

MARTIAL LAW IN HAWAII
DECEMBER 7, 1941 - APRIL 4, 1943

by

MAJ GEN THOMAS H. GREEN USA (RET)

LIBRARY

TJAGS

MARTIAL LAW IN HAWAII

DECEMBER 7, 1941--APRIL 4, 1943

Foreword

During the Fall of 1941 diplomatic relations between the United States and Japan, which had been steadily deteriorating, took a sudden turn for the worse. In November of that year envoys from Japan had come to Washington ostensibly for the purpose of settling by peaceful means existing international differences.

Long previously to these conferences the Japanese Government had decided that in the event its point of view did not prevail at the conference table, it would attack, without warning, the military installations in the vicinity of Pearl Harbor. In consequence of this plan, Japan had secretly assembled in the vicinity of the Kurile Islands, the largest air fleet theretofore brought together. On November 25th, 1941, while negotiations in Washington were still in progress, Admiral Nagumo, commanding this air armada was given secret orders to proceed with his fleet to an area within striking distance of Pearl Harbor where he would receive further orders. On December 5th he had arrived at his destination, about 800 miles north of Hawaii. There, he received the order to attack without warning and on December 7th military installations and other areas in the vicinity of Pearl Harbor were subjected to the most severe air attack in history up to that time. Thus did the Emperor of Japan bring on World War II.

Hawaii was dealt a severe blow which momentarily stunned the civilian population as well as the military. This is the story of the remarkable recovery made during the next sixteen months when the military and civilian authorities joined forces under martial law.

Prologue

The international intrigue, politics and personalities involved in events preceding the attack on Pearl Harbor probably will be a matter of investigation and difference of opinion and indeed controversy for generations to come. The causes and responsibilities for the disaster were the subject of a dozen or more official and unofficial investigations. All such investigations save that of the joint Committee of Congress authorized September 6, 1945, nearly four years after the happenings being investigated were conducted in the utmost secrecy, and were largely defensive and partisan in objective. The first investigation was a secret inquiry by the Army Intelligence for the President. This was conducted shortly after the event. The second investigation which was attempted was one by two officers of the War Department General Staff. This ended in a tragedy when both officers were killed in a plane accident on December 12, 1941. Shortly thereafter Secretary Knox made a hurried personal survey of Pearl Harbor. Next came a hurriedly conducted investigation by a Presidential Commission headed by former Associate Justice Owen Roberts. Nearly three

years elapsed before further investigations were conducted by an Army Board of Inquiry and a Navy Court of Inquiry. These were secret and confidential. There were numerous other investigations by individuals concerning various phases of the matter. All of these investigations were partisan and to varying extent defensive. All were conducted in the utmost secrecy. Admiral Kimmel and General Short, the principal defendants in the tragedy were excluded from participation in these investigations except as to giving testimony. The conclusions of all of these investigations were to a major degree withheld from them.

It was not until September 6, 1945, when Congress passed a concurrent resolution calling for an investigation of the Pearl Harbor disaster that a public hearing was conducted. All of the previous investigations were so partisan and their conclusions so at variance as to prompt Senator Barkley to observe that "the reports are confusing and conflicting, when compared to one another, and to some extent contain contradictions and inconsistencies within themselves."

The Joint Committee of Congress conducted hearings on 70 days between November 15, 1945, and May 31, 1946. It received 183 exhibits of varying length, took testimony of 43 witnesses which covered 15,000 pages, together with the testimony and the exhibits of seven previous investigations totaled 9,754 printed pages of testimony from 318 witnesses and 469 exhibits. The final record encompassed approximately 10 million words.

The conclusions of the Congressional Committee as to the conclusiveness of the evidence were at variance to the extent of requiring a majority and a minority report. The Majority report stated that the Committee "had succeeded through its record in preserving for posterity the material facts concerning the disaster." The Minority report stated "When all the testimony, papers, documents, exhibits and other evidence are reviewed, it becomes apparent that the record is far from complete."

Understandably, in view of the importance of the questions involved, the number of persons defensively concerned and the extended passage of time between the events and the full scale investigation, it would be miraculous if there were more than a minimum of consensus on the multitude of questions growing out of the disaster. Many gifted authors have tried their hands in solving the various problems involved and have documented their conclusions from the voluminous record. It appears to this author that the variance of the evidence in many vital areas is so great as to make documentation of minimum value. Accordingly, this author has attempted to limit documentation as far as possible to uncontroverted facts.

This writer is personally familiar with certain events which occurred before the attack on Pearl Harbor, the attack itself and certain areas of the happenings which occurred subsequent thereto. He has had access to military records, his own well kept diary and personal conversations with many of the principal persons

involved in the tragedy. He has increased his knowledge on the subject matter by a careful study of all of the publications hereinafter listed.

In view of the relationship of this writer to some of the principal characters in the historic events, he has made a studied effort to report the facts as he understands them to be and to express opinions which he believes to be fully supported by the established facts.

CHAPTER II

Background

In 1940 the world situation was not only grim but seemed to be worsening rapidly. Although the Allies, as then constituted, were stoutly resisting the efforts of Hitler to conquer Europe the existing odds seemed to be in favor of Germany. The sympathies of the United States were with the Allies and a major effort was being made by the United States to supply them with munitions of war. The extent of the assistance was such that it frequently brought the United States to the brink of war. On the other side of the world, the Japanese were engaged in the conquest of Asia. This action was the subject of protests by the United States of such a character that an impasse could result. From a logistic point of view, therefore, the situation called for the supplying of the Allies as well as our Pacific Outposts at the same time. As of early 1940, the supply of the Allies seemed most urgent and apparently a considerable degree of priority was given to the supply of that need. By the middle of 1940, war with Japan became a matter of urgent interest and our Pacific Outpost commanders stepped up their requests for supplies to bring their commands up to full strength. Official Washington was thus placed in the position of apportioning the available supplies between the pressing needs of the Allies and the urgent and repeated pleas for the same supplies by the commanders of the outlying Pacific bases. The Allies were in need of the entire supply capability of the United States and at the same time

the Pacific posts were in need of much to bring them to a safe level. The problem therefore resolved itself into one of determining the prospects of war with Japan.

At that time it seemed to be the consensus of the junior officers in Washington that higher authority had concluded that war with Japan was not imminent but that sooner or later the United States would have to come to grips with the problem of Japanese aggression. It seemed to have been the consensus also that the Philippines would be the first target of the Japanese, and plans were contemplated for heavily reinforcing the Philippine Command with land and air forces. Special emphasis was laid on furnishing that command with large numbers of long range bombers at the earliest moment. An increase in bomber aircraft and anti-aircraft guns for Hawaii was also contemplated. Due to the demands of the hard pressed Allies only a token portion of these reinforcements were actually supplied to Hawaii and the Philippines. The view that the Philippines would be the point of Japanese attack continued to persist unabated in Washington¹ until Japanese bombs began to fall at Pearl Harbor.

At that period a post in Hawaii was perhaps the most sought after assignment the Army had to offer. Climatically it had definite advantages over the cold winters of western posts and the summer heat of border assignments. It was free from the everlasting competition and nerve

1. Article by Juliois Edelstein in Honolulu Advertiser, dated April 27, 1941, Land, Sea and Air Arming Goes on in the Asiatic Outpost, Washington, April. "Defense of the Philippines, despite the points of both strength and weakness, is clearly emerging as a tenet of American policy in the Far East, the Far Eastern Survey was found."

racking tensions incident to duty in Washington. Hawaii was considered a bastion. The troops were top grade and the service there was reputed to be easy and pleasant. Upon being notified of my prospective assignment to Hawaii, I was elated and believed that at long last, after twenty-three years' service, I had hit the jack pot. I hastened to comply before some complication could arise. In the latter part of July I set out for my future assignment by Army transport via the Panama Canal and San Francisco, leaving to my successor and his superiors the problem of planning and carrying out future military operations, if any.

On passing through the Panama Canal I noted innumerable ships loaded with scrap and other war materials enroute to Japan. The possibilities of war again came to my mind but were soon dispelled by thoughts of pleasant service in the Hawaiian Islands. On August 20, 1940, I arrived in Honolulu and after the traditional lei giving ceremonies, I again took account of the situation and decided that the tour of duty on which I was about to enter was going to be one which I would always remember with pleasure. Little did I suspect what was in store for me.

On August 27, 1940, I reported to Lieutenant General Charles D. Herron, the Commanding General, Hawaiian Department. He received me in the normal, formal military manner and dismissed me promptly with a statement that he would send for me later for a discussion concerning certain of my duties as Department Judge Advocate. General Herron had the reputation of being a strict disciplinarian but this caused me no concern since I had served under many such and had never encountered

any difficulty. General Herron had been in the Hawaiian Islands for a number of years. All too frequently, long service in the tropics has the effect of softening up military personnel. General Herron showed no evidence that he had "missed too many boats" as the saying went, and I soon found him to be one of the most meticulous disciplinarians I ever served under. However, I came to learn that with his strictness he also was fair and understanding of slight errors but that he was bad medicine on any officer who failed to take any action when action was indicated. He abominated vacillation above all other faults.

At this time, the staff of the Hawaiian Department was composed of experienced colonels, who in turn had selected smart younger officers for training purposes. These acted as assistants. The staff worked like clockwork and I soon discovered that it was largely due to the personality of the Chief of Staff, Colonel Philip Hayes. That officer was truly remarkable. He had the capacity to inspire other staff officers to top efficiency and he seemed to accomplish it with a minimum of effort. Physically, it was obvious that he had the capacity to be rough and tough, but in practice a mere suggestion now and then was all that seemed necessary for him to guide the staff as a skillful, competent unit. I promptly settled down into the normal routine and it was not long before I became a cog in the well organized administration.

Shortly after my arrival I learned that on June 17, 1940, some two months before I had joined the command, the Army Chief of Staff,

General Marshall, had directed that the Hawaiian Department be placed upon an all out alert status because our Navy had temporarily lost track of a sizeable portion of the Japanese Fleet. General Herron immediately moved everything into the position of readiness, including the Infantry, the Artillery, and even the two 14-inch Seacoast Defense Guns. The alert remained in effect for substantially six weeks. As a result of this action, staff studies drew three conclusions. First, the efficiency of the troops fell off sharply after a short period of inaction. Second, the all out alert resulted in considerable damage to private property. Third, the roads between Schofield Barracks where most of the troops were quartered and Honolulu could be blocked off by destruction of intervening bridges. These bridges, of which there were two, constituted "soft spots" which required special protection. From these determinations, the staff decided that it would be undesirable to call any alert much in advance of the ultimate need and that the artillery should be called only when the need outweighed the disadvantage of plantation claims for damage. It was concluded also that immediate protection be placed upon the two bridges and other "soft spots." This last determination was acted upon at once and when the troops were withdrawn, small units remained guarding the bridges and other "soft spots." These small units were in place at the time of my arrival. One further important "soft spot" was the local power station which supplied three-fifths of the power required for the Navy installation at Pearl Harbor. A simple matter of throwing a monkey wrench into this generator would destroy a major portion of power supply for Pearl Harbor, at least temporarily.

Apparently, the question of the civil liability of the military and civil authorities incident to the use of troops to guard the "soft spots" had been a source of worry to General Herron. Clearly, the question could readily arise if a soldier shot a person suspected of attempting sabotage. It could arise in any number of other instances, and it could be a troublesome matter indeed. Being a lawyer "fresh off the last boat," General Herron decided to get my reaction. He sent for me and posed a hypothetical situation involving one phase of the problem and directed me to make a study and report my findings to him. This was in the early part of September 1940. I hurried to complete my assigned task. When I had done so, I handed a written notation to General Herron in the form of a brief legal study. He took it without comment and gave me a further problem on the same subject. This routine was repeated until I had completed about six studies which pretty well covered the field.

Each time I reported to General Herron I had to pass the office of the Chief of Staff. On one such occasion Colonel Hayes stopped me, put his hand on my shoulder in a friendly way, and cautioned me to "take it easy," saying that it was General Herron's way of testing out new members of his staff. That encouraged me no little, but I still felt ill at ease in General Herron's presence because he was an extremely difficult man to face. A few days after my last problem had been handed in, I was directed to report to General Herron at once. I ran from my office to the Headquarters Building and mounted the stairs two at a time. Colonel Hayes met me at the top of the stairs. He put

his hand on my shoulder and we walked together to General Herron's office. There he left me with the admonition to "take it easy." Upon my entry, General Herron looked up and gave me a quick visual inspection. I was breathing rapidly from my run but I took a few deep breaths and my breathing returned to normal. Sharp-eyed General Herron noticed this and remarked, "Well, you are in good physical shape any way. Please sit down." I sat. Thereupon, he opened his desk drawer and took out my several studies. This informed me what the conference was about. One by one he discussed each study in detail and asked innumerable but pertinent questions. Obviously, he was fully aware of every detail. Gradually, he imparted to me his own thinking on the subject and I was impressed with the keenness of his mind. He concluded the interview by handing back to me my studies with the remark, "You will do." When I got outside his office, I examined the studies briefly and noted that each had been carefully edited and upon the face of each was an old English "H" indicating that the Commanding General had studied and approved them. On my way out of the building, I passed Colonel Hayes' door. He gave me a knowing wink and I knew I had made the grade.

As time passed, I became better acquainted with General Herron. Although he never fully relaxed his severe manner, I came to learn that he was kindly as well as keen. His interviews with his staff were trials for them because he was so exacting as to accuracy, both as to fact and conclusion. In accordance with standard Army practice, a staff officer presents a report to a superior either by reading it or by handing it to the superior to be read by him. General Herron would

have none of either practice. When a staff officer came to report, General Herron would say, "What have you there?" Upon being informed that it was a report, General Herron would say, "Let me have it, please." When the paper, as well as the copies, were in his hands he would place them face down on his desk and say, "Now, tell me about it." He would then listen without interruption. When the presentation was completed there would come a barrage of pertinent questions which would knock an unprepared officer off balance. It also served to inform the General whether the officer prepared the report or whether it was the effort of a subordinate. His memory was exceptional, and he had the uncanny ability to single out any weakness in any study. I eventually concluded that his system was his method of training his staff to think clearly under difficulties and to be able to convey their views to subordinates with accuracy. Every staff officer who attended a session with him came away with the thought that the Commanding General knew what was going on in his command. I soon came to respect and admire this strict commander and I am certain that it was his far reaching questions to me that goaded me to further research and planning which bore fruit at a later date.

CHAPTER III

The Problems

The Hawaiian Islands form an archipeligo about 2,400 miles west of San Francisco in the Pacific Ocean. The Islands are relatively small and only seven of the principal ones are inhabited. It is generally conceded that the Polynesian race, of which the Hawaiian is a part, originated somewhere in the southeastern portion of Asia many centuries ago. There has been considerable conjecture as to the time and method of arrival of the first Polynesians in Hawaii but there seems to be no consensus as to either matter.

"Discovered" by Captain Cook of the British Navy who landed in the Island of Kauaii in January 1778, the Islands were named by him the "Sandwich Islands," honoring his friend and patron, the Earl of Sandwich. The Islands continued to be known by that name for many years thereafter. Apparently Captain Cook saw the Islands of Kauaii, Oahu, and Niihau on his first visit which was about one month in duration. On his second visit, some months later, he arrived at the Island of Maui where the natives manifested the same friendliness as those on the Island of Kauaii. Captain Cook spent two months cruising along the coasts of Maui and Hawaii and about the middle of January 1779 the two ships of his command dropped anchor at Kealakekua Bay off the coast of the Island of Hawaii. During the succeeding stay, some matter of protocol was overlooked which resulted in armed conflict between the sailors and the natives. This resulted in the death of

several sailors including Captain Cook and a number of natives. The bodies of the sailors were carried away by the natives, and in accordance with local custom the bones of Captain Cook were distributed among the local chiefs and priests. As a gesture presumably intended to show that no lasting hard feelings existed, most of the bones of Captain Cook were subsequently returned. They were collected and buried at sea off the coast of Hawaii.¹

For a period of about ten years after the untimely demise of Captain Cook, mariners apparently gave Hawaii a wide berth but in due time ships from the United States, as well as many European countries, began to make Hawaii a port of call in the interest of local trade and as a stopping place enroute between their home ports and the Orient. The earliest trading with the Orient seems to have been in connection with furs which were then in demand in the Far East. At a later time sandalwood displaced the fur trade. Between 1840 and 1860, when whale oil for lamps was in demand, the whaling industry around Hawaii thrived. With the traders and mariners came many shop keepers and agriculturalists who were intent on developing the new land. Over the years experiments were carried on in the cultivation of silk, cotton, tobacco, rubber, nuts, coffee, sugar and pineapples. Sugar and pineapples and, to a lesser degree, coffee developed into major industries.

1. History of Hawaii, Kykendall & Gregory, p. 59.

At the time of its "discovery" the Hawaiian Islands were governed by competing tribes of local chiefs. By 1797, King Kamehameha, the King of the Island of Hawaii, had succeeded in conquering all the other chiefs and had established himself as the King of all Hawaii. King Kamehameha was a progressive monarch and much progress was made during his lengthy reign as a result of welcoming foreign traders and agriculturalists. However, living conditions of the day were something less than ideal. Jaques Arago, who visited the Islands in 1819, described life at court in the following words:

A miserable hut, built of straw, from twenty five feet long, and from twelve feet broad, the entrance to which is by a low narrow door, some mats, on which several half naked giants are reposing, and who bear the titles of ministers and generals; two chairs, on which are seated, on days of ceremony, a large, fat, dirty, heavy, proud man and a stout half naked woman Such is the palace of the monarch of the Sandwich Islands; and such are the King and Queen of Owhyhee, and such is their dignified court.²

Among the early immigrants from the United States were several groups of missionaries from New England. These were deeply religious, high minded and practical people whose primary interest was to convert the Hawaiians to the Protestant religious faith and to establish in the local inhabitants the moral and industrial standards then in effect in New England. They succeeded admirably in converting a portion of the inhabitants to their religious views but were less successful in their attempts to instill their puritanical beliefs on morals and industry.

2. Dr. Judd, Hawaii's Friend, U. of Hawaii Press, p. 58.

This was largely because they were in competition with the presence of mariners and traders, together with a natural antipathy of the Hawaiian to such standards.

The early missionaries had a tremendous influence on the development of Hawaii from an easy going indolent life to a progressive, modern society. In that development the Polynesian was unable to keep pace and the Hawaiian of old all but disappeared. Because of the nature of the Hawaiian this was inevitable. In 1851, Judge William Lee, a respected lawyer of prominence in Hawaii, in a letter to a friend summed up the character of the Hawaiian as follows:

Living without exertion, and contented enough to eat and drink, they give themselves no care for the future and mope away life, without spirit, ambition or hope.

The population of Hawaii at the time of its "discovery" in 1778 has been estimated as high as 500,000. A census of unknown reliability taken in 1832 arrived at the figure of 132,000. By 1890, less than half of the population were Polynesians and at the present time it is probable that there are less than 20,000 persons in Hawaii having any appreciable amount of Hawaiian blood. The rapid decrease in Polynesian population has been ascribed to wars, the inability of the natives to cope with the communicable diseases brought from the eastern and western world by sailors, traders, and others who came to visit or to make Hawaii their home. Doubtless these were the major causes of the decrease in population, but there was one other factor which should not be overlooked in the amazing situation. It was that the Hawaiian temperament and character is such that all too few of them could adjust to the changes

in living and other conditions to which they were subjected on the basis of improving their health, morals, and welfare.

With the coming of the missionaries a new era began. Agriculturists soon appreciated that the volcanic ash which comprises most of the land was very fertile and by the simple process of applying water the land could be extremely productive. The growth of sugar had slow beginning, but by 1850 it was coming into prominence. In that day the growing and production of sugar required a maximum of hand labor. The planters had already learned that although the Hawaiian is a charming and easy going individual, he lives by the tenet of never doing anything today which can possibly be put off until tomorrow. Furthermore, he is averse to any hard physical labor unconnected with sport or pleasure, and the profit motive is entirely lost on him.

After a patient try at converting the Hawaiians to agricultural pursuits, the local plantation people gave it up as futile and induced the local government to assist them in meeting their labor requirements by the importation of successive groups of foreigners from various countries. The details of these importations will be discussed elsewhere. Suffice it to say for the moment that as a result of these importations, by 1940 the overall civilian population of Hawaii was about 500,000 which included approximately 170,000 of Japanese ancestry, 40,000 of Chinese ancestry, about 9,000 of Korean ancestry, and a like number of Puerto Rican background. There were

This was largely because they were in competition with the presence of mariners and traders, together with a natural antipathy of the Hawaiian to such standards.

The early missionaries had a tremendous influence on the development of Hawaii from an easy going indolent life to a progressive, modern society. In that development the Polynesian was unable to keep pace and the Hawaiian of old all but disappeared. Because of the nature of the Hawaiian this was inevitable. In 1851, Judge William Lee, a respected lawyer of prominence in Hawaii, in a letter to a friend summed up the character of the Hawaiian as follows:

Living without exertion, and contented enough to eat and drink, they give themselves no care for the future and mope away life, without spirit, ambition or hope.

The population of Hawaii at the time of its "discovery" in 1778 has been estimated as high as 500,000. A census of unknown reliability taken in 1832 arrived at the figure of 132,000. By 1890, less than half of the population were Polynesians and at the present time it is probable that there are less than 20,000 persons in Hawaii having any appreciable amount of Hawaiian blood. The rapid decrease in Polynesian population has been ascribed to wars, the inability of the natives to cope with the communicable diseases brought from the eastern and western world by sailors, traders, and others who came to visit or to make Hawaii their home. Doubtless these were the major causes of the decrease in population, but there was one other factor which should not be overlooked in the amazing situation. It was that the Hawaiian temperament and character is such that all too few of them could adjust to the changes

DISTRIBUTION OF JAPANESE POPULATION - OAHU

□ MILITARY INSTALLATIONS

● 1000 JAPANESE

★ 1000 OTHERS

NAVAL AIR STATION, KANEOHE

BELLOWS FIELD

SCHOFIELD BARRACKS

WHEELER FIELD

NAVAL AIR STATION, EWA

NAVY YARD, PEARL HARBOR

HICKAM FIELD

FORD ISLAND

HONOLULU CITY

BASED ON 1940 CENSUS

CHART NO. 4

Map

1

about 55,000 Filipinos and perhaps 85,000 others of mixed backgrounds and a scattering of former residents of the various South Sea Islands. The Caucasians accounted for the balance of about 132,000. Thus, it will be noted that the largest single group were of Japanese ancestry and percentage wise it amounted to about 35 per cent of the entire population.³

Over the years the sugar industry prospered and regular shipments of raw sugar became routine. Some was shipped to New Zealand and to Australia, but the bulk went to the mainland of the United States. Eventually the importations to the United States became so large as to attract the attention of the sugar growers of Louisiana, who previously had a virtual monopoly on the sugar industry in the United States. Other Hawaiian industries had likewise prospered and in due course many of the larger firms became incorporated. There emerged five major companies which because of their identical interests often acted in a similar manner and not infrequently in concert. Over the years these companies became known as the "Big Five" of Hawaii.

