

FIRE CLAIMS COMMISSION

1901 - 1903

On December 12, 1899, the first case of the bubonic plague was confirmed by the Board of Health in the city of Honolulu. Quarantine of a section of Chinatown was first established on December 13th and measures were taken to eliminate unsanitary conditions. Unable to contain the plague, the Board of Health decided to destroy infested buildings through controlled burning. The first fire ordered by the Board on January 1, 1900 successfully destroyed a section of condemned Chinatown buildings. Successive fires were equally successful until the fire set on January 20, 1900 went out of control due to a sudden change of wind. Within a short period of time most of Honolulu's Chinatown, not already burnt in previous fires, was almost completely destroyed. The area affected stretched from River Street, mauka to Kukui Street, makai to Queen Street and in certain sections as far Diamond Head as Nuuanu Street. As a result of this unexpected fire, 5,000 to 6,000 Chinese, Japanese and Hawaiians lost their homes and a temporary relief camp was built in Kalihi to house them.

In February, despite rigid quarantine measures in Honolulu (specifically aimed at vessels and their cargoes), several plague cases broke out in the Chinese quarters at Kahului, Maui. After relocating tenants in these infected areas, this section of Kahului was also burned down on February 12, 1900.

To compensate fire victims, both in Honolulu and Kahului, the Territorial legislature mandated the formation of a Fire Claims Commission through Act 15 of the 1901 Session (approved April 30, 1901). This Act provided "for the ascertainment and payment of all claims which may be made by persons whose property was destroyed by fire in the years A.D. 1899 and 1900 under orders of the Board of Health." It further established a commission consisting of five persons, one of whom shall be an Attorney of the Supreme Court, and all five appointed by the Governor of the Territory. The commission was mandated to hear, investigate and adjudicate all claims for damages and was given the same power as that of the Circuit Court to compel attendance of witnesses, to punish persons guilty of contempt and make all rules necessary for conducting its business. They had the power to appoint a clerk, stenographer, bailiff and interpreters. A claimant was required to submit an itemized statement of the loss sustained, date of loss and nature of the property lost. Only losses resulting from the destruction of or direct damage to property by the fire or removal because of the fire was eligible for compensation. No speculative damage, loss of rent or use of property, or loss of profits through interruption of business was eligible to be claimed.

The Fire Claims Commission, with F.W. Macfarlane as its chairman, began taking evidence in proof of claims in May 1901 and continued in session until June 1902. The number of claims filed was 6,784, totaling \$3,175,132.90. After hearings and adjudication, the sum of \$1,473,173 was awarded to the claimants. Although the legislature had appropriated \$1,500,000 (through Act 15) in 1901 for payment of the claims, it provided no means for obtaining this money. By act of the U.S. Congress, approved January 26, 1903, provision was made for payment from the Federal Treasury of \$1,000,000 for reimbursement of claimants and the Territorial treasurer was in addition authorized to issue fire-claim bonds for the payment of the remaining debt.

The commissioners having completed their duties, adjourned on July 25, 1903, after having adopted the following resolution:

"Whereas, the commissioners having completed their duties and being about to finally adjourn the commission, the clerk of the commission is requested to reply in writing to all persons now having communications on file with the commission, filed since the adjournment of the commission taken after the signing of awards, notifying them that no further business would be passed upon by the commission, and referring them to the government for consideration of the questions referred to in their communications."

The records of the Fire Claims Commission consist primarily of claims of damages as well as judgement records, notes of proceedings of the commission, correspondence and other records. Attached to the claims are exhibits that include detailed lists of property lost (i.e. leather trunk, straw hat, spring bed, mosquito net ornament, Kwong Ki Chiu dictionary...) and some of the claims even include the age and occupation of the claimant. Because so many of the claimants were Chinese and Japanese, documents in those languages may also be attached to the claims, although each claim had to contain an itemized statement in English or Hawaiian of the loss sustained. (This language requirement was mandated by Act 15, 1901 Session).

A list of their records follows:

<u>Box number</u>			
See last page.	F-27	I.	Claims. No. 1-6712 (12 cu.ft.) Includes claimant's name, inventory of property, value, date of claim.
S-8 COM12-40		II.	Register of Claims. 1 Vol. (1½ lin. in.) May 27 - September 24, 1901. Numerical by claim number. Includes claimant's name, date received, amount claimed and awarded, date awarded. Gives book and page reference to Judgement Records.
For volumes, see page 6.	S-8	II.1* V.2 H range	Index to Register of Claims. 1 Vol. (1½ lin. in.) Alphabetical by claimant's name. Gives page reference for claimant in Register of Claims Book.
	S-8	III.1-14	Record of Judgements. 14 Vols. (38 lin.in.) Numerical by claim number. Includes claimant's name, date of claim, date of judgement, amount and kind of claim, judgement, amount awarded.
	S-8	III.15 *	Index to Record of Judgement. 1 Vol. (1½ lin. in.) Alphabetical by claimant's name. Gives book and page reference to Judgement volumes.
	S-8	IV.	Aala Park Warehouse Journal. 1 Vol. (1½ lin. in.) January 12 - October 10, 1900. Record of merchandise received and delivered (although mainly records of goods received).

