Public Improvements for the Nine Months Ending December 31, 1852, appendix to the Report of the Minister of the Interior for 1852, p. 12.
36. Letter, April 6, 1852, Robert W. Andrews to William Nevins Armstrong, in Richard Armstrong Collection, Correspondence File M7, Archives of Hawaii; letter, October 11, 1852, S. C. Armstrong to his brother, File M7.
37. The site had been recommended for a jail in March, 1850, by Theophilus Metcalf, then marshal of the kingdom (T. Metcalf, Marshal of the Hawaiian Islands, Report Ending March, 1850. File, Interior Department Miscellaneous, March, 1850. Archives of Hawaii). Metcalf resigned the marshal's office on May 29, 1850 (letter, T. Metcalf to John Young, in Interior Department Miscellaneous, May, 1850). By the first of February, 1852, he was serving as superintendent of public works (letter, February 3, 1852, Castle and Cooke to John Young, Interior Department Miscellaneous, February, 1852). He therefore supervised much, and quite possibly all, of the court house's construction.
38. Interior Department Land File, January, 1854. Archives of Hawaii.
39. The Anthon Estate map of Early Honolulu, dated about 1862. R. J. Baker, Sketches and Maps of Old Honolulu, plate 13. The esplanade ran into the harbor.
40. Polynesian, February 7, 1852.
41. Annual Report of the Minister of Finance for the year ending March 31, 1853, Table B2, "Appropriations of 1853, with Expenditures for the Nine Months Ending December 31, 1853, and Unexpended Balances at that Date," p. 22.
42. Privy Council Records, Vol. VIII, pp. 93-95 (February 6, 1854).

43. Ibid., pp. 107-109 (February 20, 1854).
44. Polynesian, April 8, 1854. The supreme court was created by "An Act Relating to the Judiciary Department." It was established above the superior court, effective December 6, 1852 (Polynesian, December 11, 1852).
45. Report of the Minister of the Interior to the legislature of 1854, p. 6.
46. Annual Report of the Minister of Finance for the year 1854, Table B2, "Appropriations of 1854, with Expenditures for the Nine Months Ending December 31, 1854, and Unexpended Balances at that Date," p. 21.
47. Letter, R. A. S. Wood to Prince Lot Kamehameha, November 4, 1857. File, Interior Department, Courthouses, Oahu. Archives of Hawaii.
48. Hawaiian Gazette, April 6, 1866. The portrait of Kamehameha I was bought by the Hawaiian government late in 1850 for $100. At the time of purchase it was stipulated that Sawkins should make such alterations as Kamehameha III might order (Privy Council Records, Vol. VIA, pp. 180-181 (November 29, 1850). Today there are two portraits of Kamehameha I attributed to James Sawkins hanging in Iolani Palace.
49. Hawaiian Gazette, April 6, 1866.
50. Pacific Commercial Advertiser, March 5, 1870.
51. Letter, January 22, 1852, J. R. Mitchell to John Young; letter, January 26, 1852, G. P. Judd, John Ii and Lorrin Andrews to John Young. File, Interior Department Letters Received. Archives of Hawaii.
52. Polynesian, May 22 and June 5, 1852.
53. Ibid., June 19, 1852.
54. Ibid., July 10, 1852.
55. Letter, June 22, 1852, G. P. Judd, O. H. Gulick, J. M. Waterhouse, C. R. Bishop, and R. Armstrong to John Young. File, Interior Department Letters Received.
56. Polynesian, July 24, 1852.
57. Ibid.
58. Polynesian, November 6, 1852. A note on the population of Honolulu will put the matter of the court house's various uses in perspective. On October 30, 1852, the Polynesian reported the results of a recent census of foreign residents taken by Marshal W. C. Parke. The area covered was: Kalihi to Waikiki, and coast to Pali, or Honolulu and its suburbs. The tabulation:

White	- males over 21	380	The total was somewhat lower than formerly because of the drain to the California gold fields.
	males under 21	129	
	females over 21	144	
	females under 21	118	
		771	
Colored	-	21	Within the same area the estimated Hawaiian population was 8,000.
Chinese	- in business	37	
	coolies, laborers, servants	34	
		863	

59. Polynesian, December 18, 1852.
60. Ibid., January 1, 1853.

61. Ibid., February 19, 1853.
62. Ibid., June 4, 1853.
63. Ibid., July 23 and July 30, 1853.
64. The Weekly Argus, September 15, 1853.
65. Polynesian, November 12, 1853.
66. Ibid., April 15, 1854.
67. Ibid., May 6, 1854.
68. Ibid.
69. Ibid.
70. Ibid., June 10, 1854.
71. Ibid.
72. Ibid., July 8, 1854.
73. Ibid., November 4, 1854.
74. Ibid., June 7, 1856.
75. Ibid., July 5, 1856.
76. Ibid., November 15, 1856.
77. Privy Council Records, Vol. X, p. 126.
78. Polynesian, May 28, 1859.
79. Ibid., December 1, 1860.
80. Pacific Commercial Advertiser, June 27, 1861.
81. Ibid., February 21, 1874.
82. Ibid.
83. Biennial Report of the Minister of Finance to the Legislature of 1874, p. 4.
84. April 25, 1874.
85. Cabinet Council Minute Book, 1874-1891, p. 29. Archives of Hawaii.
86. Ibid.
87. Pacific Commercial Advertiser.
88. Ibid., May 16, 1874.
89. Ibid.
90. Ibid.
91. Ibid., May 23, 1874.
92. Ibid., May 30, 1874.
93. Ibid.
94. Ibid., November 7, 1874.
95. Laws of His Majesty Kalakaua...Passed by the Legislative Assembly, at Its Session, 1874 (Honolulu: Black and Auld, 1874), p. 24.
96. Cabinet Council Minute Book, 1874-1891, p. 39.
97. Privy Council Records, Vol. XII, p. 87.
98. Pacific Commercial Advertiser, August 22, 1874.
99. Ibid.
100. Hawaiian Gazette, September 23, 1874.
101. Pacific Commercial Advertiser, September 19, 1874.
102. Ibid., November 7, 1874.
103. Letter, H. C. Eichelberger to R. A. Greer, April 4, 1963.
104. R. J. Baker, Honolulu in 1853, p. 21.
105. M. K. Dutton, "Courthouse Marks Its Centennial," Sixty-First Annual Report of the Hawaiian Historical Society for the Year 1952 (Honolulu: Advertiser Publishing Company, 1953), p. 19.
106. Honolulu Star-Bulletin, December 21, 1944.
107. Eichelberger to Greer, April 4, 1963.

HAE HAWAII

by

Colleen Hanai

Hae Hawaii (the Hawaiian flag) has long flown high over these islands.[1] But the colors of several other nations have been unfurled at one time or another both prior to and after the making of the original Hawaiian ensign.

The first flag the Hawaiian Islands ever saw was probably the British colors carried by Captain James Cook on his third voyage around the world--the voyage on which he discovered the Sandwich Islands in 1778.[2] This first flag was most likely a red ensign with only the St. Andrew and St. George crosses; the present British union did not come into being until 1801.[3] The British flag did not become significant, however, until 1794, when Captain George Vancouver, on a voyage around the world, gave the flag to Kamehameha I after he had persuaded him to cede the Hawaiian Islands to Great Britain--a cession which was not accepted by London.[4] The flag was raised at Kealakekua Bay, where Captain Cook had been slain; the Hawaiians thought that this was their guarantee of protection by Great Britain from their enemies.[5]

Archibald Campbell saw the British flag when he arrived in the islands in December, 1808, and in his Voyage Around the World, 1806-1812, he wrote: "The King's residence built close upon the shore, and surrounded by a palisade upon the land side, was distinguished by British colors."[6] But Hae Hawaii replaced Britain's ensign at some time between 1806 and 1816.