It would appear that all of the larger business concerns in Hawaii in the early days concluded that the best interests of Hawaii lay in eventual annexation to the United States. That view was shared by many of the prominent missionary families as well as many officials in the local government. In anticipation of protecting their rights in the American sugar market, the Hawaiian sugar interests took the

4. 1940 census.

precaution to assist the local government in negotiating a trade agreement with the United States by the terms of which the United States was permitted to send certain goods to the monarchy of Hawaii free of duty and in addition could use the facilities at Pearl Harbor as a "coaling station" for the United States Navy. In return for these valuable privileges, the planters could ship to the United States, duty free, whatever sugar they could produce. The treaty, which was entered into in 1875, irked the sugar barons on the Mainland, and when certain midwestern states came into the sugar market with the production of beet sugar the economic pressure began to rise in intensity.

In due time the cane and sugar beet industry of the United States combined with a view to removing or reducing the competitive imports from Hawaii. The Hawaiian sugar interests recognized their peril and began to take steps to protect themselves. Over the years there were times when the local government had been weak and unstable. Several nations had sent their warships to Hawaii to "protect the interest of their citizens" and at various times Hawaii was in danger of losing its independence. It was clear to the best minds in the Islands that the future of Hawaii lay in being annexed to the United States. Steps looking to that result probably were begun as early as the 1880's.

King Kalakaua came to the throne in 1874. Previously, certain limitations on the absolute rule by the throne had been won from his predecessors. Efforts were made by some of his henchmen to revert to the status of an absolute monarchy. Resistance to such efforts grew as scandals concerning lotteries, sale of liquor and opium appeared.

The national debt was staggering. In 1887 the King was forced to submit to further revisions of his power but the seed of revolution had begun to grow until civil war occurred. It was the beginning of the end of monarchy in the Islands. In 1891, King Kalakaua went to California to regain his health. He died there and was succeeded by his sister, Queen Liliuokalani on January 29, 1891. Over the next two years the gallant Queen waged a losing battle to regain concessions granted to the legislature and the people. Formidable resistance set in and a Committee of Safety was formed, which in turn organized a provisional government. The new government was operated by an executive committee headed by Sanford B. Dole whose name was later well known in connection with the pineapple industry. Armed forces were organized, and an invasion of the Palace grounds took place. The insurrection was actively supported by the United States Minister and the military force was augmented by United States Marines from the USS Boston which had arrived in Honolulu Harbor "to protect American interests." Being faced with an overwhelming force, the Queen capitulated and appealed to the American Government for reinstatement. The matter was tussled out in Washington, and a treaty of annexation was signed. However, President Cleveland had some misgivings about the matter, ^{and} withdrew the treaty from the Senate where it had been sent for ratification. An investigator was subsequently sent to Hawaii.

The Presidential investigator found that the revolution had been brought about with the aid of the United States Minister and by the use of American military forces. The President directed that the Queen be informed that if she granted full amnesty to the insurrectos, the United States would demand that the Provisional Government restore her to her constitutional authority. Queen Liliuokalani reluctantly agreed, but President Dole declined to surrender the assumed authority of the provisional government, and on May 31 a republic was proclaimed, with Dole as its President. The Queen did not give up easily and threatened to decapitate some of the more important insurrectos. She made a valient but futile effort to overthrow the Republic by force of arms. In this effort, she failed abysmally, was ignominiously arrested, tried and convicted. After nine months of imprisonment the intrepid Queen was released and was given a conditional pardon.

Thereafter, renewed efforts looking to annexation to the United States were instituted and on June 16, 1897, a new treaty of annexation was signed in Washington. It became effective when President McKinley signed it on July 17, 1898. No doubt the signing was hastened by the advent of the Spanish-American War. The United States assumed the public debt of Hawaii in the sum of \$404,000,000. Congress passed the Organic Act in April of 1900, and Sanford Dole was appointed the first Governor of the Territory of Hawaii and he assumed office on June 19, 1900. Thus, the worries of the planters of Hawaii concerning the possibility of the imposition of import duties on sugar and pineapples into the United States came to an end.

It will be seen that from the beginning of American immigration into Hawaii, the production and marketing of sugar was one of the dominant factors in the development of the area. It was the direct cause of the multiracial situation which existed in 1940 wherein a large portion of the population was of Japanese ancestry at a time when international relations between the United States and Japan daily were becoming more strained.

Our military planners in Washington and in Hawaii were cognizant of the fact that the Russian-Japanese War was started by an attack without warning or any formal declaration of war. In line with previous performances, therefore, our planners believed that ^{if} war with Japan occurred there was a likelihood that Japan would strike the first blow by a sneak attack of some nature, somewhere in the United States or its possessions. In consequence our local planners decided that there were three possibilities of danger from an attack on the Hawaiian Islands, namely, a submarine attack on our fleet, or on our shore installations, an attack by air and an assault by a landing force.

The defense against a submarine attack was wholly within the province of the Navy which was constantly on the alert to the extent of its resources and was fully aware of the possibilities of such an attack. The possibility of an attack from the air had been recognized as a serious hazard for many years and the defense against it had been the subject of constant training. Over the years, maneuvers had indicated that with the element of surprise lacking, the losses which would be sustained by the attacking force would make such an attack so costly

as to make it impractical. On the matter of notice of such an attack, it was known that a close watch was being kept on the Japanese Navy and its concentrated action or the loss of contact with a major portion of it would be noted in time to place the local commanders on a full alert against a surprise attack by air or otherwise. Indeed this occurred in June 1940 when a portion of the Japanese Fleet was unaccounted for. This resulted in an all out alert situation being ordered from Washington by General Marshall in person. Furthermore, General Marshall subsequently inspected the area and was fully aware of its strengths and weaknesses. The third possibility, namely, an attack by a landing force would entail the assembling of a large force of ships under circumstances which could not readily be accomplished without disclosing intent. This factor and the further one that the odds against the success of such an attack were so great as to all but rule it out as a possibility.

So far as concerned the Army, therefore, the principal risk appeared to be a possible attack by air. Over the years, extensive maneuvers had been had with a view of developing a defense against such an attack. It was stepped up by General Herron. General Short went further and even practiced the civil population as to what would be expected of them in such an event. Common to all of these plans was an immediate all out alert upon notice of the possibility of an attack. The Japanese military situation in 1941 was such as to indicate to the Mainland planners that Japan would push forward with her capabilities in Asia, particularly in Malaya, Thailand, and Singapore,

that she might even venture into Guam, and that if Japan saw fit to involve the United States it would be by an attack on the Philippine Islands. These possibilities were in the minds of our local planners but so far as concerned a local attack the defense plans, which had been approved by Washington, were based upon notice from superior authority in Washington.

Incident to the defense against any form of attack by Japan was the matter of internal security. The unknown quantity was the loyalty or lack of it on the part of the local Japanese.

The determination of what to do under the circumstance of war with Japan was a practical matter based upon hard and pressing facts. Of the 170,000 persons of Japanese ancestry living in the Hawaiian Islands, 35,000 were aliens. For the most part, the aliens were old people and might not constitute a serious physical problem, but the age of a person has no relation to his capacity for sabotage or espionage. However, the Americans of Japanese ancestry were the primary problem. A considerable number of these had been educated in Japan and the vast majority of the entire group were dual citizens, that is, citizens of the United States by birth, and claimed as citizens of Japan under the Japanese law to the effect that all persons born of Japanese parents are Japanese citizens, regardless of the place of their birth. The magnitude of the problem may be seen when one considers the fact that more than 75,000 persons of Japanese ancestry were living on the relatively small island of Oahu. Of this

number, 60,000 were living at or in the proximity of our military and naval installations. I know of no case in the history of any country, where 60,000 determined "insurrectos" have been controlled by civil means alone and there have been very few cases wherein the military has been able to maintain law and order without serious violence.

The attached plate showing the distribution of the 75,000 persons of Japanese ancestry on the Island of Oahu based upon the 1940 census clearly shows the very dense concentration of Japanese in and around all of the military and naval installations at that time.

For a number of years prior to World War II, the Japanese had been crowding through the local schools and a high percentage of high school graduates had been going on through the University of Hawaii. In all of the schools, they usually stood well in their classes. As they grew older they gradually began to realize that despite the well worn local slogan that there was no racial prejudice in Hawaii, something seemed amiss. When those of Japanese ancestry graduated from college, they found that preference was being given to their Caucasian classmates in the selection of personnel for the higher positions in plantations and other large business enterprises. As a result, a large mass of intelligent and educated Japanese were forced into businesses which dealt primarily with their own people. This and other similar factors caused me to wonder what the loyalties of this large group would be in the event of war. The more questions I asked, the more unsure I was of the answer. Some of the people I questioned were of the opinion that the

Japanese people would be loyal "to a man" and shrugged the matter off with the favorite Hawaiian expression, "Aloha, all Hawaiians together," which means not much of anything. Others said that the matter was of no importance since the Japanese were "merely copyists and capable of nothing original." That thought seemed little short of stupid in face of the fact that substantially all the better artisans were of Japanese ancestry. Furthermore, no mere copyist could engineer and build the magnificent Japanese ships which made Hawaii a port of call. Others had the idea that all of Japanese blood were spies. That also was a naive conclusion which seemed to be limited to those who were in an unfavorable competitive economic situation. The circumstance which intrigued me was that all who consented to venture an opinion gave it in hushed tones indicating that it was a tender subject. As a result of my inquiries, I decided that there was no concensus and furthermore that of all of the Caucasians who professed to know the oriental psychology, precious few actually knew the rudiments of it.

From the beginning I applied myself vigorously in an attempt to understand the oriental mind. Even from that beginning, I found myself completely at a loss. I disclaim any dislike whatever for the Hawaiian Japanese, culturally or otherwise. Then and now, I find much to admire in both. I am simply recording my state of mind at the time I took the action that I propose to set forth here. As of November 1940, I doubt if I could have distinguished some Japanese from some Chinese and some Filipinos from either of them. My impression at that time was that most Caucasians were no better acquainted with the various races than was I.

As American-Japanese relations began to deteriorate, there was a steady stream of Japanese propaganda funneled into the Hawaiian Islands from Japan in the form of Japanese radio broadcasts, motion picture films, newspapers and periodicals. Short wave broadcasts were stepped up after Japan invaded Manchuria. Japanese ships made Honolulu a port of call, and the sailing of large numbers of local Japanese was made the occasion for general acclaim and celebration. Frequent programs sponsored by the local Japanese Consul General became the subject of Territory wide celebration. On occasion, a Japanese ship arrived in Honolulu carrying Japanese dignitaries. When this occurred the local people spread the red carpet for them. There was no reason whatever why the Hawaiians of Japanese origin should not do any or all of these various things. I report them merely to record them as some of many factors which were for consideration in guessing what the loyalties of these people were or would be in the event of war.

There were some 1,800 Japanese organizations in the Islands. Some were of the religious type while others were based upon business or social contacts. There was a Japanese Chamber of Commerce. There were a number of guilds of contractors. By far the most important influence among the local Japanese were the Japanese Language Schools. These were cultural schools whose stated objective was to teach Japanese culture but there can be little doubt that they were not this limited in their influence. These schools were in addition to

the American schools and were attended by substantially all of the young Japanese. The principal religions of the local Japanese were Buddhism and Shintoism, and the churches of both religions flourished.

Japanese Consul General Kita at Honolulu, although representing the Japanese Government, was the social leader of the local Japanese. As hereinbefore stated, under Japanese law the children born of native Japanese parents are Japanese citizens. Accordingly, irrespective of their wishes most Hawaiian born Japanese found themselves to be dual citizens. There was an involved procedure whereby such a person could divest himself of his Japanese citizenship. Some few local Japanese availed themselves of this process and expatriated themselves from Japan. Many did not do so and some took the position that they were American citizens by birth, and Japan could do anything it pleased about it. In individual cases, the matter came to a head when local Japanese were called up for military service by Japan.

Some of the younger generation were sent to Japan to be educated. Many such never realized that they were American citizens until after they returned to Hawaii after their education had been completed, and some of this group were more Japanese than American in thought, in fact, many were more Japanese than many Japanese aliens who had spent the greater part of their lives in Hawaii. These latter were not eligible for United States citizenship at that time.

The Japanese of Hawaii were unusually keen about celebrations. Any celebration would do for a gala affair. In 1940, Japan was

celebrating its 2,600 anniversary. At this time Japan had already embarked on its territorial conquest of Asia. A large number made the anniversary an occasion to visit or revisit Japan. The travel was by Japanese ships. When these ships arrived in Honolulu it was a signal for great festivities and rejoicing. Banquets were the rule. There were drives for contributions to purchase ambulances and airplanes for the homeland. Tons of scrap were collected and shipped to Japan. Although all of this was wholly within the rights of the local population, it gave the impression that, in general, the local Japanese stood squarely behind the actions of the homeland and that they stood ready to support its cause to the limit of their ability.

To a major degree the customs and the religious beliefs of Japan were carried on locally. This was only natural because, despite the propaganda to the contrary, there was a social cleavage between those of oriental background and the remainder of the population. This had the effect of amalgamating people in accordance with their national origins. It was more noticeable in the case of the Japanese because they predominated racially, but it was equally true in the case of those of Chinese and Filipino origin. There was very little mingling of the various oriental races either socially or in a business way. Each of these groups considered itself superior to the others, but there was a common resentment toward the "Haole," the Hawaiian term for the white race.

It was common knowledge that the national philosophy of Japan at that time was controlled by the militarists who had imposed upon

their country a code of national thinking and action. This code revolved around the superiority of Japanese as a nation, exaltation of the military as a class and the divinity of the Emperor. It contemplated that Japan was destined to rule the world by force. It encompassed the view that all Japanese were duty bound to bend every effort toward military success of the nation in the action in which it was then engaged and that it was the solemn duty of all of Japanese blood to fight and die to make that effort successful. Death in pursuance to that aim was considered a desirable and even holy endeavor which would result in everlasting glory in the hereafter. Surrender or anything less than full compliance with the desires of those in authority would be considered dishonorable, not only to the individual but to all members of his family as well. There can be no doubt that the entire Japanese Nation fully subscribed to those views, and it seemed probable that the vast majority of the local Japanese were fully in accord with their cousins across the sea.

Such an attitude is not uncommon among nations under stress of war, and in this case it was a part of the Japanese national scheme to bring together all of Japanese blood, wherever situated. It was no mere plea for assistance. It was a forceful demand made in earnest. The 170,000 residents of Hawaii who were of Japanese origin were a valuable asset and there can be no doubt that the Japanese Empire intended to take every possible step to insure the support of that group. It was for the United States authorities to determine to what extent the Americans of Japanese ancestry in Hawaii subscribed to the ideology of Japan. It was indeed a tough nut to crack and the situation permitted of no second guess.

CHAPTER IV

Early Planning and the M Day Bill

In traveling about Honolulu soon after my arrival I became increasingly aware that perhaps three out of five inhabitants I met on the street seemed to be of oriental origin. Although I could not at that time determine with much certainty what percentage of these travelers were of Japanese ancestry, it was the general concensus that this group was large and that it supported Japan in the conquest then going on. Even at this early date, diplomatic relationship between the United States and Japan showed signs of major deterioration. To wonder where the Hawaiian-Japanese would stand in the event of a war with Japan was inescapable. It began to be a matter of the utmost importance in the minds of thinking people in Hawaii. I sensed it almost at once and my curiosity led me to explore the probabilities more and more. My efforts resulted in uncertainty and that seemed to be the same conclusion at which most people had arrived. In the light of this uncertainty, it seemed to me that provision should be made for such internal security as would be sufficient to protect against any emergency. The decision as to the form of such measures was no part of my duty at the time but a determination of what legal remedies were available was wholly within my province. Accordingly, I began to look into the legal structure of the Territory of Hawaii which would permit it to cope with a war emergency. What I found was not unexpected. The organization was comparable to that of the

several states of the United States, and like them it was incapable of rapid action and like them also it was impotent to meet any urgent circumstances.

After completing a careful study for my own education, I began to outline changes in the law which I believed would be necessary to enable Territorial officials to act promptly in the event of an urgent situation. Basically, the idea was simply to streamline existing procedure to permit immediate action to be taken by existing authorities in the event of an emergency. My theory contemplated two situations. First, where there existed what the Army terms a "period of strained relations." Second, where an emergency occurs without warning. The primary idea was that where there was a warning period, part of the plan could be placed in effect, but if the emergency came without warning the whole plan could be placed in operation immediately. It contemplated that control of the plan would be in the hands of the Governor but that he could, if he so desired, confer upon subordinate officials extraordinary powers which would clothe them with authority to meet whatever difficulties the situation might require. I did not work out all of the details at the moment although I did make notes and, in line with a habit of a lifetime, I made up a series of questions for further study.

It is well established and perhaps properly so that civilians in government generally resent suggestions from the military for the improvement of civil government. Usually such suggestions are interpreted as military meddling. Of perhaps equal importance is the fact

that in our form of government there has always been resistance to giving any official any unrestricted powers. This has been our heritage borne of the experience of our ancestors. High ranking military officers have always been careful not to usurp the prerogatives of civilian government and they look with great disfavor upon any action by a subordinate who violates those prerogatives. For these reasons, which were well known to me, I kept my thoughts and my writings concerning the improvement of the Territorial Government strictly to myself for the time being.

About this time Judge Edward Masee, a former Federal Judge and a retired officer of the Army, came to call on me at my office "to pay his respects," as he termed it. He was then a lawyer practicing in Honolulu. He was well along in years and was so astute that I was instantly attracted to him. I was years younger than he and was far junior to him in military rank and indeed experience. Before he left I felt that this man could answer some of the questions which were bothering me and also he could advise concerning my plan. It being of such moment, I refrained from discussing it with him at our first meeting. It was not until I had met Judge Masee for lunch several times that I broached the subject of my plan. Judge Masee being receptive, I outlined my plan and discussed it as far as I had worked it out. The Judge saw the possibilities of the plan, and I agreed to work out further details and consult him as I progressed. We had many conferences and something definite began to emerge. I now felt that I was in a position to take the matter up with General Herron. When I

did so, he heard me through and grasped the ideas at once. He directed me to produce a specific plan and added the admonition "to move right along with it, in a strictly confidential manner." By this he intended the utmost expedition of the matter.

As of the time I took the matter up with General Herron I had set down the following conclusions:

1. Under the existing state of the law, in case of war with Japan, internal security would require either martial law or military intervention.

2. This might be avoided if the civil authorities could be authorized to take immediate action to accomplish the same purpose.

3. If this could be done it would remove any onus of martial law from the military and would release a full complement of troops for combat duty.

4. The civil authorities are now unable to undertake any such program and legislation would be necessary to accomplish the desired result.

5. The matter should be taken up with the Governor through his Attorney General.

6. If the existing state of the law continued, steps should be taken and agreements made with the Governor relative to declaring martial law. Failure to do so might consume valuable time in controversy in time of emergency.

7. Thought should be given to the situation wherein the existing law continues and the Governor declines to declare martial law.

At the time I made the foregoing notes I had not the least thought that there might be a sneak attack as a means of starting a war. On the contrary, as I recall it, I contemplated a sort of leisurely affair starting with the exchange of a long series of notes, followed by a considerable "strained relations" period and then a formal declaration of war. This would be followed by the steaming out of the two fleets. The Japanese would take the Philippines and be sorry forever for it after our fleet caught up with the Japanese fleet. I had grave doubts that the Japanese would do anything so foolish as to tangle with our fleet, and I never had the slightest doubt as to the outcome if it happened. In the interim, the primary concern of the local authorities would be the internal security of the Hawaiian Islands and particularly the Navy Base at Pearl Harbor.

Before I was prepared to submit a formal plan to General Herron he was succeeded by General Walter C. Short as Commanding General of the Hawaiian Department. This occurred on February 7, 1941. By this time I had settled on the conclusions which I have already referred to and in addition had an outline of proposed legislation, together with some rough drafts of martial law proclamations. As soon as it was convenient to General Short, I called upon him and acquainted him with my views. General Short had one of the fastest minds I have ever encountered. He quickly sized up the situation and shot several questions at me. The questions indicated that his purpose was to determine

whether my plan interfered with existing war plans which intended to assist the civil population in certain regards in the event of a cut off situation. This activity was within the province of the General Staff Section designated as G-5, whose duty it was to formulate plans to assist the civilian population in the supply of food in the event of a "cut off" situation. After carefully going over the details, General Short authorized me to take the matter up with the Territorial Attorney General and if it met with his approval to take it up with the Governor of the Territory.

I lost no time in consulting Mr. Joseph Hodgson, the Territorial Attorney General with whom I had previously had some business. Mr. Hodgson was an outstanding lawyer and one who was receptive to new ideas. After a careful discussion he concluded that my ideas had possibilities and that the plan might succeed in avoiding martial law. He agreed to submit the matter to the Governor and if he consented a meeting would be set for further discussion of the subject. In the immediate future such a conference was held with Governor Poindexter. The Governor heard what we had to say. His rapid and far seeing mind belied the slow and careful manner in which he expressed himself. He saw clearly the possibilities of the plan but deftly pointed out that it was unique, that it gave unusual powers to the Governor, and that, in consequence, it would doubtless raise a political storm. However, as I learned later, this mild appearing gentleman was never one to back away from a fight when he was convinced it was in the public interest. He wound up the conference by directing Mr. Hodgson to prepare a draft

of a bill along the lines we had discussed and to have it ready to submit to the Territorial Legislature which was scheduled to meet in the immediate future.

Thereafter, Mr. Hodgson, his Deputy Attorney General, Mr. Edward Sylva, his Assistant Attorney General, Miss Rhoda Lewis, and I belabored the subject at many conferences, some of which lasted well into the night. At last, we came up with a bill which we considered satisfactory. It should be noted that this was the first proposed legislation of its kind and that there was no precedent to guide us. Frequently, we had divergent ideas which had to be compromised. For example, Miss Lewis objected to a proposed provision which would permit the Governor to close all grocery stores except one if such action became necessary to conserve food. The basis of her objection was that it could be used as a basis for unfair discrimination. I countered with the argument that a situation might arise where it might be necessary for survival and that we would have the hope that the extraordinary powers we were suggesting would be used only if the urgency required it and that even then they would be used honestly and fairly. Miss Lewis, who was a skilled and experienced lawyer, was not too impressed and still preferred to place limits upon the powers so that they could not be abused. During the course of the discussion, to emphasize the fallacy of too many restrictions, I jokingly said, "Rhoda, if you will concede this very practical point, I will agree to insert a provision in this bill establishing a Women's Army Corps to be commanded by a Major General Commandant whose qualifications shall include the

requirement that she be an Assistant Attorney General." We all had a good laugh and went on with our discussion. Needless to say, we made no provision for a Major General Commandant, but strangely enough after the war had started a Women's Volunteer Army Corps was organized in the Office of the Military Governor.