- F-27 V. Administrative and Miscellaneous Files. (8 lin. in.)
1. Notes. Commissions' Proceedings. (Ms.) (3 Vols.)
(Notes kept by various commissioners on hearings.)
J.G. Pratt. May 31 - December 19, 1901 (1 Vol.)
A.C. Lovekin. May 31 - December 19, 1901,
March 24 - April 7, 1902 (2 Vols.)
 2. Correspondence. Incoming and Outgoing.
(Mostly from attorneys regarding the delivery of warrants of their clients.)
May 1, 1901 - June 1903 (3 folders)
June 2&5, 1902 (1 folder) (From Whiting & Robinson, Attorneys of claimants. List of 3310 claims that they represented.)
 3. Report. Committee sent to Wailuku, Maui to take testimony of the Kahului claimants. October 31, 1901
(Includes appraisal letter dated February 11, 1900 re: value of Kahului property to be burned.)
 4. Report. Sanitary conditions of Chinatown building by block number. (2 bks.)
(Blocks 4, 5, 11, 15)
 5. Report. Owners of buildings by block number of condemned property. (3 bks.)
(Blocks 1, 4, 5, 9, 10, 11, 15)
 6. Report. Personal effects and merchandise. (3 bks.)
Appraised by Henry D. & R.D. Silliman. January 22&23, 1900.
 7. Minutes. Education Meeting of Fire Claims Commission.
June 3, 1902.
 8. Minutes. Copy of Board of Health Special Meetings.
December 31, 1899 - April 5, 1900. (Relating to certain condemnation proceedings taken by the Board of Health.)
 9. Minutes. Committee on Detention Station, Kalihi Detention Camp.
January 3 - February 27, 1900. (Discuss the building of temporary camp, water supply, etc.)
 10. Testimony. Maui claimants.
(Includes claimant name, kind and value of property lost of the following claims: 3515, 5536, 5655, 6053, 6055, 6068-69, 6086-95, 6099, 6319-25, 6432, 6563-65, 6567-68, 6628-29.)
 11. Testimony. Claim of Ozaki Sanhichi.
 12. Rules (for the governance of the Fire Claims Commission)
 13. Subpoenas issued by the Fire Claim Commission.
Alphabetical by claimant name.

COM12-41

Container List

<u>Box No.</u>	<u>Claims, by number</u>
COM12-1	1-83
COM12-2	84-104
COM12-3	105-280
COM12-4	281-420
COM12-5	421-640
COM12-6	641-800
COM12-7	801-1020
COM12-8	1021-1260
COM12-9	1261-1480
COM12-10	1481-1700
COM12-11	1701-1900
COM12-12	1901-2100
COM12-13	2101-2320
COM12-14	2321-2580
COM12-15	2581-2780
COM12-16	2781-3000
COM12-17	3001-3240
COM12-18	3241-3480
COM12-19	3481-3720
COM12-20	3721-3920
COM12-21	3921-4100
COM12-22	4101-4280
COM12-23	4281-4520
COM12-24	4521-4760
COM12-25	4761-4980
COM12-26	4981-5200
COM12-27	5201-5400
COM12-28	5401-5540
COM12-29	5541-5700
COM12-30	5701-5860
COM12-31	5861-6010
COM12-32	6011-6140
COM12-33	6141-6205
COM12-34	6206-6420
COM12-35	6421-6513
COM12-36	6514-6574
COM12-37	6575-6620
COM12-38	6621-6654
COM12-39	6655-6720
COM12-40	6721-6745

Container List

<u>Vol No.</u>	<u>Title</u>
COM12 vol 1	II.1 Register of Claims
COM12 vol 2	II.2 Index to Register of Claims
COM12 vol 3	III.1 Record of Judgement, Claims 1-500
COM12 vol 4	III.2 Record of Judgement, Claims 501-1000
COM12 vol 5	III.3 Record of Judgement, Claims 1001-1500
COM12 vol 6	III.4 Record of Judgement, Claims 1501-2000
COM12 vol 7	III.5 Record of Judgement, Claims 2001-2500
COM12 vol 8	III.6 Record of Judgement, Claims 2501-3000
COM12 vol 9	III.7 Record of Judgement, Claims 3001-3500
COM12 vol 10	III.8 Record of Judgement, Claims 3501-4000
COM12 vol 11	III.9 Record of Judgement, Claims 4001-4500
COM12 vol 12	III.10 Record of Judgement, Claims 4501-5000
COM12 vol 13	III.11 Record of Judgement, Claims 5001-5500
COM12 vol 14	III.12 Record of Judgement, Claims 5501-6000
COM12 vol 15	III.13 Record of Judgement, Claims 6001-6500
COM12 vol 16	III.14 Record of Judgement, Claims 6501-6748
COM12 vol 17	III.15 Index to Record of Judgement
COM12 vol 18	IV Aala Park Warehouse Journal