The next foreign flag belonged to the Russians, who threatened to establish their Czar's banner on Kauai in 1817, following the building of a Russian fort there.[7] Georg Scheffer, a German doctor, had arranged with Governor Kotzebue of Alaska to establish a Russian stronghold on the island,[8] but when Kamehameha I learned of this effort, he at once ordered the king of Kauai to deport the foreigners.[9]

The British flag reappeared in 1843 when Lord George Paulet, commander of H.M.S. frigate Carysfort, ordered the Union Jack raised and Hae Hawaii taken down and destroyed together with all other flags in the islands.[10] He further ordered the cession of Hawaii to England and the fulfillment of six demands, but his actions were rescinded five months later by Admiral Thomas, commander-in-chief of the British naval forces in the Pacific, and the Hawaiian flag was restored.[11]

On August 1, 1860, a new flag with a white field instead of the usual alternate stripes of red, white, and blue flew over the palace for the first time.[12] It was generally believed that this was the consort's flag, because it was flown only during the temporary absence of the king.[13]

Later a flag for Hawaiian royalty was originated by Robert Louis

Editor's Note: Miss Hanai's paper was produced for Dr. C. H. Hunter's class in Hawaiian history at the University of Hawaii during the spring of 1963. It is published as a part of this Review's effort to stimulate interest in and writing of local history.

Stevenson during his visit in the 1880's, when he persuaded Kalakaua that the latter should have a flag embracing native colors and symbols.[14] Stevenson had his stepdaughter, Isobel Strong, design and make the flag, which had in the middle of broad bands of white and red a square white field, on which were placed the crown, shield, and arms of the king in red, blue, and yellow.[15] Isobel also designed a coat of arms, a crest, and a royal order, the Star of Oceania. Stevenson's flag was never adopted officially.[16]

The American flag, which had 45 stars at the time, entered the picture when on August 12, 1898, the islands became the Territory of Hawaii.[17] Today Hae Hawaii is the official ensign of the Fiftieth State--an insignia secondary to the national flag, flown for the same reasons that Texas flies its Lone Star Flag.[18]

In at least one respect Hae Hawaii and Old Glory are alike: the origin of both, and their designer or designers, are wrapped in mystery.[19]

Before the coming of Captain Cook the Hawaiians had no flags, but used royal standards with an emblem of authority in the center of the field.[20] Marks of distinction used included the kahili (a cylinder of brilliant bird feathers on a staff), the puala (an insignia of triangular shape carried on canoes), and standards similar to the Roman eagles, carried by Hawaiians in their new year's festival.[21] Ancient Hawaii needed no flag; nobles, however, would at times fly a pennant (hae or lipa--a torn piece of tapa) from red-painted canoes.[22]

Just when the original Hawaiian flag first appeared is unknown, but in 1816 a Russian, Captain Kotzebue of the ship Rurik, referred to it.[23] So it is held that the flag originated between 1806 and 1816, during which time Kamehameha I ruled the united Kingdom of Hawaii.[24]

Not until 1862 did a description of the flag finally appear.[25] By this time the origin of Hae Hawaii had either faded from knowledge or was rapidly doing so. At the outbreak of the War of 1812 Kamehameha still flew the British flag. One version of Hae Hawaii's origin is that an American sailor, seeing the Union Jack flying outside the king's palace, jokingly told him that since America and England were at war, the Americans might bombard the building.[26] The king told him not to consider Kamehameha a fool, because he had many flags from various European nations; later, however, Kamehameha reconsidered and decided to have a flag.[27]

Another amusing version finds Kamehameha caught between the Americans and the British in 1812. Having no flag of his own, he often flew the American and British flags alternately, but as fate would have it, he was caught flying the Union Jack by a Yankee privateer, the captain of which demanded, "How is this? You pretend to be our friend, and I find you flying the flag of our enemy."[28] The king thereupon hoisted Old Glory, but ill luck intervened again when a few days after the departure of the privateer a British man-of-war put into port. The captain caught Kamehameha flying the American flag and asked, "Why do you, professing to be our friend, fly the flag of our enemy?"[29] After these two annoying incidents the king summoned his advisers and told them of his predicament.[30]

A third version goes like this: Kamehameha wanted to establish trade with China, so he sent a vessel laden with sandalwood. But the

ship was seized at Macao.[31] Kamehameha then suggested that Captain Alexander Adams sail to Canton with a second cargo of sandalwood, but Adams, an old man-o'-war's man, told the king: "If I go, I want a flag and a regular commission."[32] Adams then explained the need for a flag and ship's papers--else the ship would again be confiscated as a pirate vessel.[33] Kamehameha and his council consented to Adams' demands.