I have frequently been asked who was responsible for the first draft of the Hawaii Civil Defense Act. The basic idea, the broad principles and perhaps the basic outline came from my original draft. The bill, as finally submitted, went far beyond that. All four of us contributed much background, diverse experience, and a great deal of hard, intelligent labor. In my opinion, it was the joint effort of the four of us, each being entitled to share equally in the praise or blame.

In my studies, I referred to the plan as the "M Day Bill," the letter "M" standing for mobilization. As introduced in the Legislature in April of 1941, it carried the title of "Hawaiian Defense Act 1941" but it continued to be known as the "M Day Bill," even after it became the law of the Territory. The legislation contemplated a limited emergency and a maximum emergency. Broadly speaking, it contemplated that in a maximum emergency the Governor was authorized to declare a state of emergency, at which time he was authorized to exercise very broad powers and to clothe various public officials with emergency powers by which the normal requirement for deliberation and delay could be brushed aside and officials could do whatever the urgent situation required to be done. Such legislation would have been a

shock to any legislature at that time and the Legislature of the Territory of Hawaii was no exception. As anticipated by Governor Poindexter, the result was explosive and immediate resistance to the legislation became apparent. This resistance was based upon the natural reluctance to placing in the hands of the Governor such sweeping and hitherto unheard of powers. The reluctance was not personal to Governor Poindexter. It would have applied equally to any Governor. There could be no denying that such powers could be used improperly and to the great disadvantage to minority groups, and it had to be admitted that such a radical departure from normal practice should only be utilized in a dire emergency. It should be remembered that the Legislature of Hawaii included representatives of minority groups of various racial backgrounds, each of which was especially sensitive to any possible infringement of its rights.

Governor Poindexter had correctly anticipated the difficulty the bill would encounter. It immediately became the subject of heated and violent discussion. Governor Poindexter remained serene while the matter ran the gauntlet of a scathing attack. The objection to the granting of such dictatorial powers to the Governor was not surprising since it was the first of such legislation in our history. We are now apt to forget that fact because, at the present time, we are accustomed to the Civil Defense legislation in both the Federal and the State Governments. At the time it was introduced in Hawaii it was a novel suggestion. Both Houses of the Territorial Legislature had a tremendous respect for the integrity of Governor Poindexter and

that factor greatly influenced the situation. Eventually, the Senate passed the M Day Bill without change, and opposition to it in the House began to subside. Passage of the measure seemed assured, but in the early morning hours of the last session of the House a violent altercation broke out on some unrelated matter, and in order to restore order a suggestion for adjournment was made and adopted. Thus, the session ended without final action on the M Day Bill.

The failure of the M Day Bill to become law was a great disappointment to Governor Poindexter, who like many of the rest of us could visualize war clouds rapidly forming. He felt so strongly about the matter that he called a special session of the Legislature to pass appropriate legislation on the subject. In the interim, the Attorney General, his assistants, and I went over the bill again and made changes to meet objections which had been voiced by the Legislators. In substance, however, the bill remained unchanged. The Legislature met in special session and within two weeks the Hawaiian Defense Act 1941 became law. The delay was unfortunate because although it gave the drafters a respite to improve the language of the bill, implementation of the Act was materially retarded and operation under it had hardly begun when war came.

CHAPTER V

Additional Plans

Included in my early research was an examination of the War Plans insofar as they were concerned with internal security. I found that only the surface had been scratched. The General Staff Section G-5 was charge with planning for the assistance of the local civil population in the matter of production and supply of food in the event that a "Cutoff" situation developed, wherein supplies from the Mainland should be cut off. The Chief of the Division, Colonel Casey Hayes, had formulated complete plans and had enlisted the aid of the experts of the University of Hawaii. However, since the General Staff is merely a planning unit and since there were no appropriations available for activating such plans the situation was merely in the planning stage. When war came these plans were instantly activated and they were of immense value in that respect, in fact they were adopted as the basis for the all important activity of supplying food for the civilian population.

I examined the War Plan of the Department Judge Advocate. It was simple and brief. It was "declare martial law." There was no suggestion as to where, how or by whom this action was to be taken. This prompted me to refresh my mind on the subject of martial law and to examine all available literature on the subject. Confirming my prior view on the state

of the law, I concluded that martial law is not a law nor are the limitations or the responsibilities well defined anywhere. Actually it is a state of affairs wherein the military assumes temporary control over civil functions as a matter of military necessity. Whatever steps the military takes in this regard it takes them at the peril of the military commander who must be prepared to defend his action before civil tribunals when the emergency is terminated. Frequently, this occurs where the vicissitudes of the war or other emergency have long since faded into history and when the investigating tribunals invariably are endowed with special powers of hindsight.

The perils of a military commander in a martial law situation may be gleaned from the case of General Andrew Jackson who had a "brush with the law" concerning the Battle of New Orleans. As reported in the history books General Jackson was faced by a superior number of "blooded" British troops at New Orleans. His own force included many untested combatants and some inexperienced local volunteers. His force was far inferior to that of the British in both numbers and experience and the coming battle was of vital importance. A local newspaper editor criticised, in his publication, the disposition of troops which had been made by General Jackson. The criticism was primarily directed at the placement of certain local troops as being an affront to local pride. Fearing that such critical publicity would weaken the morale of his troops which seemed already somewhat shaky, General Jackson directed the editor to desist. This

only served to cause the editor to assert his right of freedom of the press and another more critical editorial appeared. General Jackson decided to put a stop to the matter and ordered the editor confined. From his place of confinement the editor availed himself of his constitutional right and retained a lawyer who promptly applied to the court for a writ of habeas corpus looking to the release of the editor. The writ was issued by the judge who commanded General Jackson to produce the editor in court for final disposition. Being faced with a desperate military situation, and being a man of some impatience, General Jackson took a short cut and ordered the judge confined along with the editor.

Surmounting tremendous odds, General Jackson won the ensuing battle of New Orleans. There was great rejoicing. The Judge and the editor were promptly released and doubtless rejoiced also. However, the judge sped forthwith to his court and his first order of business was to fine General Jackson \$1000 for contempt of court. There was nothing for the General to do but pay, which he did. Some twenty years later when General Jackson was President of the United States, the Congress, out of the goodness of its heart passed legislation providing for the reimbursement of General Jackson in the sum of \$1000. Thus, it will be seen that the employment of martial law even in what seems to be a most urgent situation involves major risks.

In the situation in Hawaii there was an unusual factor for consideration, namely, the provisions of Section 67 of the Act of April 30, 1900 (31 Stat 153) which is an act of Congress creating the Territory of Hawaii and generally known as the Organic Act. That section reads in part as follows:

"That the Governor shall be responsible for the faithful execution of the laws of the United States and the Territory of Hawaii within the Territory, and whenever it becomes necessary he may call upon the commanders of the military and naval forces or summon the posse comitatus, or call out the militia of the Territory to suppress lawless violence, invasion, insurrection, rebellion, in said Territory and he may, in case of rebellion or invasion, or imminent threat thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus, or place the Territory, or any part thereof, under martial law until communication can be had with the President and his decision thereon made known. "

The above provision of the law is extremely broad, clear and unquestionably intended to clothe the Governor with authority to meet any dire situation involving uprising, invasion or a threat thereof. I studied this provision very carefully and began to conjure up all manner of urgent situations with a view to determining whether the law would cover them. I decided that it would be fully sufficient to meet every emergency. It seemed to me however, that it was imperative that agreements be worked out with the Governor for declaring martial law under this provision of law prior to the time when it might be called into use. The rudiments of the M Day Bill were on paper, and as I have said, the whole idea behind the M Day Bill was to attempt to avoid the necessity of martial law.

Nevertheless, it seemed to me that good planning dictated that some sort of tacit agreement should be made with the Governor for the declaration of martial law in the event that the M Day Bill proved to be inadequate.

With this in mind I made further studies of the various possibilities. If the M Day Bill proved to be adequate, all would be well, but in the event it proved to be insufficient the only alternative was martial law.

In that event the Governor could apply the provisions of Section 67 of the Organic Act and the circumstances might be such that he might desire to call upon the Commanding General and shift his responsibility to the latter. He could call upon the Navy with equal propriety but the probabilities were that the Navy would resist and properly might say that it was an Army problem. As I reasoned out the various angles and possibilities I concluded that while it was unlikely, a situation might arise wherein the Commanding General could not avoid assuming responsibility, however distasteful it might be to him. It seemed to me that it was my duty to prepare a plan, in advance, which would be fully approved by all interested parties. With this in mind, I drafted a form of proclamation for declaring martial law by the Governor under the provisions of the Organic Act. That draft was the paper used by Attorney General Kai in drafting the proclamation of Governor Poindexter which he issued on December 7th, 1941 declaring martial law. I went further and drafted a proclamation of

martial law for use by General Short in the event that all else failed.

As I delved further into the realm of possibilities, it occurred to me that if the M Day Bill failed of passage or was inadequate to meet the situation or that the Governor declined to act under the provisions of the Organic Act, the burden of any resulting situation would fall squarely upon the Commanding General and that such a situation though improbable, was possible. Accordingly, I drafted forms of actions to meet any such eventuality.

From the time the M Day Bill was introduced into the Legislature I began calling regular conferences of my associates and subordinates for the purpose of briefing them on the progress of events and the plans to meet them. As time wore on I began to intensify the instruction as to the plans. My primary purpose was to insure that even in a surprise uprising and casualties among us the survivors would carry on. At times these conferences were doubtless onerous to some of my small staff but they paid off handsomely, because when the surprise came every last one of my staff knew precisely what to do and all did it mighty well.

One further development seems deserving of note at this point. It will be recalled that from the time that the general alert was directed by General Marshall in June of 1940, the small detachments maintained by General Herron at the "soft spots" were continued after the general alert had been discontinued. Some additional posts were established. This

practice raised the question of possible liability on both the civil and the military authorities. Where was the authority for the use of such troops by the military? What was the justification for the civil authorities to permit such use of troops? These questions could be very embarrassing to both the military and the civil authorities, both of whom believed the outposts necessary as a precaution. I went back to the law again and turned up a solution, which, although not perfect, was conceded by all concerned to be the best that could be done. Briefly, it was for the Governor to request the Commanding General to protect the bridges and other "soft spots," the request being under the authority contained in the Organic Act. This was acquiesced in by the Governor and in accordance with prior arrangement, the Commanding General received a formal request from Governor Poindexter to guard the bridges and other "soft spots," then actually being guarded. General Short formally replied acquiescing in the request. To make it air tight, the Chief of Police truthfully stated in a letter that he was unable to provide the necessary protection. All three letters were signed in quadruplicate and marked "Secret" and thereafter placed in the confidential files.

This arrangement was solely for the purpose of attempting to legalize the use of troops as indicated. It was highly confidential and was so maintained. It was this arrangement which General Short thought might be behind the restriction in the War Department radiograms con-

cerning "Illegal Measures". As a consequence, in his radiogram dated November 28, 1941, he explained fully his disposition of his troops and set forth in detail the arrangement for guarding the bridges.

One further step seemed necessary to complete the security plans.

This involved arrangements whereby in an emergency the military should have control of the main roads. It will be understood that the Infantry force was stationed at Schofield Barracks 28 miles from Honolulu, and that there was but one direct road between these two points. It takes no imagination to visualize what could happen in an emergency. Acting with the approval of General Short, I called on Mr. Jon Wiig, the city attorney of the City of Honolulu and put the problem up to him asking that the military be granted the right to control the roads in an emergency. Mr. Wiig and I went to see Mayor Petrie together. The mayor was quick to see the problem and equally quick to provide a solution. He called a meeting of the city council at once. Some of the members voiced fear at turning over controls to the military. Indicative of the wisdom of Mayor Petrie I can remember him saying something like the following; "Listen gentlemen, these soldiers are Americans just as well as we are. They simply are wearing uniforms while we are not. They know what they are doing and it simply makes sense". I pointed out that the Council always had the right to rescind the order if there was any abuse of it. That clinched the matter and an

ordinance was promptly passed authorizing the military to control roads in the event of an emergency. No reason for rescinding the ordinance ever occurred. This completed my emergency plans but I continued to explore additional avenues and possibilities and to draft a form to meet every contingency that occurred to me. In the weeks which followed my file thickened rapidly.

CHAPTER VI

The Alerts

As of November 5, 1941, there was in effect a standard operation of procedure for the defense of the Islands comprising a series of three alerts. Alert Number 1 was prescribed as a defense against internal sabotage, espionage, and other difficulties of a subversive nature. Alert Number 2 was intended to be directed against something more serious than sabotage but yet not requiring an all out alert status. It included Alert Number 1 and was an extension of it. Alert Number 3 was an all out alert requiring the occupation of all field positions including the placement of heavy artillery and the readying of two 14-inch Seacoast guns. This three alert plan had been submitted formally to the War Department in Washington and had been officially approved. After such formal approval it had become the standard operating procedure.

The above described plan was based upon the theory that in all probability, war with Japan, if and when it came, would start in the more or less conventional manner, with a period of strained relation prior to actual hostilities. As always, the unknown quantity was the reaction and action of the local residents of Japanese ancestry. The vulnerability of the area to internal sabotage and espionage was uppermost in the minds of all concerned. The basic theory of the alert plan was that in the event of war, Alert Number 1 could be called immediately. This would be all that was necessary to neutralize ordinary sabotage and it would give time to swing into Alert Numbers 2 or

3 should such action be necessary. It should be noted that some four hours would be required to make Alert Number 3 fully effective. Also, Alert Number 3 involved wholesale trespassing upon private lands which would result in considerable damage to the standing vegetation. From previous experience in Hawaii, the calling of Alert Number 3 would be an expensive matter which should be avoided unless the circumstances were urgent to the extent of justifying it. Another factor entering into the decision to call Alert Number 3 was that it would be full and complete notice to subversives that the United States was on the move. Alert Numbers 1 and 2 could be passed off as training exercises, but the result of an all out alert would be obvious.

This alert system was well conceived and was considered adequate to meet any emergency. Clearly, it was important not to alienate the loyalties of the local Japanese unless it was necessary. Obviously, if the 75,000 Japanese on the Island of Oahu turned out to be active sympathizers of Japan the containment of such a large number of people on the small area of Oahu would present a major problem. It was hoped that sabotage alone would be the problem and in expectation of this it was believed that Alert Number 1 would suffice. However, Alert Number 3 could have been put into effect within four hours and it would have afforded the maximum effort of the forces available.

As noted before, there were certain "soft spots," bridges, and the like, which were under constant guard, this in accordance with an

agreement reached between the Governor and the Commanding General, to which agreement heretofore referred to. Practice alerts and air raid alerts had been the subject of maneuvers. In some of these practices the civil population took part. As a matter of fact, the public was rather well trained on this phase.

Under date of June 17, 1940, General Herron was directed by General Marshall, the Army Chief of Staff, to call an all out alert on a war footing. Such an alert was called immediately and was continued in effect for about six weeks. The directive from General Marshall read:

Immediately alert complete defense organization to deal with possible trans-Pacific raid, comma, to greatest extent possible without creating public hysteria or provoking undue curiosity of newspapers or alien agents. Suggest maneuver basis. Maintain alert until further orders. Instructions for secret communication direct with Chief of Staff will be furnished you shortly. Acknowledge.

The reason for calling this emergency alert was that our intelligence people had temporarily lost contact with a sizeable portion of the Japanese Fleet. As a result of the experience learned in this alert the General Staff in Hawaii concluded that all out alerts should not be called unless the need was urgent and immediate. Experience showed that troops had a tendency to ease up during an alert for a relatively long period, without action, and that they lost their sharpness rapidly when held in a major alert position for an extended period. I gathered that as a result of this experience it was the general view that effort should be made to handle any local situation short of war, by the use of something on the order of Alert Number 1.

Early in November 1941, the local press, particularly the Honolulu Advertiser, began to feature news stories indicating that strained relations between Japan and the United States were increasing to alarming intensity. The following headlines were typical in the local press:

November 7, 1941. "Karusu Carrying Special Note to FDR From Premier TOJO--Japan Ready to Act Unless Tension Eases."

November 13, 1941. "Tokyo Asserts War Already On."

November 14, 1941. "Japanese Confident of Naval Victory."

November 26, 1941. "Americans Get Warning to Leave Japan, China."

November 27, 1941. "US Talks Broken Off as Hull Rejects Appeasement--Full Surrender Demanded in US Statement Evacuation Speeded as Peace Fades."

November 29, 1941. "US Rejects Compromise in Far East."

November 30, 1941. "Karusu Bluntly Warns Nation Ready for Battle - Foreign Affairs Expert Attacks Tokyo Madness - Hawaii Troops Alerted."

December 3, 1941. "Huge pincer attack on US by Japan Predicted."

December 4, 1941. "Hawaii Martial Law Measure Killed in Present Session."

December 5, 1941. "Pacific Zero Hour Near; Japan Answers US Today."

December 6, 1941. "America Expected to Reject Japan's Reply on Indo China - Japan Troops Concentrated on Thai Front."

December 7, 1941. "FDR Will Send Message to Emperor on War Crisis."

The above quoted headlines portrayed substantially the true state of affairs in Washington which seemed common knowledge in official Washington. One cannot read the above headlines, which are not all

inclusive, without being impressed by the fact that the Washington correspondents were kept much better informed as to the world situation than were General Short and Admiral Kimmel who were stationed more than 6,000 miles from the seat of government, and who were charged with the defense of our military frontier. The meagerness of the information supplied these commanders and the restrictions placed upon their actions is nothing short of astonishing. Important to this consideration is the fact that our military commanders are bound to operate upon orders and directives from higher authority and not upon headlines in newspapers.

Prior to the latter part of November 1941, my position on the local staff did not entitle me to be made aware of all top secret official communications which were being received by the Hawaiian Department. However, I read all available press and radio information as well as current publications. For some time previous to this, I had been invited rather regularly to luncheons held under the auspices of the Institute of Pacific Relations. On two occasions the speaker was a professor of the University of Hawaii whose name I do not recall. This man spoke with a strong German accent and his talks were all too obviously slanted in favor of the Japanese and the Germans. It was generally rumored that he had been openly accused of being a spy but he seemed to continue his propaganda without interference. The local intelligence people were aware of it but said they were unable to take any action since the matter was being handled by the FBI. The members

of the Institute were not visibly resentful of this man's activity and seemed to shrug it off as a matter of freedom of views and discussion. I began to wonder whether I had not been too much concerned about the situation having become convinced that war with Japan was inevitable and imminent and that we, the United States, would eventually get tired of the acts of aggression of Japan and that we would be compelled to take affirmative action. I felt so strongly about it that I urged my wife to return to the Mainland but she refused to leave. I felt that a war would not be as easy as most people thought and that the local Japanese could make a tremendous lot of trouble for the military in Hawaii if they sided with their Homeland. I could not come to a firm conviction as to their loyalty in case of war, and I seem to have wound up by hoping for the best and preparing for the worst. By December 1st, I felt that come what might, I had prepared my part of the job and was up to date and ready for any emergency.

We had figured out everything, everything except that which actually happened, namely, a sneak air attack.

CHAPTER VII

Directives From Washington

During the summer and fall of 1941, training and maneuvers were stepped up by General Short and the troops began to show signs of tightness which always comes from long and hard training. I noticed it because the disciplinary problems increased. General Short was aware of this, but perfectionist that he was he continued to require even more strict training and discipline. By this time many of the older staff officers had gone to the Mainland for reassignment and had been replaced by younger men. Substantially all of them were new at their current positions and all were striving to perfect themselves in their new jobs. The skill of General Short as an organizer became evident to all. He left no stone unturned to press his entire command into a cohesive unit. Every phase of maneuvers was indulged in, and the critiques which followed were painstaking and thorough.

During the first twelve days in May 1941, General Short conducted maneuvers which assumed the necessity of full alert conditions. These maneuvers included the issue of one day's fire of ammunition and engineer supplies essential for field operations. The Navy took part in these maneuvers, simulating the bombing of airplane carriers 250 miles at sea. Included also was a mock air attack on Oahu and an air and ground defense of that Island. In the latter part of July 1941, General Short was advised that sanctions were about to be imposed upon Japan, that the Philippine Army was being called into service, that

Honolulu's
EVACUATION
MADE EASY



TERRITORIAL OFFICE OF CIVILIAN DEFENCE

Honolulu, Hawaii, U. S. A.

July 1, 1942

Urgent! Warning! Urgent!

Tuesday night, May 20, 1941, between 9:00 and 9:30 o'clock, "BLACKOUT ENEMY" PLANES will again SIMULATE ATTACK on YOUR ISLAND AND YOUR HOMES! When warning bells are rung or sirens sounded... IMMEDIATELY put out all lights... inside and outside! TURN OFF ALL SIGNS! Don't use flashlights, matches, etc. BLACKOUT COMPLETELY!

While this raid is only make-believe, act as if it were real. Show your patriotism and your loyalty by giving your full-hearted cooperation. We hope the time will never come that Hawaii Nei will actually be bombed but if that time ever does come, we want to know that you know your part in the defense plan. We can only learn by doing. Let's prove to our military forces that we as citizens know how to cooperate in the defense of our Territory... and this means... not going to the hills to see the lights go out. Keep your radio on. Listen for the signal. Then act. Experience is a valuable teacher.

緊 急 警 告

一九四一年五月廿日(禮拜二)晚：介於九時至九時半之間：「敵方黑夜飛機」：再次假設來空襲檀山各島：及汝等之家：
 △當警笛及汽笛大鳴時：宜立即熄滅一切燈火：宅內外均熄之：有光招牌亦要熄火：切勿用手電筒及火柴等發光物：
 防令完全熄滅燈光

當此次黑夜防空演習時：空襲專員為假設：但一切動作：則宜視為真事：君等宜用真心合作：以表愛國及忠誠之態度：吾人等對此等空襲不致來應檀山而作炸擊：但為一遇有此等事件：則吾人可令君等能協助：國防守計則也：吾人習為之自能可學得之：請吾人一切市民：皆知悉在全體國防工作下面合作：以表明於軍官當局之前：有厚望焉：

燈火管制についての警告

来る五月二十日(火曜日)の晚九時より九時半までの三十分間假裝敵國の飛行機が貴島を襲撃する、その時には警報としてサイレン又は鐘を鳴らす同時にすべて内外の燈火を消す事、店のネオンサイン、飾窓の燈火も消す事、フラッシュライト及マツチも使用せぬ事、完全に消燈すべし

この演習は元より假裝なるも市民は實際の時と同じ気持ちにて共力せられん事を望む、私達は布座が襲撃せられる時の來ぬ事を望むものなるも若しその時來たらば私共は諸君が己がなすべき防禦策をこられる事と思ふ、それは實地に經驗して習得する事が出来る。私達は市民として布座に於る陸海軍と共力して我々の布座縣を守る事を表示したきものなり

E MAHA ALA. E HOOMAAKAAU. E HUI MAHA ALA.

Ma ka Po Poalua, la 20 O Mei, 1941, mawaaia o ka hola 9 a me ka hola 9 me ka hapa, e lele mai ana na MOKU LELE O na ENEMI e HOOKA KAUA maluna o na hale a me ka aina ke ano hoomaamaa a hoomakaukau wale no.

I ka lohe ana i ke kani o na pele a me na cece hoailona no ka Hoopouli ana, e hoepio kokua me ka hoohakalia ole, i na kukui apau, o keia a me keia ano, maloko a mawaho o na hale apau loa a me na kukui Hoailona apau. Mai hoa oukou i na kukui paalima a aole hoi e koe i ke ahi kukaepela. KA FOULI PUNI.

Oiai He Luku Weliweli Keia, ke hiki mui, e hoomaopopo ia no nae, no keia manawa, ma ke ano hoomaamaa wale no, aka e hoike ae na poe apau, i maopopo ai ko oukou kupaa, makee a aloha aina oiaio ma ke kakoo a hooko ana i ke Kuaana.

Ke upu a ke manaolana nei makou aole e hiki ia mai ana keia Luku Weliweli, aka, ke makeake nei makou e loa a ke makaukau a me ka hoomaopopo lea ana ia oukou ma keia hana ano nui. E loa no ka makaukau ma ka hana kino ana.

E hooia ae na makaaianana i na Oihana Kata i ko lokou kakoo piha, me ka lokahi like ma na hana hoo-pakele apau, i ke Teritori.

NASKEN! PAKAUNA! NASKEN!

Iton rabü no Martes, MAYO 20, 1941, nagbatan ti horas nga las 9:00 ken 9:30, "KABUSOR NGA AEROPLANOS" kas da man la RAUTEN KEN SERKEN DAYTA ISLA NGA YAN AGRAMAN BALAY MO.

No manggeg mo ti timak dagiti campanas ken sibato, DACOSEM nga iddepen dagiti silaw, uneg ken rwar. IDEPEM AMIN NGA SENIAL. Dika aggamit iti lente, gurabia, ken daaduma pay.

AGSIPNGET A MAMINPINSAN

Numan pay saan a pudno daytoy nga idadateng ti kabusor, balinen a pudno. Ipakitam ti nailian a panagtulong babuen ti napascan a pannakitinnulong. Sapay koma ta man to nga dumteng ti kanito nga ti Hawaii Nei aglak-am iti pannakabomba, ngem no napasamak to laeng, masagsaganan nga ammo tayo ti maikutop nga aramiden. Masursuro tayo babuen iti panangaramid. Ipaneknek tay ngarod ka dagiti tibker ti pagilian (Militar) nga da tayo a makipagili aramo tayo ti makitinnulong iti pannakasalaknib ti daya nga teang tayo.

★ ★ ★ TERRITORIAL BLACKOUT COMMITTEE ★ ★ ★

Karl A. Sinclair.....General Chairman
 Mayor Lester Petric.....Honolulu Representative
 Joseph F. Kunsch.....General Chairman, Honolulu

Al Spencer.....Maui Representative
 William Ellis.....Kauai Representative
 Samuel M. Spencer.....Hawaii Representative

Japan was proceeding in Indo China and that Japanese shipping from Japan was being suspended. He deemed those circumstances sufficient to justify immediate preparation for possible defense action. Accordingly, on July 25th he instituted "Maneuvers" which called for Alert Number 3. These maneuvers involved the entire command and continued for several days until the heat of the international situation had cooled sufficiently to "complete" the maneuvers.

These maneuvers were of an all out nature in which the civilian population took an active part. Handbills were printed in the Hawaiian and oriental languages and were distributed throughout the Territory urging the civilian population to take part in the mock attacks. The local newspapers gave attention to the matter and the public joined wholeheartedly in the tests. The newspapers reported the details of the military action and gave full accounts of the "enemy bombers being driven off." By this means, the possibility of an enemy attack by air was forceably brought home to the troops and the civil population as well.

On October 16, 1941, General Short received from Admiral Kimmel a paraphrase of a message sent to him by the Chief of Naval Operations in Washington with directions to pass it along to General Short. The message read:

Japanese Cabinet resignation creates a grave situation. If the cabinet is reformed it will probably be anti-American and extremely nationalistic. If Kenoye cabinet remains, it will operate under a new mandate which will include re-proachment with the United States. Either way hostilities between Japan and Russia are strongly possible. Since Britain and the United States are held responsible by Japan

for her present situation there is a possibility that Japan may attack these two powers. In view of these two possibilities you will take precaution including such preparatory deployments as will not disclose strategical intention nor constitute provocation against Japan.

This message was primarily informative and merely confirmed facts which had been carried in the newspapers to the effect that the Japanese cabinet had fallen and that a new one probably would be anti-American and that as a result an attack might be made upon Russia, Britain, and the United States. The sole directive was to take due precautions including such preparatory deployments as will not disclose intent nor constitute provocative action against Japan. From the point of view of General Short there were no deployments he could make except a general alert which would most certainly disclose strategic intention and might well be construed by Japan as a provocative action. As a result General Short took no specific action but pressed on with maneuvers and training, at the same time being ready for any new development or emergency. On October 20th, four days later, he received a radiogram from the War Department signed "Adams" (The Adjutant General) advising him of the War Department estimate of the situation as follows:

Tension between the United States and Japan remains strained but no abrupt change in Japanese policy appears imminent.

Whatever uncertainty remained in General Short's mind concerning the intent of the radiogram of the 14th was resolved by the radiogram of the 20th. No further tactical information came to General Short from Washington until November 24th when Admiral Kimmel advised General

Short concerning a radiogram which he had received from the Navy Department in Washington to the effect that "Chances of favorable outcome of negotiations with Japan seem very doubtful" and that movements of the Japanese forces "indicate in our opinion that a surprise aggressive movement in any direction including attack upon the Philippines or Guam is a possibility." This pointed to the supposition that war might be in the making at a place very remote from Hawaii. Here again was concrete evidence that Washington expected the Philippines to be the probable point of attack.

On November 26th, General Short received a radiogram directing him to send two B24 airplanes on visual reconnaissance to Truk and Jaluit in the Caroline Group and the Marshall Group, respectively, specifying that the planes be armed. The directed reconnaissance was far afield from Hawaii.

On November 27th the Chief of Naval Operations sent to Admiral Kimmel a radiogram which was termed a "war warning" containing instructions that General Short be advised of it. General Short saw that radiogram within a short time of its receipt.

On November 27th, he received Radio # 472, signed "Marshall," the Army Chief of Staff, reading as follows:

Negotiations with Japanese appears to be terminated for all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue. Japanese future action unpredictable but hostile action possible at any moment. If hostilities cannot, repeat cannot, be avoided the United States desires that Japan commit the first overt act. This policy should not, repeat, not, be construed as restricting you to a

course of action that might jeopardize your defense. Prior to Japanese hostile action you are directed to undertake such reconnaissance and other measures as you deem necessary but these measures should be carried out so as not, repeat, not, to alarm the civil population or disclose intent. Report measures taken. Should hostilities occur, you will carry out task force assignment Rainbow Five as they pertain to Japan. Limit dissemination of this highly secret information to minimum essential officers.

Testimony elicited subsequent to the war showed that the foregoing directive was the result of the composite efforts of several officers of the War Department General Staff and the Secretary of War and that changes had been made to meet the views of the latter. Subsequent testimony elicited also that the phrase "but these measures should be carried out so as not, repeat not, to alarm the civil population or disclose intent" was not included in the directive to the Philippine commander. The effect was to give General MacArthur clear authority to take whatever action he deemed the situation required but to prohibit General Short from taking any which would alarm the civilian population or disclose intent. The difference in directives can only be explained by the fact that Washington firmly believed that if and when the Japanese attack came it would be against the Philippines and that any action elsewhere which could be seized upon by Japan as an act of hostility should be avoided at all cost. A careful reading of the testimony given four and five years after the attack seems to indicate rather clearly that at the time radiogram # 472 was sent the emphasis on the Pacific buildup had shifted completely from Hawaii to the Philippines.

General Short did not have the benefit of the information available to the authors of the radiogram or even as much as was given to the Washington press. In examining radiogram # 472 at Fort Shafter it appeared to him that the message was contradictory and highly restrictive. He recalled the occurrence in 1940 when General Herron received a radiogram from General Marshall informing him of a possible raid by the Japanese. In that case the radiogram was positive and unrestrictive. The action required was obvious. In this case the directive was unclear and restrictive. Alert Number 3, the full alert, was well practiced and could be as easily called as Alert Number 1, the alert against sabotage only. True, Alert Number 3 could be called under the guise of a maneuver as it had been done repeatedly in the past. This would necessitate the extensive movement of troops and wheeled weapons through the major cities to their emplacements. Doubtless this might not "alarm the civilian population" unduly, any more than it had on previous occasions. However, it clearly could not be done without violating the admonition against "disclosing intent." Full alert could be placed in effect within a few hours after Alert Number 1 was in effect. Accordingly, after weighing all of the circumstances against this directive, General Short decided to call Alert Number 1 and report that action. Should further measures be necessary, the War Department could so order. Alert Number 1 was called and the following radiogram was dispatched to the War Department:

Report Department alerted to prevent sabotage.
Liaison with the Navy.

Within half an hour after the receipt of the radio from Washington Alert Number 1 was in effect. It was quietly executed and with a minimum of notice on the part of the public. It was complete and effective as is evidenced by the fact that there was substantially no sabotage in Hawaii.

On November 28th, General Short received the following radiogram signed "Miles" who was Chief of the Intelligence Service in the War Department:

Japanese negotiations have come to practical stalemate. Hostilities may ensue. Subversive activities may be expected. Inform Commanding General and Chief of Staff only. [Underscoring supplied.]

On November 28th, another radiogram was received from The Adjutant General of the Army signed "Adams." This radiogram, though instructive, was also highly restrictive. It read in part as follows:

Critical situation demands that all precautions be taken immediately against subversive activities within the field of investigative responsibility of War Department * * * * Also desired that you initiate forthwith all additional measures necessary to provide for protection of your establishments, property, and equipment against sabotage, protection of your personnel against subversive propaganda and protection of all activities against espionage. This does not, repeat, not, mean that any illegal measures are authorized. Protective measures should be confined to those essential to security, avoiding unnecessary publicity and alarm. To insure speed transmission of identical telegrams are being sent to all air stations but this does not, repeat, not, affect your responsibility under existing instructions.

On the same date, November 28th, a third radiogram was received at General Short's Headquarters, signed "Arnold." General Arnold was

the Chief of the Air Force. This radiogram was for the attention of the Commanding General of the Hawaiian Air Force. It followed the same pattern as the radiogram from General Adams but included the following:

Protection of your personnel against subversive propaganda, protection of all activities against espionage, and protection against sabotage of your equipment, property and establishments. This does not, repeat, not, authorize any illegal measures. Avoiding unnecessary alarm and publicity. Protective measures should be confined to those essential to security * * * *

General Short re-examined his directive in the light of all the radiograms that had come to his attention. He felt assured that he had answered the directive signed "Marshall" by reporting that he had ordered Alert Number 1. The War Department was aware that Alert Number 1 related to a defense against sabotage and furthermore he had specifically stated that he was alerted against sabotage. General Short had every reason to believe that if the situation changed in such manner as to make Alert Number 1 inapplicable, the War Department would so advise him.

As to the radiograms signed "Adams" and "Miles" he had already complied with everything contained in them. The references to "illegal measures" in the Adams and Arnold messages puzzled him at this point. He sent for me to inquire what I might construe from the phrase "illegal measures." At this conference, I was shown, for the first time, the radiogram signed "Marshall." In General Short's presence I studied all of the radiogram very carefully and could not come up with any sound reason for the prohibition of "illegal measures."

The only possible reference I could think of was the secret arrangement between General Short and Governor Poindexter concerning the use of troops to guard bridges and other "soft spots," to which I have already referred. It occurred to me that the restriction concerning the use of illegal measures might simply be a hedge to relieve Washington authorities from any liability for any measures taken by General Short which might later be held to be illegal. The War Department was not aware of the arrangement providing for the use of troops at bridges. I recommended that General Short send an answer to The Adjutant General setting forth the specific disposition of his troops and including a full explanation of the arrangement he had with Governor Poindexter for the use of troops in guarding bridges and also the control of roads which had been arranged with the Mayor of Honolulu and the City Council of that city. At his direction, I drafted a radiogram and presented it to him for approval. It was approved and sent by General Short on November 29th. It read as follows:

Re your secret radio four eight two twenty eight, full precautions are being taken against subversive activities within the field of investigative responsibilities of War Department and military establishments including personnel and equipment. As regards protection of private installations outside of military reservations such as power plants, telephone exchanges and highway bridges, this headquarters by confidential letter dated June 1941, requested the Governor of the Territory to use the broad powers vested in him by section sixty seven of the Organic Act which provides, in effect, that the Governor may call upon the commanders of the military and naval forces of the United States in the Territory of Hawaii to prevent or suppress lawless violence, invasion insurrection, etc. Pursuant to the authority stated, the Governor on June twentieth confidentially made a formal written demand upon this headquarters to furnish him and to continue to furnish such adequate protection as may be necessary to prevent

sabotage and lawless violence in the Territory. Pursuant to the foregoing request appropriate military protection is now being afforded vital civilian installations. In this connection, at the instigation of this headquarters, the City and County of Honolulu on June thirtieth nineteen forty one enacted an ordinance which permits the Commanding General Hawaiian Department to close or restrict the use of travel upon any highway within the city and County of Honolulu, whenever the Commanding General deems such action necessary in the interests of national defense. The authority thus given has not been exercised. Relations with FBI and all other Federal and Territorial officials are and have been cordial and mutual cooperation has existed in all pertinent matters.

At the time the above quoted radiogram was approved for dispatch, General Short gave me the impression that he would feel safer if the command was on Alert Number 3 but that his directives prevented such action but that he believed that he had informed the War Department completely as to the action he had taken and that if higher authority had additional information which made his disposition of troops unsafe or if the situation changed he would receive further information, or would be directed to make appropriate changes. Neither of these possibilities materialized. In point of fact, although official Washington was fully aware of the imminence of a Japanese attack and that all out war was inevitable within a few days, it took a calculated risk and chose to permit one of its most important outposts to remain alerted against sabotage only.

During the nine days between November 28th and December 7th, not one single tactical radio or other warning was received by General Short from the War Department. In fact, nothing was received from the War Department until the so-called "one o'clock" message from General Marshall which arrived on the afternoon of December 7th, too late to be of any use.

CHAPTER VIII

Groping in the Dark

Beginning about 1909, Japan began preparing for action against the American Fleet. At this early date, however, the plans contemplated only counter offensive action against the Fleet of the United States in Japanese waters. As early as 1932 the United States regularly conducted war games in the vicinity of Hawaii which were predicated upon an air or submarine attack on Pearl Harbor. These joint Army and Navy games repeatedly demonstrated that Pearl Harbor was vulnerable to both air and submarine attacks. On these maneuvers Japanese officers regularly were interested spectators. Selected officers of the Japanese Army and Navy regularly attended the Army and Navy military graduate schools where problems of this nature were constantly under study. At the time of the attack, a number were graduates of these schools.

In 1940, Admiral Yamamoto, apparently visualizing serious consequences from the ever-increasing tension between the United States and Japan, caused studies to be made concerning a possible attack by air on Pearl Harbor. In the course of these studies, Japanese planners met the problem of torpedo bombing by placing wooden fins on torpedoes to prevent them from submerging too deeply. The experiments were extensive and practice was had with torpedoes up to 16-inch Armor piercing projectiles. A plan of attack was eventually formulated which was followed accurately on December 7, 1941. The plan was tested in repeated

tactical war games at the Japanese Naval War College in September 1940, more than one year before the actual attack. In the war games of that year, Admiral Yamamoto acted as umpire and Admiral Nagumo acted as the air attack commander, a part which he was subsequently destined to play in reality. These war games probably were the basis for the unheeded report of Ambassador Drew warning on January 17, 1941, of a prospective air attack on Hawaii.

Careful planning was continued. Much logistical data was obtained and evaluated. The Tanjo Maru, a commercial ship with two military advisors aboard, traveled the precise route subsequently taken by Admiral Nagumo's attacking force. Over and over again the Japanese Naval Forces played the game using six ship models to represent six carriers which were to make the attack. All defects were carefully examined and solutions to avoid them were practiced. The Consul General at Honolulu was directed to furnish information concerning the goings and comings of the American Fleet at Pearl Harbor, and on September 24, 1941, he was directed to divide Pearl Harbor into five sub areas and carefully report changes in each area and also to report when there was no change.

Thus it will be seen that the Japanese plan of attack on Pearl Harbor was of long standing and exceedingly well practiced.

The most important information the commanders at Pearl Harbor did not have was the fact that as early as November 5, 1941, the die of war was cast. On that day, the Emperor of Japan, after a conference

with his military and economic advisors, conceded that if peace overtures then going on in Washington failed, a sneak attack would be made on Pearl Harbor. Pursuant to that decision, there was assembled near the southern tip of the Kurile Islands a powerful air fleet under the command of Admiral Nagumo. This task force was a formidable one. The main force consisted of six carriers (424 planes), two fast battleships, three fast cruisers, sixteen destroyers, and eleven supply ships. It was backed up with a proportionate complement of submarines and supply ships. On November 25, 1941, while peace negotiations were still going on in Washington, Admiral Nagumo was ordered to proceed with his armada to a point 800 miles north of the Hawaiian Islands. On December 5th, two days prior to the termination of the peace negotiations, Admiral Nagumo was given the order "Climb Mount NIITIKA" which was code instructions to attack the U. S. Army and Navy installations in the vicinity of Pearl Harbor.

Japan's method of declaring war was a four wave air attack on our installations in Hawaii on the morning of December 7th. It was executed in what amounted to five phases as follows:

Phase I. Combined torpedo and dive bomber attack lasting from 7:55 A.M. to 8:25 A.M.

Phase II. Lull in attacks lasting from 8:25 A.M. to 8:40 A.M.

Phase III. Horizontal bomber attacks between 8:45 A.M. to 9:15 A.M.

Phase IV. Dive bomber attacks between 9:15 A.M. and 9:45 A.M.

Phase V. General attack. Raid completed at 9:45.

The primary objectives of the raid were the heavy combat ships, the Army and Navy aircraft, and airfields of both. Damage to small Navy ships and civilian structures was probably only incidental to the main objective of knocking out our capital ships and our aircraft. The number of Japanese combat airplanes taking part in the raid was 360. The number of Japanese aircraft which was downed by our gunners has been reported at various figures but best reports indicate that the number was something under 50. The balance of the Japanese raiding force withdrew to their ships which then took off in a circuitous route to Kure, arriving there about December 23, 1941.

The raid was well planned and expertly executed. It was at first believed that only about 200 airplanes from two or three carriers were used in the assault, but it was later learned that six carriers were present and 360 of their 424 combat planes took part in the raid. The bombing and staffing was highly concentrated. The result of the raid was the sinking of our capital ships berthed at Pearl Harbor, the destruction of nearly all of our aircraft at Pearl Harbor, Hickham Field, Wheeler Field, and Bellows Field, and the rendering of those fields useless for the time being. The loss of life included more than 2,000 soldiers, sailors, and civilians, and the wounding of an equal number of each. In passing, it should be noted that the principal damage to the larger ships was accomplished by the use of torpedo bombers flying in at low altitudes. These were the most difficult targets for our gunners. The action of all planes indicated an accurate knowledge of Pearl Harbor, including the berthings

of the capital ships. The torpedo bombers, utilizing wooden fins attached to the rear of the bombs, which had been long practiced, paid off handsomely and discredited the view long held by our naval authorities that torpedo bombers were impractical for use against ships in Pearl Harbor, on the theory that the approaches were so short that bombs would fall at such a high angle that they would, of necessity, submerge too deeply to be effective.

The Winds Code

In November 1941, as relations with the United States became more strained, the Japanese Government established a code known as the "Winds Code." It was intended for use as a possible substitute for the regular code in the event it became necessary to destroy code material. Its purpose was to inform the Japanese representatives the world over concerning the state of Japanese relations with other powers. The code was operated by inserting certain code words in the daily broadcast by short wave radio of weather conditions existing in Tokyo. The code words were to be used twice to insure correctness, once in the middle of the broadcast and a second time at the termination of the weather report. Except as otherwise indicated, the code words would indicate the breaking off of relations with the nation indicated. The code phrases were as follows:

Higashino Kaseame	Japanese - American Relations
Kitanokase Kumori	Japanese - USSR Relations
Nishino Kaze Hare	Japanese - British Relations

Translated into English the code words meant:

"East Winds Rain"	Relations with US Broken Off
"North Wind Cloudy"	Relations with USSR Broken Off
"West Wind Clear"	Relations with British Broken Off

There was included in the code an arrangement for giving an "execute" message, upon receipt of which the appropriate Japanese officials in the foreign country concerned would destroy all code papers and forward all urgent intelligence. The "Winds Code" had been readily broken and our agencies concerned with decoding, including a station in Hawaii, were on the watch for the "execute" message.

In October 1944, the Army Pearl Harbor Board found as a fact that the "execute" message reading "War with United States, War with Britain, including the Netherlands, East Indies," and "Peace with Russia" had been picked up by the Navy Department on December 3, 1941, but that the War Department files disclosed no copy of it. The Board found further that the "execute" message had been in existence just after the attack on Pearl Harbor, that it was collected with other messages for submission to the Roberts Commission, that copies had been in existence in other places also, but that all had subsequently disappeared. The Navy Court of Inquiry came to the conclusion that the "execute" message had not been picked up, this despite the unshakable testimony of Commander Safford of the Navy to the effect that he had received it, that he had handled it officially, and had seen to it that it reached his superiors.

The "Purple Code" and "Magic" Messages

Like every other nation, the Japanese used a code system to safeguard their communications. Their military codes were such as to permit them to be changed frequently to avoid detection. For diplomatic communications, a separate code, known to the Americans as the "Purple Code," was used. This code was adaptable for transmission and decoding by machine. In the early fall of 1941, Colonel William F. Friedman who was in charge of our Army Intelligence Corps succeeded in "breaking" both Japanese codes. All messages sent by the "Purple Code" which were intercepted and decoded were termed "Magic" messages. The time required to decode the intercepted messages sent by military code varied because of the frequent changes in the military code. However, the messages sent by the diplomatic "Purple Code" were rapidly decoded since the code remained unchanged. Our Intelligence people in Washington went so far as to construct decoding machines which probably were duplicates of those used by the Japanese. When the decoding machines were completed, decoding of diplomatic intercepts was such as to make Japanese diplomatic messages between Japan and its embassies an open book. A decoding machine was furnished the Commanding General of the Philippines and certain other commands. Such a machine was furnished to the British, among others. No machine was furnished the Commanding General of the Hawaiian Department, and in point of fact he was not aware that the codes had been broken or that a "collecting station" was operating on his own post at Fort Shafter. He was never at any time furnished any intercepts

or the substance of any of them. For a time, certain excerpts from intercepts were furnished Admiral Kimmel by the Navy Department, but this practice seems to have been discontinued some months prior to the attack on Pearl Harbor.