Another version has it that Hawaii, being a small, struggling monarchy, was eyed by six European nations as a possible possession; this fact stimulated Kamehameha to institute a flag of his own.[34]

Now comes the question: Who designed the original Hae Hawaii?

The first claim was made by Captain Alexander Adams, the old Scots skipper who was at one time a Honolulu harbor pilot.[35] Adams was one of the loyal haole who helped Kamehameha I and his queen Ka'ahumanu to suppress traitorous schemes among the people and to train them to be self-supporting and loyal subjects of their king.[36] He also helped oust the Russians from Kauai without bloodshed.[37] Adams lived at Kalihi most of his life--his place was called Adams Gardens--but he had also a house in town on Adams Lane. He later sold the Kalihi premises to be used as a dairy farm.[38] Adams married a chiefess and was a great favorite of Kamehameha and Ka'ahumanu because of his loyal devotion.[39] Among the royal gifts he received was the whole land of Niu, Oahu, including the favorite royal resort called Kalauhaihai, where Ka'ahumanu first renounced the ancient rites and customs.[40]

According to Adams' descendants, the account of the designing of the flag is this:

> There had been considerable discussion among the chiefs and advisers of the king concerning the head of the Flag, the body of it having been agreed upon, consisting of eight stripes in the following order--white on top, then red, blue, white, red, blue, white, and red, each stripe representing one of the inhabited islands of the group. Because of the inability of the designers of the flag to agree as to its completion, therefore, Kamehameha said to them: 'Call my haole, he can fix it; he knows how to make it.' When Captain Adams appeared before the king and his chiefs and learned their wish, he immediately complied by using the Union Jack of the English flag for the head of the new flag. That is how the Hawaiian flag was made and completed.[41]

The Daughters of Hawaii Society also helped to back up the claim of Captain Adams as the designer of the flag.[42] Then on January 1, 1862, the first account of the origin of Hae Hawaii was published in the Hawaiian newspaper, Ka Nupepa Kuokoa, which stated:

> The Hawaiian flag was designed for King Kamehameha I in the year 1816. As the King desired to send a vessel to China, to sell a cargo of sandalwood, he in company with John Young, Isaac (akikake) Davis, and Captain Alexander Adams made this flag for the ship which was a war vessel

> called the Forrester carrying 16 guns and which was owned by Kamehameha I.[43]

This corroborated Adams' claim. It was the first made by Henry L. Sheldon, editor and publisher of Ka Nupepa Kuokoa, as to the identity of the designer. Sheldon substantiated the claim by two quotes from Adams' log:

> April 1816--I was accordly honored in taking care with the Flag of His Majesty and a salute of 11 guns.
>
> March 12, 1817--Gave the King (Kaumualii) our ensign to hoist in lieu of the Russian, who said it was on account of his having no other.[44]

Thomas Thrum did try to break down at the time what was the general belief among the old residents,that Adams made the Hawaiian flag.[45] In his Hawaiian Annual for 1880 Thrum wrote:

> We exceedingly regret to report an unsuccessful search for the history of the present Flag of these Islands, the time of its adoption and the parties interested in its formation...but after diligent inquiries and research during the past 3 years, we have to acknowledge the main facts lost in oblivion.[46]

His search did refute Adams' claim to have been the originator of the flag, for the first quote by Sheldon of an entry in his journal shows that there was an earlier flag.[47] Thrum, however, had passed over Ka Nupepa Kuokoa, the most logical source of information, and tried to prove to his own satisfaction that the originator was someone other than Adams.[48]

That someone else was Captain George Beckley, whose family put forth his claim in 1830.[49] Captain Beckley was an English sea captain who came to the islands in 1804 and made numerous voyages between Hawaii, Mexico, and China with the vessel he brought to the kingdom, the Humehume.[50] He served Kamehameha I by commanding ships owned by the king and used for inter-island or China service.[51] Kamehameha made Beckley a high chief in 1815, and in 1816 he became commander of the Honolulu fort.[52] Then he was commissioned by the king to design the flag, according to the family account. In the ensign Beckley put together "...the British Union Jack bearing the Crosses of St. George, St. Andrew, and St. Patrick with 8 red, white, and blue stripes from the American Flag to produce the Hawaiian flag."[53]

This second claim remained insignificant, however, until 1898, when the historian, W. D. Alexander, disputed the Adams claim.[54] At first Alexander doubted Beckley's claim because the family said that the flag was designed in 1806 or 1807, whereas Alexander believed the correct date to be six years later.[55] He finally concluded, though, that Beckley was "...no doubt the maker, and in all probability the designer of the first Hawaiian flag"; but since Beckley's log book had been lost about 1887, there was no conclusive evidence.[56]

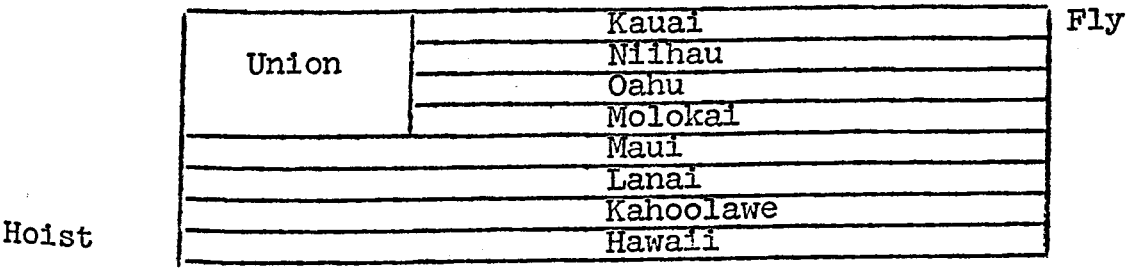
In the early 1900's newspapers waged a battle over the true identity of Hae Hawaii's designer. Alexander's claim sparked the controversy. Then in the 1940's Victor S. K. Houston helped settle the matter when he concluded, after studying all accounts, that neither

Beckley nor Adams could claim to be the one and only designer.[57] Houston decided that Beckley might have been present at the flag-designing meeting described in Ka Nupepa Kuokoa, and this compromise has been accepted by the Bishop Museum.[58] Nevertheless, it appears that mystery will continue to surround the designing of Hae Hawaii.

The flag itself has been said to be a combination of the British Union Jack and the French flag, or a combination of the British flag and Old Glory; it is certain that the British influence is marked.[59] The flag is probably composed of elements taken from the ensigns of all three of the nations mentioned above.[60] Hawaii probably adopted the British union as the union of its flag as a gesture recognizing British friendship, since Kamehameha I offered the islands to Captain Vancouver, while the adoption of the stripes acknowledged American friendship, and the inclusion of a blue stripe was a similar gesture to France.[61]

The union of Hae Hawaii contains three crosses and they, too, tell a story. The St. George cross, the horizontal-vertical one, dates back to the time of the crusades when St. George became the patron saint of England.[62] It appeared on the British ensign that Vancouver gave Kamehameha. The white diagonal cross of St. Andrew, commonly called the James union, became part of the British flag in 1706 after Scotland joined England.[63] It had been adopted by Scotland when St. Andrew, condemned to death by crucifixion as the Lord had been, but feeling unworthy of the honor, was crucified on two diagonal beams instead and then cast upon the coast of Scotland.[64] The red diagonal cross of St. Patrick was a heraldic device, centuries old, of a noble Welsh family living in Ireland; it became part of the British flag in 1801 when Ireland joined the United Kingdom.[65] Because the St. Patrick cross would dominate the St. Andrew cross if superimposed, the saltires were counterchanged, giving Scotland precedence because of its prior entrance into the commonwealth.[66]