Substantially every diplomatic message from Japan to its embassy in Washington was promptly deciphered, read, and distributed in Washington, but the Commanders at Pearl Harbor were not on the distribution list, nor were they aware that the Japanese code had been broken. Governor Dewey, State of New York, was aware that the code had been broken, but at the request of General Marshall he refrained from making political use of this information.

The Crucial Days, November 26--December 7, 1941

On November 26, 1941, the Japanese Special Ambassador, Karusu, was in Washington, and together with Ambassador Nomura was engaged in talks with President Roosevelt and Secretary of State Hull, ostensibly attempting to reach a peaceful settlement of the differences existing between the two countries. The conferences were extensively covered in the press of both countries. All messages between Tokyo and its representatives in Washington were being sent via Purple Code and were being intercepted and promptly decoded and distributed to American and British authorities in Washington.

On November 28th, a message from Tokyo to Ambassador Nomura was intercepted which referred to the proposal of the American Government as "humiliating" and said that the Imperial Government of Japan would be forthcoming with a reply. It added, "However, I do not wish you to give the impression that negotiations are broken off."

On December 1st, seven days before the attack, and while Admiral Nagumo was steaming into his position north of Honolulu, an important message was intercepted by our intelligence people in Washington and promptly decoded and distributed. In part, this message read:

The date (November 29) set in my message # 812 has come and gone and the situation continues to be increasingly crucial. However, to prevent the United States from becoming unduly suspicious, we are advising the press and others that though there is a wide difference between Japan and the United States, the negotiations are continuing. (The above is for your information only).

There were other messages dispatched in the same vein. There were also trans-Pacific telephone conversations between Yamamoto in Japan and Karusu in Washington, all of which were monitored, translated, and distributed, but none ever reached the commanders at Pearl Harbor.

From the text of the above quoted message and many other dispatches in the same vein, it is abundantly clear that so far as Japan was concerned, as of December 1st the peaceful negotiations of the differences were at an end and that information to the contrary was being furnished for the purpose of preventing the United States from becoming "unduly suspicious."

To believe that the military authorities in Washington, even at this time, had any hope of avoiding war would be naive indeed. However, the Army and Navy at Pearl Harbor were not aware of the true situation, and the Army was permitted to remain alerted against sabotage only. The Army commander was under restriction against doing anything illegal or alarming the public, or disclosing intent, this on an island 40 miles

long and 26 miles wide and inhabited by some 300,000 civilians.

The Pilot Message

At about 7:20 A.M. on December 6th there was intercepted by the Navy monitoring station in Washington a message from Tokyo to the Japanese Ambassador in Washington, advising him that the Japanese reply to the latest American note was being transmitted in fourteen parts. The message continued:

* * * * I will send it in fourteen parts and I imagine you will receive it tomorrow. However, I am not sure. The situation is extremely delicate and when you receive it I want you to please keep it strictly secret for the time being.

The above message was decoded and distributed in the clear to the Washington authorities at about noon on December 6th. A reasonable examination of the complete text would indicate that if there was any previous doubt of the intentions of the Japanese, it was entirely dispelled by this message because it clearly indicated beyond any doubt that within the space of a day, the Japanese would be submitting an ultimatum consisting of fourteen parts.

The Fourteen Part Message

About nine o'clock on the evening of December 6th (Washington time), the first thirteen parts of the "Fourteen Part Message" had been received, decoded and distributed to the top echelon of the American Government in Washington. The thirteenth part of the message concluded as follows:

* * * * therefore, viewed in its entirety, the Japanese Government regrets that it cannot accept the proposal as a basis of negotiations.

The meaning of this thirteenth part seems unmistakable. It could only mean that negotiations were completed and that war was in the offing. Although it was not so intended by Japan, this intercepted communication put American officials in Washington on notice of the advent of war, more than eighteen hours prior to the actual beginning of hostilities. When a portion of this message was delivered to President Roosevelt on the night of December 6, 1941, he exclaimed, "This means war," and how correct he was.

The Fourteenth Part of the "Fourteen Part Message"

The fourteenth part of the Fourteen Part Message was intercepted about 3:00 A.M., December 7th (Washington time) (P.M., December 6th, Hawaiian time). It was decoded and ready for distribution by 8:00 A.M. (Washington time) (2:00 A.M., Hawaiian time). This message concluded with the following:

* * * * The Japanese Government regrets to have to notify hereby the American Government that in view of the attitude of the American Government it can but consider that it is impossible to reach an agreement through further negotiations.

This concluding portion of the Fourteen Part Message was delivered to the White House, the Secretaries of War, State, and Navy, before 10:00 A.M., December 7th (Washington time). This was 4:00 A.M., Hawaiian time. No action whatever was taken by anyone to notify the commanders at Pearl Harbor of this development or to change the character of the alert which was in effect in Hawaii.

The "One O'clock" Message

By 9:00 A.M. (Washington time) on December 7, 1941, there was received in Washington, where it was decoded and distributed, still another vital message known as the "One O'clock" message. This message addressed to the Japanese Ambassador in Washington read as follows:

Will the Ambassador please submit to the United States Government (if possible the Secretary of State) our reply to the United States at 1:00 P.M. on the 7th, your time.

The meaning of this message was unmistakable. There would be war in four hours. Apparently, the only effect this startling information had on the civilian high command in Washington was a series of interdepartmental telephone conversations. It appears to have had little more serious effect on the military high command and no immediate action was taken.

Delivery of the fourteenth part of the Fourteen Part Message and the "One O'clock" message was made to the Army General Staff in the War Department some time prior to 9:00 A.M. on December 7, 1941. At this time, General Sherman Miles, the Chief of Intelligence, and General Gerow, the Deputy Chief of the War Department, General Staff, were present. General Marshall, the Chief of Staff, was not present, and when inquiry was made at his quarters at Fort Myer, Virginia, it was learned that he was horseback riding. A message was left at his quarters to the effect that an important message had come to the Headquarters. Other than that telephone call, no action whatever was taken by any member of the staff. A telephone call, even at this time, to

each of the outposts in the Pacific, informing them of the latest developments might have changed the whole situation. However, precious hours sped away without action of any kind.

General Marshall arrived at his office at about 11:15 A.M., read the latest intercepts, and sprang into action. He called Admiral Stark, the Chief of Naval Operations, and proposed that a warning be sent immediately to all theaters of operation concerning the "One O'clock" message. Admiral Stark declined to take further action and no further warning was given to Admiral Kimmel. However, General Marshall wrote out in long hand a warning message to the Western Defense Command in San Francisco, the Panama Canal Department, the Philippine Department, and to the Hawaiian Department. He directed that the following message be sent to each of those commands forthwith:

The Japanese are presenting at 1:00 P.M. eastern standard time, what appears to be an ultimatum. Also they are under orders to destroy their code machines immediately. Just what significance the hour set may have, we do not know but be on the alert accordingly.

As is now well known all of the communications from General Marshall concerning the "One O'clock" message were received at their intended destinations within an hour of their dispatch, except that one addressed to the Commanding General, Hawaiian Department. The circumstances attending the sending and delivery of that message were calamitous. The staff officer charged with sending the message learned that the War Department radio was temporarily out of contact with Fort Shafter in Hawaii. He therefore decided to send it by commercial facilities to Honolulu and thence by messenger to Fort Shafter.

It was done. Ordinarily, a short delay might not have been a serious matter, but in this instance it was fatal. The message arrived in Honolulu and was given to a messenger boy for delivery by bicycle. The messenger took refuge from the bombing and delivered his message to the Signal Corps at Fort Shafter about noon, when the attack had subsided. The decoding was still further delayed because the message was not classified or marked urgent or important. Accordingly, it was placed among other routine messages and was decoded and delivered to General Short after 5:00 P.M. that afternoon, too late to be of value to him.

In messages of this importance it was customary to require an acknowledgment. It was not done in this case, and furthermore there was no follow-up to ascertain whether this all-important message had been received and understood. The radio station at Fort Shafter, at that time, was small, but there was available for transmitting and receiving messages a powerful station at Pearl Harbor and another fully equipped station maintained by the Federal Bureau of Investigation in Honolulu. The message to General Short could have been transmitted over either of these stations and it would have been received within a very brief time. In point of fact, Mr. Shivers, the agent in charge of the FBI in Honolulu at the time, later testified that had the message been transmitted through his radio station it would have been in General Short's hands within twenty minutes.¹ The scrambler telephone

1. Report of Pearl Harbor Board.

could also have been used. There was such an instrument in the office of General Short. It could have been used safely to warn General Short personally. This could have been done without undue risk to secrecy, because the scrambler telephone is most difficult, if not impossible, to tap successfully.

When asked at a congressional investigation why he did not use the scrambler telephone to warn General Short, General Marshall explained that he chose the radio because it was much faster, that had he resorted to the telephone he would have called General MacArthur in the Philippines first as he was the senior, and that calling the various commanders, in turn, would have consumed too much time. To understand this plausible explanation, it should be understood that in military practice, when identical messages are being sent to several commands, in the interest of accuracy and speed it is accomplished by teletype. In this manner all commanders receive the same message and it is sent with the maximum speed. General Marshall was assured that this method was being employed in this instance and he was wholly unaware of the method actually used.² General Marshall may also have been influenced by the fact that at that period Washington was convinced that if and when the Japanese attacked it would be against the Philippines.

The telephone in General Short's office was in good working order because it was used by Colonel Philips, the Chief of Staff of the

2. S. Con. Res. 27, Part 39, p. 95. Report of Proceedings, Joint Committee, vol. 19, P 3389-3390 and P 3193.

Hawaiian Department, to call General Marshall at about 8:30 A.M. on December 7th to inform him that we were being attacked. I was standing beside Colonel Philips at the time. I had asked him if he had informed the War Department of our plight and when he replied in the negative I suggested that he do so at once. He did so by calling General Marshall. I could hear both sides of the conversation clearly. As a further indication that the scrambler telephone system was in order, Colonel Fielder, the Chief of Intelligence in Hawaii, made several calls to Washington. Mr. Shivers, the agent in charge of the local FBI, reported the attack to his chief in Washington, Mr. J. Edgar Hoover, using the telephone in preference to the radio, even while the attack was in progress. Also, Governor Poindexter chose the telephone as his means of communicating with President Roosevelt and Secretary Ickes in reporting that he had declared martial law.

The Message of Ambassador Grew Dated January 27, 1941

On January 27, 1941, nearly a full year before the attack on Pearl Harbor, Ambassador Walter Grew, the American Ambassador to Japan in Tokyo, sent the following message to the State Department which was subsequently made available to the War Department:

The Peruvian minister has informed a member of my staff that he has heard from many sources, including a Japanese source, that in the event of trouble breaking out between the United States and Japan, the Japanese intended to make a surprise attack against Pearl Harbor with all their strength and employing all their equipment. The Peruvian Minister considers the rumors fantastic. Nevertheless, he considers them of sufficient importance to convey the information to a member of my staff.

This undoubtedly had reference to the war games being practiced at the Japanese Naval War College at the time.

No hint of the foregoing message was ever made known to General Short or Admiral Kimmel before the war.

The "Bomb Plot" Messages

Beginning as early as September 24, 1941, the Japanese Consul General at Honolulu, acting upon directives from Tokyo, began making detailed reports concerning the movements of the American Fleet at Pearl Harbor. These reports included the berthings of the ships in the Harbor areas. Such reports were first made twice a week but later were increased to daily reports. These messages were later designated as "Bomb Plot" messages because they definitely pointed the finger at the bombing of Pearl Harbor. Typical of these messages was that sent on November 24th concerning the fleet practice of leaving Pearl Harbor, conducting maneuvers and returning, and stating that the fleet had not remained for a long period of time at Lahina Road or conducted maneuvers there. It mentioned that destroyers and submarines only were anchored at Lahina Roads. It reported the times when cruisers and other ships left for sea and the duration of their stay. All of these messages were intercepted, decoded and read in Washington. However, neither the messages nor transcripts of them were made available to the commanders at Pearl Harbor. Furthermore, the fact that such messages were being sent by the Consul General was never made known to these commanders prior to the war.

Since the "Bomb Plot" messages concerned detailed information relative to the United States Fleet at Pearl Harbor, they were of the utmost concern to the local commanders. The only possible reference they could have had was a prospective attack on the U. S. Fleet at Pearl Harbor. While it was not an absolute certainty, it definitely pointed up the fact that the Japanese were at least giving careful consideration to it. Apparently no similar intelligence reports were being sent from Manila or elsewhere. An attack on Pearl Harbor by sea power was highly unlikely since it would take a massive force which could not well be concealed from our intelligence people. The only other possibility was an air attack. Had either General Short or Admiral Kimmel been advised that such information was being transmitted to Tokyo by the Consul General at Honolulu, no one can have not the slightest doubt that local Army and Navy personnel could have been easily found who would have been delighted to take the calculated risk of breaking the legal restrictions involved in obtaining copies of such messages. The local Consulate solved that problem by integrating the local communications facilities. As it was, however, the local commanders relied on their Washington superiors to provide them with all available information and intelligence concerning their respective commands. Both were kept in complete ignorance of this vital information. The failure of Washington to provide these commanders with this intelligence proved to be a most unfortunate and costly tactical error.

On November 27, 1941, the Washington authorities signed off on further information to the Hawaiian commanders but continued to furnish current information to other outposts. On December 3, 1941, Washington was so certain that war was in the offing that our representatives in Tokyo and Guam were instructed to destroy their codes and classified materials. At that time, with all out war so imminent, Hawaii was permitted to remain in the status of a defense against sabotage only.

In important military considerations, Washington authorities habitually reserve the right to make all major military decisions prior to the advent of war. This is as it must necessarily be, and especially in any case where military action might bring on a war. As a matter of right, the commander in the field is entitled only to such information as may be necessary for him to carry out the mission to which he is assigned. In the interest of efficiency, however, he must be apprised of sufficient intelligence to enable him to make wise decisions and to make appropriate disposition of his command. To the extent that this is not done, the primary responsibility remains in the higher command. Instructions in precarious circumstances and times which might well lead to war must, of necessity, be carefully worded to avoid misunderstanding. In some cases, the care taken to avoid misunderstanding and to be precise limits the action of the subordinate by confusing the instructions. This seems to have been the case in the preparation of radio message # 472, the warning message sent to General Short on November 27, 1941. It was the result of the combined efforts of several people. It was signed "Marshall," but was

not dictated by him but by subordinates, since General Marshall was out of the city at the time. It was reviewed and changed by the Secretary of War. So much care was taken to make it precise and at the same time to restrict General Short's operation, it defeated the basic purpose. It did not convey full available information to the addressee. If it was intended as a directive to go on an all out alert, it failed in its purpose because it did not so impress him. On the other hand, it permitted him precious little leeway to make his own determination because of the restrictive clauses. It did not convey to him the fact that an immediate full scale war was about to commence, a conclusion that none in high places in Washington doubted in the least, at that point. It was not a positive directive such as was issued to General Herron in June 1940, when the Japanese Fleet was temporarily unaccounted for. It gave General Short no intimation of the contents of the intercepted communications which passed between the Ambassador of Japan in the United States and his superiors in Tokyo. It gave him no information concerning the messages being sent to Tokyo by the local Japanese Consul General.

Message # 472 left General Short so uncertain as to what was desired that he decided to call Alert Number 1 immediately and report the action taken as required by his instructions. His message to that effect was noted and initialed by both the Chief of Staff and the Secretary of War. Thereafter he was never apprised that Alert Number 1 was inadequate under the circumstances known to Washington but unknown

to him. Why this was so probably will never be known. General Short relied on the fact that after dispatching his report as directed, he never received a contrary directive. He therefore assumed that the disposition of his command met with the approval of his superiors in Washington.

General Short was an expert tactician and he would be the last to assert that the disposition made by him was the best against the circumstances as they turned out to be, or as Washington authorities should have known them to be. However, in the situation as it existed, he felt that in taking the action he did, he was complying precisely with the instructions from higher authority.

I suppose that the circumstances attending the Pearl Harbor catastrophe will go down in history as one of our most tragic military mistakes. The blame for withholding from the military commanders at Pearl Harbor adequate intelligence, the failure to forward available data and the character of the restrictions placed upon them doubtless will be in controversy for years to come. Blame has already been placed upon the shoulders of various people. In some instances aspersions have been cast by persons who seemingly have called upon prolific powers of hindsight. Basically, a reasonable determination seems to stand or fall on the questions whether the restrictive directives were justified and whether the local commanders were given adequate intelligence from Washington. Admiral Kimmel and General Short were firmly convinced that they had been let down by Washington authorities in this respect.

Many boards and individuals have tried their hand at making a determination and the results have been as varied as the investigations. One premise which is wholly without merit is that which suggests "What difference would it have made if the local commanders had been fully informed? The Japanese had superior force and they would have been successful anyway." That view, which seems to be somewhat widespread, is palpably unsound. With full information, our ships would have been at sea and if the raid took place, the objective of it would have disappeared, and in any event a fully alerted defense would have made it a very costly exercise. Furthermore, it is now well established that included in the orders to Admiral Nagumo were instructions to return to Japan in the event of resistance or material change in our disposition of our armaments. Consequently, had full information been given the Army and Navy commanders in Hawaii, there might never have been the tragedy at Pearl Harbor.

CHAPTER IX

The Blitz

On Sunday morning, December 7, 1941, the air was balmy and hardly a cloud showed in the sky. The sea was calm and unruffled except for the steady breaking of the low waves over the coral reefs paralleling the shore at a distance of a mile seaward. By seven the sun was well up but it was not yet warm. There was a slight haze which hung low over the ocean and the lower portion of the hills. It was a perfect day for a bombing attack, especially one consummated with speed, skill, and without warning. Three small pleasure aircraft operated by amateur civilian pilots were clattering along the ocean front at an altitude of perhaps one thousand feet. Only one of these was to escape being shot down by the invading Japanese armada. That plane was piloted by Mr. Roy Vitousic, a local lawyer, who had as his passenger, his son. He reported afterwards that he was suddenly surrounded by a swarm of airplanes, all of which bore on the lower faces of their wings a red circular patch, the Japanese symbol of the rising sun. There was a burst of gunfire which seemingly came from all directions at once. Mr. Vitousic never knew how he escaped. He remembered only that he executed maneuvers which were entirely new to him and which perhaps had never before been accomplished by man or bird. Luck was with him, however, and he was able to land safely after achieving the doubtful distinction of being one of the first Americans to be shot at in the sneak attack on Pearl Harbor.

With the suddenness of a hawk swooping down on its prey, the attack came. The attackers were like falcons. The first wave struck Pearl Harbor at 7:55 A.M. Two additional waves followed, terminated by a general attack. Each wave was more furious than its predecessor and the death and destruction incident thereto increased proportionately. With deadly precision, Pearl Harbor, Hickham Field, Wheeler Field, Schofield Barracks, and other military and naval installations were subjected to a savage and merciless bombing and strafing.

It was evident from the first that this was an actual attack and not one of the frequent drills. The defense was immediate and the hostile fire was returned. Every available aircraft which had not been made unserviceable by enemy fire was made airborne and gradually the enemy waves were met by well directed anti-aircraft fire from both the ships and the shore installations. Every single anti-aircraft gun available to the Navy was in action within ten minutes of the attack, and all available Army machine guns were promptly and effectively employed.

In view of the fact that the Army anti-aircraft artillery had to be drawn into firing position on private land, only a portion of them were emplaced in time to be of service. The resistance by our troops was such as to discourage the enemy from making additional attacks. However, the enemy had accomplished his mission. The combined bag of enemy aircraft by our Army and the Navy was something under fifty airplanes, which under the circumstances was a creditable showing.

Despite the maximum of resistance, more than two thousand soldiers, sailors, marines, and civilians lay dead, and as many more were wounded. Thus, it was on Treachery Day that the Japanese Empire made its formal declaration of war, and the United States was catapulted into World War II.

On Sunday, December 7th, I awoke as usual at about 7:15 A.M. and dressed for an easy day. I lived in a cottage at the water's edge at the Niimalu Hotel in the Waikiki area. At 7:55 A.M. I heard firing and went outside my cottage to investigate. It was immediately apparent from the color of the smoke over Pearl Harbor that this was "the real thing." I dashed back inside my cottage, grabbed my guns, and called goodbye to my wife as I rushed to my car a short distance away. At breakneck speed I started toward my post of duty at Fort Shafter, the headquarters of the Hawaiian Department about three miles from my residence. I cut around several sailores who were running in the direction of Pearl Harbor. One petty officer was weaving in front of the car, pleading with me to stop. It was either stop or run him down, so I slowed down and he ran alongside and clambered in. Resuming speed, we were off again. We came to a fork in the road, one leading to Pearl Harbor and the other to Fort Shafter. I called to the sailor to get ready to jump as we were coming to the parting of the ways. I grudgingly slackened speed and the sailor opened the door and rolled out. As I sped on I looked back by means of the rear view mirror and saw the sailor pick himself up from the road and running in the direction of Pearl Harbor, along with many other sailors who seemed to appear out of nowhere.

Arriving at the Headquarters a few minutes after the start of the attack, I paused for a moment by the door leading into the library. For forty years my predecessors had labored to assemble the best possible military library. They had succeeded admirably, but at this moment it was an empty triumph, inspiring neither pride nor pleasure. I suddenly realized that I was a line officer at heart and always would be and that war was at our door. Giving vent to anger and perhaps despair I seized a book and hurled it the length of the room and ran as fast as my legs could carry me in the direction of the Headquarters.

I rushed the stairs of the Headquarters building and into the office of General Short, the Commanding General. He had the appearance of a man who had received a severe shock, but his mind was as clear as a bell and it was obvious that he was thinking rapidly. His orders were clear and decisive. He nodded recognition when I entered but said nothing to me. Several staff officers were there including Colonel Philips, the Chief of Staff. Philips was pale but was mentally alert. General Short issued his directives in a steady voice, and members of the staff hastened to carry them out. There was no disorder and prearranged plans were functioning accurately.

I went into the Office of the Chief of Staff to await orders. A call came in requesting a senior line officer to help out at Hickham Field which was under attack. Hearing Philips' end of the conversation I quickly convinced him that I was the man for the job and was sprinting down the stairs toward a new assignment when General Short shouted

"Come back here, Green, I have need for you here." I stopped and bounded back up the stairs, realizing that here I was again on the staff instead of with troops where my heart always was.

General Short promptly gave me assignments which took me to Pearl Harbor and Hickham Field, neither of which was very distant from Fort Shafter. I was off at once in my 1940 Ford. Nowhere I went did I encounter any evidence of panic or fear. On the contrary, everyone exhibited belligerence and a burning desire to fight. The casualties were appalling, but it seemed only to whet the rage of the troops to get at the enemy. Pearl Harbor was a seething mass of flames as was Hickham Field also. The air was full of flying iron which was raining down to the ground. This only served to urge the troops to fight harder. The acts of stark courage on that fateful day were historic. Suffice it to say that fifteen Medals of Honor were awarded for conduct which was above and beyond the call of duty. Unfortunately, most of them were awarded posthumously.

After completing my assignments, I hurried back to Fort Shafter to make my report. General Short was not in his office at the moment so I reported to Colonel Philips. It was probably about 9:00 A.M. and the firing was very heavy. I asked Colonel Philips if he had notified Washington and he replied in the negative. I suggested that he call General Marshall, the Chief of Staff of the Army, on the scrambler telephone in General Short's office. Colonel Philips stepped into the booth and in what seemed to be only a moment, General Marshall was on the line. Colonel Philips was one of those persons having a loud and

penetrating voice. We frequently twitted him by saying that he needed no telephone because he could open a window and easily shout to anyone in San Francisco, 2400 miles away. To assist him on his call to General Marshall I took up a position at the open door of the booth and heard both sides of the conversation clearly. In substance, it was substantially as follows:

Colonel Philips: "Hello. This is Colonel Philips, Chief of Staff of the Hawaiian Department. We are being bombed and things are going badly."

General Marshall: "Bombed? What do you mean, bombed?"

With that, I said to Philips, "Let him hear it." Philips handed me the receiver and I held it outside of the booth where the exploding of the bombs could readily be heard.

General Marshall then said something further which Philips did not understand nor did I. Philips then asked General Marshall to repeat. I did not get it the second time, but Philips did and replied, "What message, sir?"

Philips then turned to me and said that General Marshall wanted to know if we received his message. I shook my head in the negative. Philips then turned back to the telephone and said, "No, sir, we received no message from you."

On the other end of the telephone I heard General Marshall say: "Oh, my God." He then hung up.

The message which General Marshall had in mind was his radiogram concerning the "One O'clock" Japanese message which had been received and decoded in Washington early on the morning of December 7th which

spelled out war with Japan at one o'clock, Washington time, that day.

That crucial message was not delivered to General Short until about five o'clock in the afternoon when the urgency had long since disappeared. The effect of the delay in delivery of this message and the manner of its transmission will probably be debated forever. This much seems undeniable, however. Had the message been sent by military channels or transmitted by means of the FBI or the Navy radio systems, or had the convenient telephone been used to transmit it, there would have been enough time for the operation of substantially an all out alert. Had this been the case, Admiral Nagumo might have withdrawn his attacking force in accordance with his orders not to attack an alerted force, or had he persisted in his attack against a fully alerted defense force his Japanese armada would have received a severe drubbing. In other words, had the message been timely sent and received, it might well have altered the entire course of history.

CHAPTER X

Martial Law Declared

Shortly before 10:00 A.M., Hawaiian time on December 7th, General Short called me into his office and inquired about conditions in downtown Honolulu. I reported that there was confusion, that the people seemed stunned but that there was no outward evidence of general fright. On the contrary, they seemed astonished and unable to comprehend what was happening. General Short inquired whether I thought the Governor could control the local Japanese under the "M Day Bill." I replied that the law had been in effect only a short time and although some progress had been made, it was not in full scale operation. He asked whether martial law was necessary and I replied that it seemed to me it was a matter for the decision of Governor Poindexter. I suggested that additional troops be dispatched to the City of Honolulu as a precaution and that he see Governor Poindexter at the earliest possible moment. General Short agreed and directed the troop movement and then called Governor Poindexter on the telephone. The Governor was in his office and said he would see us at once.

General Short directed me to come along with him and I ran to my office and obtained my file on martial law and by the time I returned, General Short was waiting for me in his car. We arrived at Iolani Palace, the seat of the Territorial Government, in downtown Honolulu, sometime around 10:30 A.M. We were admitted to Governor Poindexter's office immediately by Colonel Dunham, the Governor's aide, but he

remained outside. The Governor was alone and seated at his desk. We three were the only persons in the room during the entire discussion. Greetings and formalities were observed and the meeting began at once. Both Governor Poindexter and General Short were outwardly calm, but it was apparent that each recognized the tenseness of the situation.

There was still some sporadic firing at the beginning of the conference. I remember this because it was frequently necessary to repeat a statement on account of the noise. The probabilities are that the last enemy wave was being concluded. The Governor inquired as to the extent of the damage. General Short said that it was serious but that he had not yet received a full report. He said that the Navy and the Air Forces had suffered severely and that there were civilian casualties also. Governor Poindexter told us that when he left his home to come to his office a bomb had dropped in the street in front of his house killing a Japanese man. General Short urged the Governor to be careful and the Governor shrugged it off, saying that "he had lived a long time." The Governor asked whether he thought the Japanese were coming back and General Short replied that he did not know but that he was preparing for the worst. Short asked Poindexter what the local Japanese situation was and what he intended to do about it. Thereupon, the Governor reviewed the whole situation in detail. Among other things, he said that the police were few in number and that some of them were of Japanese extraction, that the Filipinos and Chinese might turn on the Japanese and that the consequent slaughter would be terrible, that the local Japanese might go over to the enemy, and that

in any of these events the local police would be virtually helpless and that thousands of innocent people might be injured or killed. He said that he already had unconfirmed reports of Japanese insurrection. He further stated that in all probability food stocks were low. General Short asked the specific question whether the majority of the local Japanese would be loyal. Governor Poindexter replied that he had no way of determining that question. He said, "If the Jap troops come storming up the beaches . . .," and without completing his sentence he slowly arose and went out onto the veranda outside his office. He stood there for several minutes during which he shook his head slowly as if in deep thought.

I have no way of knowing the thoughts of Governor Poindexter during those minutes. He was a long time public official and an experienced lawyer. I have not the slightest doubt that he was weighing the various possible actions he might take to meet the urgent situation. As I saw it he had three choices. First, he could rely solely on the provisions of the "M Day Bill." This had been in effect only a brief period and it was still in the experimental stages of operation. It had the disadvantage of being insufficient to meet the existing interior security requirements. Second, he could sit on his hands. This would force the military commander to declare martial law on the basis of military necessity. It would put the military in complete control. Third, he could utilize the provisions of Section 67 of the Organic Act and declare martial law. This would permit the "M Day Bill" to

function and would give the military ample power to control military security. It would have the paramount advantage of permitting joint civil and military control for the mutual advantage of both. Clearly, the third solution was preferable.

After the brief interlude on the veranda, the Governor motioned us to join him there. As we did so we noticed considerable commotion in the streets below. There were two small craters in the grounds directly in front of the veranda on which we were standing. The Governor asked the General what caused the craters. The General replied that he did not know. It seemed to me that the craters were made by solid projectiles but I kept my thoughts to myself. We stayed outside perhaps five minutes watching the activity in the streets in the vicinity. The Governor was obviously turning the whole situation over in his mind. He was by nature a most careful man and on this occasion he was sorely troubled. At last he motioned us to return with him to his office and when we had done so and had taken our places, the Governor in his chair and General Short and I on the opposite side of his desk, the Governor began to nod his head as if he were going over the situation point by point. I knew him fairly well at that time and knew him to be extremely careful and deliberate but in this instance he was more so than I had ever observed him before. Finally, he completed his mental calculation and said substantially the following: "General, I have thought it through. I feel that the situation is beyond me and the civil authorities and I think the safety of the Territory and its citizens require me to declare martial law."

Governor Poindexter was a former Federal Judge and his tone was as if he were adjudging a death sentence.

He asked General Short if he concurred in his conclusion and General Short said that he did. The Governor then asked General Short if he would accept the responsibility and General Short replied that he saw no other way out. Thereupon, the Governor stated that he would declare martial law and inform the President in accordance with Section 67 of the Organic Act. He then said: "I'll have the papers drawn. Your Colonel here [indicating me] has the forms. Hodgson [Attorney General Hodgson] is on the Mainland but his assistant, Ernie Kai [Acting Attorney General] is an excellent man and he will take care of it for me."

The men arose, shook hands and the Governor said, "I wish you luck." General Short nodded and then turned to me and directed me to take care of the situation, to represent him, and to bring whatever papers were necessary for his signature, when ready, to Fort Shafter, where he would be. He then turned to the Governor and the two men again shook hands and thereafter General Short departed.

At the request of Governor Poindexter, I remained in his office. He summoned Acting Attorney General Kai. When he had outlined the situation to Mr. Kai he directed him to draft the necessary papers recommending that he consider certain "papers" which I had and which he had seen before. He referred to a draft of proclamation which I had discussed with the Governor previously. This draft was a rough draft which had been used for discussion purposes only. I had a

retained copy and I thought that several had been made and that there was a copy in the files of the Attorney General. Mr. Kai had not been a party to the previous conversations and was unfamiliar with the matter. At my suggestion Mr. Kai made a search of the Attorney General's files and found no copy. My copy was somewhat cluttered with notes but was readable. I assumed that several copies had been made, but I may have been mistaken. In any event I left my copy with Mr. Kai and hurried to my office at Fort Shafter to prepare General Short's proclamation and other papers. Mr. Kai was an experienced and capable lawyer and was in no way bound by the draft which I handed him.

Later, some time before three o'clock in the afternoon, I came to Mr. Kai's office in response to a telephone call from him in which he said that the Governor was ready to proceed. Upon arrival at Mr. Kai's office he informed me that he had prepared an original proclamation using my rough draft as a guide and that he was ready to go in and see the Governor. Together we went to the Governor's office. One or two other persons came in. One was the Governor's secretary, Colonel Dunham. Mr. Hite may have been present but I do not recall having seen him. Mr. Kai presented the draft of the proposed proclamation to Governor Poindexter. He looked it over carefully and remarked that it appeared to be in conformity with the draft previously discussed. He signed it and returned it to Mr. Kai. I handed him a suggested draft of radio announcement and also showed him the papers which I was going to present to General Short for his signature.

He examined them and returned them to me without comment. When all the papers were examined and exchanged, he turned to me and said:

"You people are in charge now and you have my sympathy."

He slumped deeper into his chair as if he felt greatly relieved. I asked him for office space and he assigned me to Attorney General Hodgson's office temporarily, saying that I could make my own arrangements with Mr. Hodgson when he returned from the Mainland. This was about three o'clock in the afternoon.

I returned directly to the Headquarters at Fort Shafter and presented the proposed proclamation together with a suggested radio and a press release. General Short signed the proclamation, accepting the office of Military Governor and verbally designated me as his Executive for that function.

I returned again to Iolani Palace, the seat of government, taking with me Majors Hanley and Morrison and two soldiers, Privates Bell and Cook, from my office at Fort Shafter. With this meager staff, I set up the Office of the Military Governor, on the afternoon of December 7, 1941.

Governor Poindexter notified the President of his action of declaring martial law in a telegram reading as follows:

December 7, 1941

"The President
The White House
Washington, D. C.

I have today declared martial law throughout the Territory of Hawaii and have suspended the privilege of the writ of habeas corpus period. Attention is called to sections sixty seven of the Hawaiian Organic Act for decision on my action.

Poindexter"

Telephone conversation was also had between the White House and Governor Poindexter on December 7, 1941. Governor Poindexter informed me that the substance of it was that a verbal report was made by him of the action taken by him and that President Roosevelt had personally approved of it.

On December 9, 1941, a formal approval of the action taken was sent to Governor Poindexter in the form of a radiogram reading as follows:

"The Honorable Joseph B. Poindexter
Governor of the Territory of Hawaii
Honolulu, Hawaii

Your telegram of December seventh received and your action in suspending the writ of habeas corpus and placing the Territory of Hawaii under martial law in accordance with USC Title 48 Section 532 has my approval.

Franklin D. Roosevelt"

The approval of the President, thus given, was never withdrawn.

Subsequent to December 7th, Governor Poindexter told me that on December 7th he also called Secretary Ickes by telephone and informed him of his action and that Secretary Ickes approved it saying that "the situation is terrible."

There followed one of the most important periods of martial law in our history. It was not wholly without precedent since we had extensive periods of both martial law and military government during the Civil War.

For a considerable period after the declaration of martial law and as a result of the cooperative effort of the civil and military

authorities under it, the economic prospects for the Territory began to improve. With that improvement came complacency. Martial law was onerous and as the economic prospect improved the complaints increased. Washington had seen fit to make Admiral Kimmel and General Short the scapegoats for the debacle. At this period in the normal course of events political propaganda critical of the operation of martial law became the topic of the day. There were many unfavorable assertions of varying importance, some of which I feel impelled to discuss. The political pot began to boil furiously.

It was asserted that the Governor and the General intended that martial law would be lifted within twenty four hours or perhaps forty-eight hours after the declaration and the suspension of the writ of habeas corpus. It should be noted that Section 67 of the Organic Act, under which the action of the Governor was taken, specifically states ". . . until communication can be had with the President and his decision thereon be made known" Under the wording of the act, it would appear that once martial law was invoked both the Governor and the General lost their authority to change it and the power to do so had been transferred to the President. As a matter of historical fact there was not a single word said by either the General or the Governor as to the duration of the action being taken for the very good reason that both knew that the local situation was desperate and that almost anything could happen. The likelihood of the return of the Japanese troops was strong and the possibility of the local Japanese going over to the enemy was a matter of deep concern. Obviously these and many

other matters could not be cleared up in a matter of hours or days. Furthermore, it is significant that neither the Governor nor the President ever at any time took any action to revoke or suspend that action taken by Governor Poindexter on December 7th.

There were assertions that General Short demanded that martial law be declared and that Governor Poindexter yielded to the will of a strong-minded soldier. Some have pictured Governor Poindexter as a weak old man who submitted to the will of General Short. Although Governor Poindexter was 72 years of age he had no apparent physical defects and while he was mild in manner and courteous on all occasions he was no weakling and no one ever dominated him. I knew him under conditions which would try both the physical and mental courage of any man and he never faltered. He was personally brave, so much so that I had difficulty in inducing him to take ordinary precautions for his safety. Governor Poindexter was a professional politician who desperately wanted to be reappointed Governor of the Territory. He knew full well that the appointment was in the hands and at the whim of Secretary of Interior Ickes who was known to be a vindictive and irascible old man. The Governor took the precaution to obtain the advice and approval of Secretary Ickes and the President by telephone before signing the declaration of martial law. This part has been cited as evidence of weakness on the part of the Governor. I do not question that the Governor might have given the matter of his re-appointment some consideration before arriving at his conclusions. However, I am satisfied that it did not determine his conclusions.

It should be noted that in notifying the President, he was following the specific provisions of the law.

However much the Governor may have wished to be reappointed, there was a limit to which he could be pushed by anyone, even by the tyrannical Mr. Ickes. When the latter impugned the courage of the Governor when he was in Washington at a later date in the interest of his reappointment, the Governor became righteously indignant and literally threw the reappointment in the face of Secretary Ickes and stomped out of his office, but not before giving his erstwhile boss "a piece of his mind." The Governor was notoriously slow to anger, but when fully aroused he was known to be able to do full justice to the occasion. Although the incident wherein he "spoke his mind" to Secretary Ickes happened in Washington, when I saw him in San Francisco a few days later he was still angry when he related to me what had happened. It appeared to me that the attack by Secretary Ickes was wholly unwarranted and that the Governor was justifiably incensed.

In all of the dealings I had with Governor Poindexter and there were many, he never expressed any regret for having declared martial law under the circumstances which existed at the time. In the many actions which the military took, in all which were important to the civil population, we sought his advice, counsel and, indeed, his approval. While I never discussed the subject with him specifically, his attitude at all times was that of general approval of the many actions we took. He never expressed to me any dissatisfaction with

the operation of martial law and so far as I know never took any action looking to the withdrawal of martial law or the removal of the suspension of the writ of habeas corpus. It is my confirmed opinion that he believed, as we did, that the operation was for the best interests of the people of Hawaii.

There have been reports to the effect that several persons were present during the discussion between Governor Poindexter and General Short on the morning of December 7th when martial law was agreed upon. Some have gone so far as to summarize that conversation or quote extracts from it. Such reports are completely erroneous and without foundation. They doubtless have reference to the conference at about three o'clock in the afternoon when the proclamation actually was signed. At the morning session there were but three of us present, the Governor, General Short, and this writer. No one came into the room or left it during the conference. At the afternoon conference, there were perhaps as many as two people in addition to the Governor, Acting Attorney General Kai, and me. Mr. Hite, the Secretary of the Territory, may have been there at that conference but I do not recall having seen him. I am positive that he was not present at the morning conference. General Short was not present at the afternoon conference. When he left after the morning conference he never again returned to the Governor's office until the morning of December 17th when he came to pay his farewell call on Governor Poindexter. I emphasize the point because there have been so many incorrect reports as to what happened at the morning conference. Such may possibly be attributed to the

terrific confusion and excitement at the time. Again, I reiterate that there were but three of us present at the morning conference when the Governor decided to declare martial law.

Governor Poindexter and General Short were close official friends prior to the war. Their joint trouble drew them closer together. After General Short left the Governor's office on the morning of December 7th at about eleven o'clock, the two men met only one further time. That was when General Short came to the Governor's office to pay his respects before departing for the Mainland on December 17, 1941. I accompanied General Short on that occasion. At that time both men realized that General Short was about to be sacrificed and they hoped that Governor Poindexter would escape such a fate. Their conversation was intimate, personal and confidential. Since both men are now dead and out of reach of carping critics, their conversation on that memorial occasion will remain confidential. At that time both men knew that the luck of General Short had run out. These two martyrs shook hands firmly and wished each other good luck. When General Short left I accompanied him. After that farewell call these two great men died without ever meeting again. Until their deaths I was in close touch with both of them and I am happy to report that as long as they lived their mutual regard continued and neither ever considered that the action they took on December 7th was anything other than for the best interests of our country.

As the military and local situation improved, restrictions were lessened, but martial law continued in effect until October 27, 1944, when it was terminated by Presidential proclamation on that date.

CHAPTER XI

Emergency Measures During First Ten Days

During the first week a survey of the food situation was quietly taken by us. It gave us the alarming information that there existed on the Island of Oahu only eight days' supply of rice which was the main staple in the diet of the orientals and less than 30 days' supply of all other food. This unfortunate condition came about by reason of the fact that Hawaii was accustomed to be supplied on a week to week basis by ship from the Mainland. The SS Lourline or another Matson Line ship had appeared each week at Diamond Head as regularly as the sun rose and now the Lourline was safe in the harbor in San Francisco and the sea between the Mainland and Hawaii was controlled by the Japanese. This, of course, presented a major problem. It was beyond solution by the civil authorities who did not seem to be immediately aware of their dire situation in this connection. A quick telephone call to the Army and the Navy supply officers confirmed the fact that they were well supplied. I told them of my plight and both agreed to honor my requests for food on my assurances that I would find some means of either refunding the supplies in kind or in money. At the moment I had no idea where I was going to get either.

The civil courts were closed and in their place were substituted Provost Courts and a Military Commission. This was deemed necessary for two reasons. First, the civil courts were not authorized to meet our summary punishments, and with the ordinary rights as to appeal and

jury trials they would clearly not be adequate to meet the urgent situation requiring immediate action. Second, the feeling against the Japanese was extremely high. Their attitude toward the remainder of the population was an unknown factor. It seemed very dubious that a fair jury could not be drawn, but of greater importance was the question of possible racial difficulties. A number of the local judges and lawyers privately expressed their opinion that an attempt to continue jury trials would not only be dangerous but that a fair jury would be impossible. It will be remembered that about this time the Japanese troops were meeting with success in the Philippines and the tales of the treatment of the Filipinos by the invading forces served to inflame our local Filipinos to the extent that it took all our skill to prevent them from taking extreme vengeance on the local Japanese. The Filipinos are a high strung people and they demanded immediate action. One delegation after another came to see me with various pleas. Common to all their suggestions, was the early extinction of all Japanese, starting with those in Hawaii. This situation was explosive from every angle.

During the first ten days there were issued thirty-one directives from the Office of the Military Governor which we designated as General Orders. They followed the brief form used by the military services under the same name. Substantially all of these General Orders were verbatim copies of drafts I had prepared long prior to the outbreak of hostilities. It has been alleged that I simply seized the opportunity to exercise my will over the civil population. This is

utter nonsense that never dignified the allegation with a reply. I was merely an underling well down the ladder of authority. It is true that I had a file of drafts but the file contained drafts for any set of circumstances which I thought could possibly arise. It was fortunate indeed that I had this file because it saved valuable time and permitted us to act promptly. Whenever a situation arose, we took the nearest draft and used it or cut it to meet the requirements. Although we used many of my original drafts, there were many drafts which were never needed. The drafts were mine as were the ideas. However, General Short and Governor Poindexter were aware of the substance of every order and approved each before it was put into effect.

There follows a statement of the General Orders issued in the first ten days and some explanatory remarks concerning some of them.

General Order 1 appointed an Advisory Committee. As it worked out, this committee did not meet formally as a body to any extent but the individual advice of the members was sought and freely given.

General Order 2 directed the closing of saloons and prohibited the sale of liquor. The purpose of this order was to prevent serious racial trouble. It was vigorously enforced for more than two months, and I am morally certain that it averted many serious clashes and disturbances. Behind this order there was also a security advantage, which is obvious.

General Order 3. Paragraph 1 of this order appointed a Military Commission with power to try the more serious cases of crime. Paragraph 2 appointed Colonel Dupre as Provost Court at Schofield Barracks,

and paragraph 3 appointed Colonel Neal Franklin as Provost Court in the City of Honolulu. The Military Commission appointed by this order deserves some further remarks.

The Commission consisted of five members, a trial judge advocate and a defense counsel. As originally issued, the order appointed as president and the senior member two local lawyers who had been Judges of the Territorial Supreme Court. The remaining members were military personnel who had extensive experience in court-martial matters. The trial judge advocate was Mr. Angus Taylor, the United States Attorney for Honolulu, and the defense counsel was a veteran member of the Adjutant General's Corps, who was experienced in military cases. The three civilians were appointed with their express consent. As thus constituted it seemed that the tribunal was fully qualified to hear and determine any cause of action. However, the Commission as named in the original order never functioned because of the following circumstances: Subsequent to the publication of the order a meeting was held for the purpose of orienting all personnel and arranging procedure. At that time the prospective president and the senior member of the Commission appeared with their counsel. One of the counsel, Mr. Garner Anthony, raised the question of personal liability on the part of his client and demanded that assurances in the way of indemnity be obtained from the Attorney General of the United States. The United States Attorney, before his client would serve Mr. Angus Taylor, immediately took issue with the demand stating that however desirable it might be it was impractical and that he as well as hundreds of others were serving in any capacity needed without any indemnity from anyone.