As for the stripes in the flag, they were adopted to designate the eight major islands in the chain--Kauai, Niihau, Oahu, Molokai, Maui, Lanai, Kahoolawe and Hawaii.[67] The individual stripes, however, do not have the same relationship as the stars in Old Glory have to the individual states.[68] It has been suggested and accepted as logical that north is at the top of the world, so the northernmost island would be represented by the top stripe on the flag, and the order of descent would be from a northerly latitude.[69]



Each color symbolized something. White was symbolical of purity and sincerity; therefore, it was the uppermost stripe, since nothing is higher than the sun, whose rays emanate brilliant white light.[70]

Red, very highly prized by the people, stood for blood, "which is the life", and was the second stripe from the top.[71] Blue, supposedly the lowermost color, symbolized continuity, in the hope that the kingdom would endure for eternity.[72]

The material used for the first flag is unknown, but it could have been silk from China, because Kamehameha loved foreign things; better yet, it could have been kapa cloth, a native material manufactured from the inner bark of the wauke tree and very durable.[73] But there is another possibility:

> Then he (Adams) got his wife and servant to make a flag of tapa accordingly. He submitted the flag to Kamehameha. Finally, Mrs. Adams and her servant made the first official Hawaiian Flag out of bunting (thin woolen).[74]

Since the appearance of the original Hae Hawaii there have been many conflicting descriptions of it:

On November 21, 1816, Captain Kotzebue of the Russian discovery vessel Rurik, put into Honolulu harbor for supplies. Two other ships were already at anchor. Kotzebue wrote: "...they displayed the English Union, with 7 alternated red, white and blue stripes, emblematic of the principal islands."[75]

In August, 1819, Captain de Freycinet gave the following description:

> The Sandwich Islands Flag, such as we saw floating at Kawaihae, and over the fort at Honolulu was composed of an English Union Jack upon a background striped horizontally with nine bands alternately white, red, and blue; the white being placed at the top and the Union Jack at the upper corner near the bolt rope.[76]

The best early illustration of the flag was published in W. Ellis' A Tour around the Island of Owhyhee (London: 1837). He wrote that Hae Hawaii displayed nine stripes, with white on top, the sequence being the same as at present, with the Union Jack in the upper corner and the Jack five stripes in depth at the hoist with its basic blue background resting on a blue stripe, so that the margin between was undefined.[77] Apparently this description was accurate, because no criticism was made of it. It did agree with de Freycinet's account, but the ensign it described differed from the present-day flag in that the latter has only eight stripes, with the union four stripes in depth instead of five.[78]

There is a Dutch description given by John Boelen, naval lieutenant first class. At some time between 1828 and 1829 he wrote:

> ...the Union flag of the islands...somewhat resembles the Dutch flag, and which is similarly arranged except for the English emblem in the upper corner and that it shows red, white and blue to the number of nine stripes or as many stripes as there were islands in the Sandwich group.[79]

Other descriptions of Hae Hawaii follow:[80]

V. M. Golovnin, October, 1818: "The flag is made up of 7 stripes, red, white, blue, red, white, blue, and red, signifying 7 islands, and in the corner an English Jack."

Maria Graham, May-July, 1825: "On all days of ceremony the Sandwich flag is hoisted on these forts--it has 7 white and red stripes with the Union Jack in the corner."

F. D. Bennet, April, 1834: "Each battery hoists the Hawaiian flag--horizontal stripes, blue, white, red with British Union in the upper corner, next to the staff."