In view of the fact that innumerable citizens in every walk of life were volunteering their services, the attitude of these men of high estate struck me as a shock. However, in view of their attitude I brought the meeting to a close without decision. Later that day, both withdrew their demand for personal indemnity and agreed to serve without any assurances whatever, adding that they regretted having acted on some poor legal advice. However, the question having arisen, it seemed desirable that other arrangements be made to avoid the objection. Accordingly, on December 14, 1941, paragraph 1 of General Orders 3 was revoked and General Orders 25 was issued which appointed a new Military Commission composed entirely of military personnel.

In passing, may I say that although hundreds of citizens accepted posts under martial law, many of which might well have entailed possible personal liability, this was the only instance in which any appointee raised any question of personal liability.

General Orders 4 enumerated the limits of punishment which could be adjudged by the Military Commission and the Provost Courts and set forth the procedures of each. The maximum punishment which could be adjudged by the Provost Court was confinement for five years and a fine of five thousand dollars. The Military Commission was authorized to adjudge punishment commensurate with the offense including the death penalty. Authorization of a maximum penalty did not contemplate, nor was it ever taken, to mean the normal punishment which was to be adjudged.

In the early days the sentences adjudged by the various military courts were severe and the process summary, this for the purpose of

insuring prompt compliance. As the war situation eased, the severity of the sentences was reduced. Every sentence and all proceedings were reviewed by higher authority as is the required procedure in the military service. Many of the sentences were reduced in severity, and wherever appropriate they were disapproved because of legal insufficiency.

General Orders 5 set forth the policy to be observed toward alien Japanese of the age of fourteen years and upwards. While this was specifically directed at alien Japanese, inferentially it was applicable to all those of Japanese ancestry. Paragraph 1a of the order sets out the policy as follows:

"a. All such persons are enjoined to preserve the peace towards the United States and refrain from crime against the public safety and from violating the laws of the United States and the Territory of Hawaii and to refrain from hostility or giving information, aid, or comfort to the enemies of the United States, and to comply strictly with the regulations which are hereby or which may from time to time be promulgated by the President of the United States or the Military Governor of the Territory of Hawaii; and so long as they shall conduct themselves in accordance with law, they shall be undisturbed in the peaceful pursuit of their lives and their occupations and be accorded the consideration due all peaceful and law abiding persons, except so far as restrictions may be necessary for their own protection and for the safety of the United States. All citizens of the United States are enjoined to preserve the peace and treat them with all such friendliness as may be compatible with loyalty and allegiance to the United States."

The above policy was arrived at, long before the war, as one in the interest of justice to persons of Japanese ancestry as far as it would be consistent with the prosecution of the war effort. The policy was given the widest publicity and it was particularly intended to reassure those of Japanese ancestry that if they stayed neutral and behaved they would not be interfered with in their person or their property. It was rigidly enforced in every direction and it is my confirmed belief that keeping faith with these people had much to do with reassuring them and keeping those on the borderline from going over to the other side by reason of unjust treatment. It must be remembered that there were 55,000 Filipinos, many of whom--armed with the weapon of their trade, the machete--were ready, willing, and even anxious to annihilate all those of Japanese blood; and there were thousands of Chinese who would be glad to see it done. The forestalling of provocation and consequent bloodshed, accompanied by keeping, in the strictest sense of the word, all promises and assurances, made in General Orders 5, was a most significant accomplishment of the Office of the Military Governor. Representatives of the Japanese-American group repeatedly informed me that our promise, followed by firm and just treatment, had accomplished immeasurable results and good will in their group.

General Order 6 directed that all schools be closed. This, of course, was a temporary precaution against mass damage in the event of another bombing attack.

General Order 7 was merely the formal establishment of the Office of the Military Governor.

General Order 8 designated and described the arm band to be worn by personnel of the Office of the Military Governor. The colors were selected under these circumstances. I directed Major Hanley "to go out and get some arm bands made up at once." He inquired about colors and I told him to get any two colors as troops would be using solid colors. He asked if white would be satisfactory for one of the colors. I impatiently replied, "Yes," and instructed him to "get going at once." Being a true Irishman, as well as an efficient officer, is it any wonder that before the day was out the arm bands were available to all of us and that the colors were white and emerald green. The arm bands were highly successful as well as ornamental as they soon became known to the public as a badge of authority and helpfulness.

General Order 9 was the first of the gasoline rationing orders. Others followed and subsequently a full scale gasoline rationing system was put into effect which was efficient but at the same time was not onerous to those who required gasoline for the transaction of their business. Even the general public was not unduly restricted and reasonable travel was made possible. When I first saw gasoline rationing operating on the Mainland, it seemed to me that it was pretty much a mockery in view of the large number of violations. In Hawaii, the rationing was reasonable to the point of leniency, but it was strictly enforced and the public cooperation was such that the unnecessary consumption of gasoline was relatively small. This lends itself to the impression that ordinarily the public will comply with reasonable and fair regulations but will cheat when the regulation is unfair or

oppressive. Furthermore, I am convinced that the public will cheerfully submit to almost any privation which it believes to be necessary and for which an explanation is given.

General Order 10 required the turning in to the police stations weapons and ammunition in the possession of all persons except peace officers. The order was issued on December 9th and the deadline set at four o'clock, December 12th. By noon on December 10th, hardly a day after the issuance of the order, the Police Department was complaining that it was swamped with loads of firearms, ammunition, and weapons of every description which were being deposited at the police stations and that many of the Japanese were running away without getting a receipt therefor. On inspection of the police stations, I saw every known kind of weapon, including a very valuable blunder bus, several machine guns and rifles, and a number of Samouri swords. The Police Department catalogued the weapons and issued receipts. Some persons simply threw their weapons at the police station door and fled. I remember that a year later Chief Gabrielson was complaining that he was still trying to find the owners of some of the property. That incident taught me a lesson, namely, that the local Japanese considered it an act of loyalty to comply immediately with each order. In view of this fact, future orders of a punitive nature were thought through with the idea of being ready to meet the enthusiastic compliance of the Japanese population.

General Order 11 regulated the sale and transfer of radio sets and parts thereof. The objective was conservation of materials as

well as security against the use of short wave radio sets for communication with enemy submarines.

General Order 12 regulated the sale of photographic supplies as both a conservation measure and also for security purposes.

General Order 13 placed the local telephone facilities under the control of the Military Governor for the purpose of insuring the maximum use for the military and also as a security measure.

General Order 14 regulated the press, radio stations and newspapers. It was headed "Press, Radio Censorship." This was an unfortunate choice of language as it really was a misnomer. Actually, the purpose of the General Order was to prohibit the publication of foreign language newspapers and radio broadcasts in a foreign language. The manner of achieving this result was to forbid any and all publications of newspapers and radio broadcasts with certain exceptions and thereafter to license as exceptions all of the English language press associations, newspapers and broadcasting stations. Eventually, substantially all were licensed but the oriental newspapers were required to print in the English language. The clear meaning and intent of the action was understood by all concerned. However, Mr. Riley Allen, the Editor of the Honolulu Star Bulletin, asserted that the action was an invasion of the rights of the owners of the Star Bulletin and amounted to censorship. That subject seemed to be a fetish with him. On occasion, there was news which the Intelligence services felt should not be published because it would be inimical to the war effort. On such occasions, I called in the press and informed them truthfully of the facts and the desire of the Intelligence people. All readily complied

and although Mr. Allen always complied he said that he did so under protest as it was censorship. I was never quite sure whether Mr. Allen was serious or was merely ribbing me.

General Orders 15 restricted the sale of medical supplies and ordered an inventory of existing supplies to be filed with the Military Governor. This was a conservation measure but it also enabled us to keep track of poisons and drugs. This was considered of vital importance for security reasons as the improper use of poisons or drugs could be a serious matter. A regular check of prescriptions was made and at one time such a check disclosed that there had been wholesale violations of the liquor restrictions by a few physicians.

General Order 16 prescribed the painting of automobile headlights for night travel. It prescribed that the headlights be painted with black center and the tail lights be painted entirely blue. The order enumerated a number of garages which were equipped to do the painting, but the order also specifically stated that the painting need not be done by a garage and could be done by anyone provided that it met the specifications. Actually, most of the painting was done by owners.

The requirement that automobile headlights be painted might seem silly at a time when a war was going on but I can certify that it was a very serious matter. In operating a car in blackout it was imperative that each driver know which way the other was going. Until it was satisfactorily regulated, it was like being blindfolded during a battle royal. It was next to impossible to proceed faster than a snail's

pace and even this was at great peril. The color of the required painting was changed a number of times in an effort to satisfy drivers and also pedestrians. The latter complained bitterly that they had no protection against drivers who could not see them, and that they had to "run for it" at all times and could not tell which way the automobile was moving. On their side, the drivers complained that pedestrians loomed up in front of them at the most unexpected times and places. The lens color finally adopted was dull red which could be seen by drivers and pedestrians, if they concentrated on it and could not be seen by aircraft. Astonishing as it may seem, drivers gradually became accustomed to driving with only the faintest light showing and eventually the number of night accidents became less than those experienced in normal times. I have always believed that under blackout conditions drivers gave the utmost attention to safety, knowing that any collision might well be serious to themselves as well as to the other car. My own driver accomplished thousands of miles at night under all conditions and circumstances without having a serious accident. I cannot truthfully say that his passengers were always as calm as he seemed to be.

General Order 16 specified speed limits and restricted night parking, the reasons for both being obvious. In view of blackout conditions the strict enforcement of this order was essential to safety.

General Order 17 appointed Judge Ingram M. Stainback as Legal Advisor to the Military Governor. The appointee was the junior of two Federal Judges for the Territory of Hawaii, the senior being Judge

Delbert E. Metzger. Judge Stainback came to see me repeatedly, asking for some place in our set-up. I realized that sooner or later the legality of martial law would come up for questioning in the Federal Court and I had not wished to place either of the local judges in an embarrassing position by being connected with us. I explained this to Judge Stainback who brushed it aside with the statement that there was no question as to the validity of martial law and that he wanted a place with us. I finally succumbed to his insistence and appointed him our legal advisor.

The choice of Judge Stainback proved to be a disappointing one. The Judge was a brilliant lawyer with much valuable experience in the Islands. He could have been a tower of strength to us. However, unknown to us, he was possessed of a most violent temper which he seemed unable to control and he had a very strong animus towards many of the local business men and officials. These weaknesses dominated him to the extent that he contributed substantially nothing to the war effort. I am satisfied that the Judge was completely sympathetic to martial law when he was appointed. However, subsequently he saw an opportunity to oust his old enemy Governor Poindexter and be appointed in his place. From that time forward it became an obsession with him and he bent his efforts in that direction until he succeeded in accomplishing his purpose.

General Order 18 designated Major James F. Hanley and Major William R. C. Morrison as Assistant Executives. These two gentlemen were Reserve officers who had been on duty in my office at Fort Shafter and were

thoroughly familiar with my plans and ideas. I shall refer to these fine officers and their exceptional accomplishments elsewhere.

The next important General Order was numbered 29 and was issued on December 16th. It will be recalled that by the proclamation of martial law, the operation of the civil courts was suspended. General Order 29 was intended to relax that suspension to an extent which seemed reasonably safe. It has been the subject of much discussion by lawyers, courts and students of the subject of martial law. It will be noted that it was issued just nine days after the attack, at a time when the feeling against the local Japanese was at boiling point. I believe that there were very few informed persons in the Territory at that time who believed that a person of Japanese ancestry could get a fair jury trial or that his interests would be fairly dealt with before any local jury. On the other hand, no local jury could be empaneled without drawing a major portion of Japanese on the panel. Plain common sense dictated that trials by jury were out of the question for the time being. Nevertheless, it was apparent that provision should be made for preserving the rights of all persons insofar as it could be done. It was with this intent that General Order 29 was promulgated. In operation, it accomplished the purpose surprisingly well. I call attention to the fact that the order specifically provided for the perpetuating of testimony and the taking of depositions of witnesses and entering all necessary orders by the courts to enable litigants to perfect appeals. Long subsequent to the operation and termination of martial law, there were assertions by a few lawyers to the effect that

the closing of the courts was unnecessary. Suffice it to say that I knew substantially every lawyer of prominence in Hawaii at the time and knew none who questioned the advisability of closing the courts. At that time, the judges were in the best position to know the situation and all with whom I talked, and I consulted the more prominent ones, conceded that our action was imperative. I concede that the question whether jurisdiction could have been returned to the courts earlier than was done may be open to argument, but there can be no doubt whatever that the initial closing of the courts and suspending the right to jury trial was at the time imperative and essential for justice to all.

As hereinbefore stated, the orders issued during the first ten days after the catastrophe to Pearl Harbor, insofar as they concerned martial ^{law}, were largely taken from drafts which I had laboriously developed before the war when time was not of the essence. I reiterate this statement in the hope that military students who may chance to read this writing may be impressed with the need for basic planning and for preparing every possible contingency even as to those where the probabilities may be extremely remote.

CHAPTER XII

The Confusion

Confusion among the civilian population was rampant in the City of Honolulu on December 7th and the days immediately following. Hospitals were filled and overflowing with wounded. Hundreds of casualties had occurred and many lay unburied for lack of sufficient cemetery space. This latter difficulty was promptly solved by clearing an appropriate space by means of bulldozers. Shipping was at an end. The main source of transportation of food from the Mainland, the SS Lurline was speeding towards San Francisco in an effort to reach port safely, by avoiding Japanese submarines. Everyone realized that even if she succeeded, it would be necessary for her to remain there since the sea between Hawaii and the Mainland was in the complete control of the Japanese for the time being. Local business, of course, was at a standstill. Food stocks were doubtlessly low and the prospect for the replenishment of them was meager. There was more than an even chance that the Japanese would follow up their temporary advantage and make a landing attack. Hawaii was full of people of Japanese ancestry whose loyalty was a matter of great uncertainty. These and other pressing factors added up to make dire thoughts in the minds of the citizens of Hawaii, and the military as well.

Although the officials were hard pressed to answer the many questions put to them by concerned citizens, they refused to panic and to their great

credit, they remained on their jobs and waited for instructions from constituted authority. The local police force, including a considerable number of oriental ancestry, performed in a most creditable manner. The volunteer police and other organizations showed the result of their intensive training, and performed exceedingly well. They reported to their scheduled assignments and quietly went about their various duties. All of this was very reassuring to the public and the presence of a battalion of Colonel "MaC" McCulloch's famous 27th Infantry, known as "The Wolfhounds" had a further salutary effect. This battalion in downtown Honolulu conducted itself with such aplomb and assurance that it could not fail reassuring even the most shaken citizen. Despite all of these helpful factors, there was clear evidence of the existence of a grave undercurrent of fear. During the daylight hours, the public went about its affairs with confidence but when night came much of the reassurance gave way to fear and fright. To permit this to get out of hand could easily result in wholesale slaughter of the local Japanese at the hands of their fellow citizens, the Filipinos and Chinese. A good indication of the tension of the situation may be gleaned from the log of telephone calls of the Honolulu Police Department during the nights of December 9th and 10th, and three days after the attack.

Page 2 Headlines.

HONOLULU GUARDED BY REGULAR AND VOLUNTEER POLICE
SUB HEADS.

DEAD, INJURED
POINDEXTER MOVES TO STOP PRICE JUMPS IN FOODSTUFFS
BRITAIN AT WAR WITH JAPAN
POLICE PROBE REPORTS OF PARACHUTES
JAPAN CONSUL IN PROTECTIVE CUSTODY
POLICE SAY NO EVIDENCE OF PARACHUTES
NO WORD FROM LURLINE ON WAY TO LOS ANGELES
LOWERS AND COOK STORE DAMAGED
JAPANESE ALIENS ARE PICKED UP
LEGION PATROLS SEIZE ALIEN EXPLOSIVES
TWO JAPANESE FLYERS CAPTURED
CHUTIST REPORTED LANDING IN THE PHILIPPINES
PARKING BANNED
TOKYO REPORTS RAID ON PHILIPPINES
RADIO AND CABLE MESSAGES FROM OAHU STOPPED
ROY VITUSE CHASED BY ENEMY PLANES
SALVATION ARMY FORCES MOBILIZE
TRENCHES ARE DUG ALONG ALAMOANA

Two things dominated the night events. (a) a report of a resumption of bombing at Pearl Harbor and (b) fierce spurting barrage of anti aircraft fire in the Pearl Harbor area about 9:15 P.M. (The first was entirely erroneous)

Police calls monitored during the period from about 9 P.M. to 3 P.M. on December 8th

- 9:13 Hawaiian Electric Company powerhouse has a spot light on
- 9:19 Police were asked to investigate alleged bomb crater at Punahou School
- 9:24 Kamehameha Avenue signals were reported as being made with a flashlight.
- 9:31 Police were asked to bring the Reverend Edwin Dozier 3619 Rd. to Naval Intelligence Office.
- 9:33 Police were asked to bring Reverend Robert Spencer to Naval Intelligence
- 9:35 Blinking lights at 666 N. King were reported to police
- 9:39 Broken gas main was reported on Ohioland and Phoa Road
- 9:42 Great flashes from red flares reported from 1714 Ashford Street
- 9:49 A short wave set was reported in operation at 1124 Pawa Lane
- 9:52 Flares reported from Pier 25
- 9:53 Rockets reported from Varsity Theater
- 10:10 Lights reported on Punchbowl
- 10:35 Lights reported from Blaisdale Hotel
- 10:37 Lights reported from Beach Walk Inn
- 10:42 Lights reported from Beretania and Piko Streets

11:00 Lights reported from Palolo Valley

11:05 Lights reported from Ft Armstrong gate

During the next half hour lights were reported in all sections of the city.

11:50 A short wave radio station reported at 7th and Kaimuki Avenue

12:00 Police ordered to take a woman to a maternity hospital

Lights and flares reported in several more districts.

12:51 A prowler reported at 2366 Kaimuki Avenue

1:20 A suspicious looking man with car and radio reported from the second reservoir on Wilhemnia Rise

1:30 Lights reported from Shinshiro Teahouse on Alwea Heights

2:00 A green light flashing from cane field at EWA

During the next hour police reported a few scattered lights

3:00 Police were heard to ask patrolmen "Is there any identification on the green light at EWA?" Early morning was given over to occasional calls regarding lights and suspicious looking persons until 5 a. m. when a raid was announced. Among other things police were directed to climb through transoms, if necessary to get at light switches or shoot them out.

"Many neon signs and other bright lights in the downtown business houses were blacked out by rifle or revolver."

POLICE LOG OF PHONE CALLS DURING THE NIGHT

Following is a summarized "log" of police station phone calls and reports, to illustrate the innumerable and varied items handled by the staff:

- 4:20 p.m. - Official air raid alarm issued to citizens by provost marshal; all citizens ordered to remain under cover and off streets.
- 4:25 p.m. - Aloha tower told to blow siren continuously until told to stop.
- 4:40 p.m. - All clear signal given.
- 5:17 p.m. - Official air raid alarm announced.
- 5:31 p.m. - All clear signal given.
- 5:40 p.m. - Kalaniana'ole highway, vicinity of the Hind-Clarke dairy on the road mauka between the two bridges see Y. F. Kam. " He will show you a light that was on all night and the owner refused to turn the light out all night. Bring in the man and Kam. "
- 6:15 p.m. - 2449 Cleghorn St., meet complainant.
- 6:16 p.m. - 2492 Kalakaua Ave., get a Miss Delaney and bring her down to the provost marshal's court; she will be clerk of the court.
- 6:37 p.m. - Honolulu stadium dressing room; lights.
- 6:38 p.m. - Henry Inn apartments; lights; check a man on Seaside Ave., searching a car.
- 6:39 p.m. - 3622 Alohea Ave.; lights.
- 6:44 p.m. - In Pauoa Valley; lights.
- 6:50 p.m. - Crater Rod., lights; Ki uea Ave., between 12th and 13th Aves., lights; 1042 Keanu St., and 1042 Seventh Ave., lights.
- 6:55 p.m. - 2451 Liliha St., and Puunui park; lights, Kalihi St., signal lights.
- 6:56 p.m. - Go to city-county garage. "Tell 'em to turn off that light."
- 7:00 p.m. - Check 1600 block on Pamoia Rd. for lights.
- 7:05 p.m. - Take a run up to Makiki Round top; lights up there.
- 7:06 p.m. - Check lights at St. Louis college.
* * *
- 7:07 p.m. - Opposite 917 Gulick Ave., man on telephone pole signaling with green lights; shake it up, up there.
- 7:14 p.m. - Go to Williams' mortuary; meet the army over there; they are holding a man.
- 7:15 p.m. - Proceed to 1629 Waikahalulu Lane, also 64 Kukui Lane; caught with lights; bring these two people in.
- 7:17 p.m. - Go to Liliuokalani Ave.; car parked in the middle of the road with wheels locked; tow it to the curb.
- 7:18 p.m. - Liliha court; suspicious character.
- 7:19 p.m. - Check around Diamond Head for lights; check Koko Head side of Wilhelmina rise for lights.
- 7:24 p.m. - At 1527B Makiki St.; lights
- 7:33 p.m. - At 1629 Waikahalulu; lights; 1007 Fifth Ave., prowler; one street above Ferdinand Ave., lights; 1043 Kinau St.; lights; at 2365 Pacific Heights Rd., Lights.
- 7:34 p.m. - At 1037 Ilima Drive; suspicious car.
- 7:35 p.m. - At 1417 7th Ave.; a prowler; 1744 Kamehameha IV Rd., see complainant; on Mott-Smith Drive, lights;

- 7:40 p.m. - 1006 9th Ave., somebody has a light burning; Kalihi dump, lights burning; also check 1045 5th Ave., supposed to be a prowler there.
- 7:45 p.m. - Go right over to the MacDonald hotel; "See what all the shooting's about."
- 7:46 p.m. - Kalakaua Ave., and King St.; put out those lights.
- 7:48 p.m. - Kapahulu and Kaimuki; they are holding a man there for you.
- 7:49 p.m. - Lights at 1346 10th Ave., 1520 Palolo Ave., 1703 Kalihi St. and 1734 Oana Lane.
- 7:52 p.m. - Kahala; "find out who's shooting those rifles around there."
- 8:01 p.m. - "You used to be a good shot; better pull out that trusty 44 and see if you can shoot 'em out."
- 8:02 p.m. - Check the Palolo rock quarry.
- 8:03 p.m. - At 1735 Gulick Ave., man attempting to enter a house.
- 8:05 p.m. - 767 Kinau St.; light complaint.
- 8:21 p.m. - 3953 Waiialae Ave.; see complainant about lights.
- 8:25 p.m. - Check the Japanese shrine at Palama.
- 8:29 p.m. - Take a run out to Portlock Ave.; down by the sampan wharf; there's supposed to be a man signaling out to sea.
- 8:35 p.m. - "About the only thing you can do is stop the first car you see and ask if they've got a hand pump."
- 8:41 p.m. - Directions to go to Kahala and meet an official who will give information about some shooting out there.
- 9:00 p.m. - Go to the city hall and tell those bums to get on the sidewalk.
- 9:05 p.m. - See the watchman at McKinley high school; he saw somebody shooting a man.
- * * *
- 10:01 p.m. - At 1923 Vancouver Ave.; a light; 2055 Nuuanu Ave., heard noises on the roof.
- 10:02 p.m. - At Middle and King St., a light.
- 10:05 p.m. - See two haoles on Upper St.; complainants.
- 10:06 p.m. - Okay; an unfounded complaint.
- 10:07 p.m. - At School and Fort Sts.; there's a light.
- 10:38 p.m. - At 3209 Winam Ave.; arrest a woman; lights; bring her in.
- 11:30 p.m. - Calling fire wardens around McCully St.; there's smoke coming up from an old fire at King and McCully Sts.
- 11:59 p.m. - Near Rocky Cliff manor; prowler.
- 12:35 a.m. - Two shots reported on Cartwright Rd.
- 12:40 a.m. - Shot reported near Waikiki School; three men in a car.
- 12:45 a.m. - 4448 Sierra Drive; lights in the basement.
- 12:46 a.m. - Cream colored coupe traveling at high rate of speed reported at Kapahulu Road and Kalakaua Ave.
- * * *
- 1:20 a.m. - St. Francis hospital area; rockets reported.
- 1:22 a.m. - Kalihikai School area; rockets.
- 1:33 a.m. - Waipa Lane and Vineyard St.; rockets.
- 2:10 a.m. - Flares observed in Kalihi district from Tantalus.
- 2:20 a.m. - Sparks from the train; the train is moving; announcer explains "rockets".