Then on May 31, 1845, a description of the new national banner appeared in The Polynesian:

> At the opening of the Legislative Council on the 20th instant, the new national banner was unfurled, differing little however from the former. It is octo, parted per fess, first, fourth and seventh argent; second, fifth, and eighth gules; third and sixth azure, for the eight Islands united under one sovereign, indicated by crosses saltire of St. Andrew and St. Patrick quarterly, per saltire counter charged, argent and gules.[81]

These different descriptions conflict as to the number of stripes (seven to nine)and the number of colors (red and white or red, white and blue). Perhaps people were careless in making the flags or were indifferent to accuracy, or were perhaps inaccurate in their descriptions. Furthermore, Lord Paulet's destruction of all the early flags certainly brought about changes in the design.[82]

It has been suggested that a reversal of stripes might have occurred when Rear Admiral Thomas rescinded Lord Paulet's actions and restored Hawaiian sovereignty.[83] John Ii told Mr. Gilman that it was decided to reverse the order of the stripes to signify the recent overturn of the government, for: "The time of Lord George has passed, the new times have come in, and therefore, we intend to reverse the flag of Hawaii. What was formerly the upper stripe will be placed at the bottom."[84]

But this reversal was not so simple, because if there were eight stripes at the time, then the sequence would be the same, but with the white on the bottom and the blue at the top.[85] However, this could have been possible with nine stripes, for if the ninth white stripe was brought to the top and the remaining ninth stripe omitted, the result would give the present sequence in order:[86]

Before:
red
blue
white
red
blue
white
red
blue
white

After:
white
red
blue
white
red
blue
white
red
OMITTED

The design of Hae Hawaii was described in the Hawaii Statutes of

1896 according to the design of 1843, when new flags had to be made:

> The national ensign shall consist of 8 horizontal stripes, alternating white, red, blue, etc., beginning at the top, having a jack cantoned in the dexter chief angle next to the point of suspension. The Jack shall consist of a blue field charged with a compound saltire of alternate tinctures white and red, the white having precedence; a narrow edge of white borders each red side of the saltire. A red cross bordered with white is charged over all. The jack is half the hoist and 7/16 the fly in length. The arms of the red cross shall be equal in width to one of the horizontal stripes; the white border shall be one-third the width of the red cross.[87]

There has been no change in the flag since 1896, except that it is now the official flag of the Fiftieth State.[88]

Several times during its existence Hae Hawaii has been involved in international affairs. The first time the flag was flown it cost the government $3,000. This occurred when the Ka'ahumanu took the newly-made pennant to China to trade a cargo of sandalwood.[89] Hae Hawaii was not acknowledged by port officials; furthermore, since the ship had no papers, heavy duties were levied against it.[90] Kamehameha I did learn one thing of value from this experience, namely, that port duties are an excellent source of revenue.[91]

The previously-mentioned Paulet imbroglio of 1843 resulted in the lowering and destruction of Hae Hawaii and a brief interlude of British control.[92] Five months later, however, the Hawaiian ensign was restored, but with a somewhat changed design.

In 1849 Hae Hawaii was again threatened, this time by the French, when Admiral Tromelin sailed into Honolulu harbor and made demands supported by false accusations. His aim was to seize the kingdom.[93] Tromelin landed armed forces and field pieces and captured the Honolulu fort with Hae Hawaii still flying.[94] He didn't dare to lower it in the face of American and British protests, so contented himself with damaging the fort and then left.[95] Thereafter, the French government made trouble for two years.[96]

On August 12, 1898, a desecration of Hae Hawaii took place. This was Annexation Day, and some in the crowd surrounding Iolani Palace wanted souvenirs of the occasion. After the Hawaiian flag had been lowered, they cut it into three-inch strips--thirteen of them.[97]

So it is that Hae Hawaii has survived many vicissitudes since that day when the unknown designer, his work done, saw Hawaii's flag first caught by an island breeze.

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HAWAII HISTORICAL REVIEW
Richard A. Greer, Editor

Published quarterly by Richard A. Greer at the Kamehameha School for Boys, Kapalama Heights, Honolulu, Hawaii. Telephone: 814111. Months of issue are October, January, April, and July. By subscription only. No single copies for sale.

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