3:25 a.m. - Fire reported on Aiea Heights.
3:30 a.m. - Maternity case at 3:30 a.m. ; Hall St.
3:55 a.m. - Brush fire on Heights below Kamehameha Schools
4:10 a.m. - Prowler at 1032 Ilima Drive.
4:29 a.m. - Check Kapalama Basin and Awiki and Kalihi Sts., for red flares.
4:47 a.m. - Palolo Valley on 9th Ave. toward golf club; lights
5:36 a.m. - Check Manoa Valley; "lights all around".

* * *

5:40 a.m. - Makiki field district; lights.
5:41 a.m. - Go to 3738 Manini Way; lights.
5:42 a.m. - Pier 24; lights.

As daylight grew near these calls became more numerous.

6:10 a.m. - Spencer and Magazine Sts.; check with man with a bundle in his hand
6:20 a.m. - Lights on; "okay now".

General Short and his staff were installed at the Alimanu Crater some three miles from Fort Shafter. This headquarters had been constructed by throwing together several ammunition storage bins. It was far underground and unfinished at the time of the attack. There was not at that time any provision for air conditioning and the number of officers who were crowded in there soon exhausted the air supply and staff officers were compelled to go outside frequently to get a breath of fresh air. In company with Colonel Craig, the Provost Marshall, and his Assistant, Colonel Steer, about the third afternoon after the attack I went to Alimanu Crater to report to General Short and his Chief of Staff. We finished our business and stopped for a free meal, and then hurried to depart for Honolulu.

When we three came out of the Crater it was dark, very dark. Colonel Craig's driver managed to find us in the darkness, however, and led us to the car. Blackout provisions applied everywhere. Some genius had decided that blue cloth or other dark covering placed over headlights of automobiles, would not be seen by flying aircraft. Soldiers on the ground had a far different opinion and were want to take pot shots at lights of this kind, for fear of drawing fire upon their positions. Colonel Craig's driver informed us that the narrow road down the mountain was "crowded with trigger happy soldiers", and how right he was. About every 100 yards we were halted by sentinels. They alternated by demanding that we put out the lights or that we put on our blue coverings. Occasionally, the challenge was preceded by a shot.

Each time we were halted, Colonel Craig was a patient man and a very brave one but after several challenges his patience was exhausted. He ordered the lights of the car turned off which was the system used in Honolulu, and then proceeded to walk in front of the automobile, meeting the challenge of each succeeding sentinel with such profanity that it left no doubt in the minds of the challengers that we were friends. The road was a mountain type and although it was improved, it was narrow and winding. Outbursts of profanity by Colonel Craig indicated from time to time that he had fallen down or had just missed falling over a cliff. The situation was ludicrous but none of us saw much humor in it. All of us probably were in a high state of nervousness, which is only normal after being shot at in the dark a few times. At one point, I had the temerity to laugh. Colonel Craig paused long enough to "read the riot act to me". He was extraordinarily adept at it. Since his remarks were loud and angry and since he referred to me by rank, the performance was doubtless enjoyed by the driver and nearby sentinels.

At long last, we came within the city of Honolulu, which was a district policed by Colonel Craig. He climbed into the car and felt confident that we would no longer be molested by jittery soldiers. As we passed along in the dark, we were recognized by patrolling Military Policemen who flashed a signal light in recognition, but there was no more promiscuous shooting. When we reached the city police station, which was headquarters for the Military Police, we went into Colonel Craig's office.

He turned on the light and as he looked around, his sense of humor returned for he said, "I never realized how comfortable a jail can be".

Thereafter when we went to Ali manu Crater we left before nightfall. We preferred our darkened streets and our possible hidden enemies to jittery soldiers. "It is all in what you are used to, " said Craig, philosophically.

Immediately after the attack, the feeling against the local Japanese began to build up to a high pitch. To some extent this was caused by the dishonorable character of the attack itself but it was heightened by the distrust and fear of the local Japanese and the uncertainty of the action they might take. This was a fertile field for rumors which sprang up over night. Some of them had some semblance of plausibility but many were wild and completely fantastic. Seemingly, the more unrealistic they were, the more credence was given them. One of the most groundless, which was the most difficult to squelch, had it that the local Japanese had cut swaths through the sugar can fields to guide the attaching force to Pearl Harbor. Pictures of the swaths were exhibited to give credence to the rumor. Now, everyone in Hawaii knew that even at the slightest elevation, Pearl Harbor could be plainly seen and that an aviator would need no swath to guide him there. Everyone in Hawaii knew also, that swaths were

habitually cut in sugar cane fields by the plantations to facilitate the removal of the cane, by vehicles. Clearly, the cutting of swaths would serve no useful purpose in guiding the attackers. Nevertheless, this rumor was extensively accepted as a fact. There were many other rumors of similar unlikelihood.

Some of the rumors most difficult to meet were those involving pictures, advertisements and cartoons in locally distributed national publications which were construed as depicting villainous actions by local Japanese. Some of these were very plausible and ingenious. Needless to say we checked out every rumor, however seemingly absurd. Hawaiians are superstitious people and other races, including caucasians, are prone to give credence to Hawaiian folklore after they have resided in the Islands a short while. For this reason, rumors fell on somewhat willing ears. All of the rumors served to whip up tremendous animosity toward the Japanese. That animus grew to an alarming extent in a relatively short period and it became clear to me that unless we did something to head it off immediately, it might lead to wholesale slaughter of the local Japanese. This may seem naive, now, but at that time there were present all of the necessary elements to make a first class massacre.

The local Japanese were fully aware of the possibilities that vengeance might be visited upon them because of the dishonest character of the attack. They realized fully that they were a minority group which circumstances had set apart, and that they could not stand against the Filipinos, most of whom were plantation workers armed with

machetes, the implement of their trade. The local Japanese were aware of the rumors of their alleged sabotage and espionage and other rumors to the effect that they were mobilizing in various parts of the Islands. All of these accusations were false and born of fear but any denial by the local Japanese would only serve to whip up the flames further. They did the only intelligent thing possible for them to do, namely, they went about their affairs and refused to be drawn into any controversy.

In his book "The Broken Seal", 1967, Adesles Tarajo, a noted authority on intelligence maintains that some of these were actually valid. This, they did with very great success. They realized very early in the war that their only salvation lay in convincing the military of their loyalty and under the circumstances, this was a very difficult undertaking. The prompt issuance of orders concerning assemblage, a blackout, and curfew served to alleviate some of the outward hostility insofar as it reduced the opportunity for trouble to the daylight hours.

Our early intelligence reports from our Morale Section indicate that there were several factions among the Japanese. There were some who favored Japan. These, for the most part, kept their views to themselves and those who did not, were promptly taken into custody. There were others who favored the United States from the start. Some of these openly defied ancestral customs by asserting their loyalty to the United States. By far the largest group seemed to be confused, apprehensive and frightened concerning their safety and their future. By and large, the entire Japanese group were reported to look with

disfavor upon the attack by the enemy airplanes because it put them in a position to be suspected of disloyalty. They were an intelligent group, and, in the manner of the oriental, accepted as inevitable the fact that they would be regarded with suspicion by other groups. Some of them were subjected to unjustified and unfair indignities at the hands of misguided persons, but to their credit they endured it without complaint. In point of fact, I do not recall a single complaint by a Japanese of unfair treatment.

It is sometimes difficult to distinguish one oriental from another and as a result of this difficulty orientals other than Japanese were sometimes mistaken for Japanese. On one occasion, a Chinese entered a crowded bus containing numerous American sailors who had just come ashore from a trip at sea. He elbowed his way to the center of the bus and when he had secured standing room and had a good grip on the overhead strap, he tied a string loosely around his neck and unrolled and suspended from it a sign upon which was printed in uneven letters: "Me, no Jap. Me, Chinese."

The racial situation in Honolulu was a precarious one from the beginning. The presence there of a precisely trained battalion of the 27th Infantry which was available to me gave potent notice to all concerned that we were prepared to put down, firmly and promptly, even the slightest overt act of the local Japanese. On the other hand, the demeanor and obvious effectiveness of these fine troops gave evidence that any attempt on the part of the Filipinos or other groups to start a private war with the local Japanese would likewise be summarily dealt

with. This battalion was never used for either purpose, but its mere presence was convincing and had a salutary effect.

The first few days after the attack were hectic and the nights were worse. During the daylight hours, my staff and I were busy trying to determine where the Territory stood so far as supplies of food and other necessities were concerned. In the matter of organizing the efforts of the Military Governor my file on the subject was a lifesaver. Before the first sleepless night was over, I had thought through a part of what must surely occur and I was well on my way with plans to meet it. The M Day Bill was in operation and was beginning to be helpful. Considerable work had been done by Mayor Petrie's Food Committee prior to the beginning of the war and it was showing results. It had sprung into action at the time of the Blitz under the direction of Colonel Casey Hayes who was assisted by Mr. Winne, an experienced local merchant, and Dr. Warner of the Staff of the University of Hawaii. These men made a very auspicious beginning. I borrowed Captain T. N. Griffin of the 27th Infantry and called in more of my staff from Fort Shafter. At the end of the third day, I had a magnificent staff consisting of three officers and seven enlisted men. All of these men must have been made to order for the emergency because I would be much surprised if any one of them got more than a few hours sleep each night during the first ten-day period. Thereafter, for a period of many weeks they might possibly have gotten as many as six hours sleep and the remainder of the time they were on duty. They withstood it because they were young--and so did I.

The first order of business was the issuance of orders immediately essential to the internal security of the Hawaiian Islands. The next was providing means for enforcing those orders. On the first day, December 7th, an advisory board was appointed consisting of informed local citizens. All saloons were closed, and a Provost Court and Military Commission were appointed for the enforcement of the orders of the Military Governor. During the succeeding days, orders were issued closing schools, theaters, and other places where there would otherwise be a concentration of people. This obviously was to discourage concerted action of any kind. Blackout regulations and curfew times were announced. Gasoline was rationed, the possession of arms was prohibited to unauthorized persons, radio transmitting sets and short wave sets were regulated, photo materials were rationed, and the local telephone company was taken over to insure the maximum availability of it to the military. As a means of eliminating Japanese newspapers, all newspapers were required to obtain a license to operate, and licenses were temporarily denied to foreign language newspapers. Subsequently, permits were issued to them but they were required to print in English. These and other measures were considered necessary for security purposes. This was no mere publication of orders. It was actually accomplished in the minimum of time. To be sure, this was an unusual procedure but the urgent circumstances existing seemed to require it. Drafts of all these measures were taken from my file which contained many other drafts which were not applicable to the existing circumstances.

The martial law plan succeeded from the beginning because the public looked to the military for guidance and we were ready. The Blitz was a complete shock to the public and it found itself impotent. The military recovered quickly and took immediate remedial measures. Public officials everywhere bent their utmost efforts to support whatever was suggested in military orders. The public leaned over backward to comply promptly with official orders, and when the orders lacked clarity, and there were many such instances, the public went ahead and did what they thought we wanted to accomplish. The plan contemplated cooperative action by the military and civilian authorities. It was based upon the maximum of cooperation and the minimum of compulsion. It caught on from the beginning and was operated with scrupulous honesty. The spirit of public cooperation was instantaneous and it lasted as long as martial law was in effect.

During the first few days and nights I tried to convince the public that all was under control and well, this by physical presence of personnel assigned to the Office of the Military Governor. This was an extremely difficult assignment to accomplish with three officers and seven enlisted men. All of these ten people worked by day in administrative jobs and by night they helped to patrol the streets to reassure the public. These streets were dark and eerie but seldom dull. We were plagued by a rash of unnecessary shooting at visible lights which appeared from time to time. Much of it was due to fright and it frequently amounted to a shoot-out between citizens who imagined each other to be the enemy. The civil police, the auxiliary police,

the air raid wardens and all of the other enforcement organizations did a marvelous job in this and in all other respects.

On December 7th, the Corps of Engineers had issued a large number of rifles and ammunition to workers for defense purposes. Some of these weapons had fallen into unreliable hands. Questionable people roamed about at night, constituting themselves "a vigilance committee" and were engaged in shooting out lights wherever they could be seen. This terrorized the public and all security people were anxious to put a stop to the practice. About the fifth morning after the Blitz, at about 2:00 A.M., I was still at work when Chief Gabrielson, the Chief of Police, brought before me two such "vigilantes," whom he and his deputy had captured at great risk to themselves. They literally threw them into my office. Each of these two toughs had a Springfield rifle and they had a hatful of cartridges between them. The Chief dumped the hat with the cartridges on my desk. He was in a bad mood. These toughs claimed to be "Jap exterminators." We managed to get these two and other such unofficial "officials" under control, but not without personal risk to the enforcement officials, both military and civilian.

On the sixth or seventh night, considerable shooting broke out in the direction of the fish piers at the waterfront. It was well after midnight and I was at work with my staff. The noise of the firing was disturbing our train of thought, and in anger I ordered Major Hanley to "go down there and stop that damn shooting." Hanley arose and left the conference. In a short time the shooting stopped. Hanley thereafter resumed his seat at our conference table. What I did not know at the

time was that the shooting was between two groups of nervous civilian guards who had mistaken each other for invading Japanese. Major Hanley was forced to go between the two firing lines to compel them to stop. To make the situation more difficult, a number of Japanese fishermen who were mere observers at the private war, but who were not aware of the cause, came off their fishing boats with their hands up. When Hanley had straightened out the matter he returned to our conference. His thinking apparatus did not seem to be as astute as usual, but we were too busy to listen to any of his private troubles.

On another occasion, Major Morrison got an assignment to straighten out a shoot-out caused by some auxiliary police making a mistake in taking pot shots at a local policeman of oriental ancestry. The Honolulu policeman was reinforced by other local policemen and the real shoot-out, for keeps, was about to start when Morrison arrived. In passing, I may say that a western bad man would be likely to come off second best with a Honolulu policeman at that time, and without any doubt, Morrison averted very serious results.

It takes a lot of raw courage to settle disputes of this character especially on a dark and moonless night, but these two young men, Hanley and Morrison, had what it took. The enlisted men were their equal. In point of fact, I have never seen better soldiers than the original seven who were with me when the war began. The local police department under Chief Gabrielson was also both efficient and courageous at all times. No one of them ever lacked brains or courage in the many difficult situations which they were called upon to meet. The Business Men's

Training Corps, the Auxiliary Police, and the other auxiliary law enforcement groups turned in fine performances. The uniformly fine deportment of all of these law enforcement units gave a tremendous reassurance to the public, which gradually began to realize that the situation was well in hand. Chief Gabrielson aptly expressed those sentiments by saying, "The public can go to bed without worrying about waking up dead."

The number and quality of the citizen volunteers was very heartening to me. They included men like Duke Kahanamoko, the Olympic swimming champion, and Edgar Rice Burroughs, the author of the Tarzan stories. Then there was Davy Thompson, a colorful official of a local bank. These and other men wanted no rank, no reassurances, insurance or compensation. They wanted merely to serve in any capacity which would be helpful. I recall one incident which concerned Duke Kahanamoko which typified all of these volunteers. At a meeting to select committee assignments, which was attended by a group of volunteers, there came up for consideration the appointment of the Chairman of the Mortuary Committee. His duty would be to select burial sites and prepare for the burial of as many as thirty thousand casualties, this estimate being based upon the probable fatalities if the Japanese forces undertook a landing attack. No one volunteered for this gruesome job. After some silence, "the Duke" spoke up, saying, "Well, somebody has to do it. I do not know anything about it, but I will take it." He did take it and did his mission well. Too much credit can never be given these fine men and women. They served well

and when the need was over they returned to their civil pursuits, feeling well paid by the opportunity to serve their country.

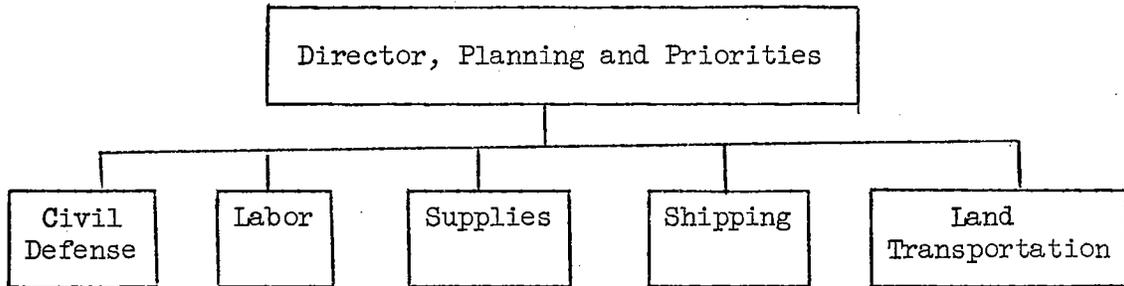
For the first three days and nights, I remained at work without sleep or food. At last, I could no longer go without sleep and called a car to take me to my cottage at the Niunalu Hotel. It was three o'clock in the morning and my temper and nerves were worn thin. On my way, the car was shot at three times by nervous sentinels. We were traveling without lights and were having some difficulty in staying on the road because of the darkness. The third shot came from a sentinel on duty at Fort Armstrong, a Regular Army establishment. That was the last straw. I ordered the car stopped and took time out to go up to the sentinel who had fired the shot and give him a dressing down which he will remember to repeat to his grandchildren in more delicate language. On arrival at my hotel, which was on the waterfront, I dismissed the car and started to walk to my cottage which was on the extreme end of the property and directly on the waterfront. The walk was studded with tall palms which were shaking in the breeze making shadows of changing patterns on the ground. I noticed a sentinel picking his way along the walk, avoiding the light spots. He looked around furtively and approached my position with caution. Believing that this was an apt place to be shot by a nervous sentinel, I got behind a large coconut tree. When the sentinel was directly in front of me, and within reach, I nervously stuck my finger in the middle of his back and held him there until I could convince him that I was a man of peace, who desired only to sleep. I made it home and let the war run itself for the next twelve hours.

At the beginning of the operation of martial law, I had the hope that after the initial action by the military and when public confidence had been restored and law and order was assured, some system could be worked out whereby the economy of the Islands could be completely taken over by the civilian authorities under the M Day Bill and that the military could be relieved of its responsibilities in that regard. In the meantime, we, the military, went right ahead and did what we thought had to be done. The civil authorities did not remain idle. The day after Pearl Harbor the M Day Bill was put into full force and effect as far as it could be done. Various committees under the authorization of it met in the chambers of the House and the Senate in the Iolani Palace. Representatives, Senators, businessmen, and bankers were also present. Some of the best minds in the Territory were present and took active part in the proceedings. The situation was discussed at great length and from time to time resolutions were passed but in every case they eventually came up against the hard fact that the Territory was completely dependent upon the Mainland for supplies, even the necessities of life and that there was no present way of obtaining such supplies from the Mainland. We were 2,500 miles from the Mainland and the only source of transportation of supplies was snugly tied up in the Port of San Francisco, and other Matson Line ships were likewise safely berthed. There were plenty of plans suggested but all fell by the wayside as being inoperable because of lack of transportation. Delegate Sam King flew in from Washington and joined in the discussions. He was an experienced and competent man. He pepped up the discussions by

promising help from Washington but when he came upon the transportation lack he had to concede that the Territory was helpless to help itself. He called on the General Staff which referred him to me. He came to see me and discussed the dilemma of the Territory. I had a plan, but in view of the fact that there was going to be a change of command, any plan would have to have the approval of the new commander. For that reason I listened to Delegate King but withheld comment. The discussions in the legislative chambers went on for about ten days. The result was inevitable and even the best minds in the group showed signs of despair.

Months before when I had examined into the probable results of a "cut off" situation, I sketched out a draft of a plan to meet such a situation should it arise, weighing the problems confronting the M Day Bill Committee. I concluded that they could not succeed and that sooner or later we would be called upon to fill the gap. With this in mind I took out my plan to meet that contingency and re-examined it in the light of the existing emergency. Morrison facetiously called this process "dusting off" the plan. It was a simple plan calling for joint operation by the military and the civilian businessmen together with the civil authorities. The theory behind it was that the military had the power and skill to procure supplies and the businessmen and the civil authorities had the skill and experience to operate a supply system. The plan called for a Director of Planning and Priorities who would be in charge of the operation and be directly responsible to the Executive for Military Government. Under that Director would be five subordinate directors who would be in charge

of five controls, namely, Civil Defense, Labor, Supplies, Shipping, and Land Transportation. Graphically, the plan was as follows:



Having "dusted off" the plan in detail, my next step was to see Governor Poindexter. His office was just across the hall from the office I occupied. I saw him frequently after the Blitz and sometimes several times a day. About December 11th or 12th I called on the Governor and we discussed my proposed plan of operation. He expressed the view that the discussions which were going on in the legislative rooms directly under the Governor's Office would never result in any workable plan because as he expressed it, "they are all captains and nobody wants to be a private." He believed that it would wind up in a political tussle. He thought my plan had merit and we proceeded to discuss it in detail. He began to suggest people who might be available to head up the various controls. He lingered on the question as to who would head up the control labeled "Supplies." I replied that Mr. Winne was at present in charge of the Mayor's Committee on food and was doing a fine job, and that he seemed a likely selection to take over "supplies." The Governor began to "talk around the subject" which by this time I had learned was his habit when he had something else in

mind and waited for the other person to guess what it was. I was very naive at the time but I learned rapidly. It finally dawned on me that he had no objection to Mr. Winne personally but from a political point of view he did not wish to confer upon him such all inclusive control. I assumed, without knowing, that Mr. Winne was a Republican. To this day I do not know what Mr. Winne's politics are, but I quickly met the Governor's objection by suggesting that "Supplies" could be divided into two controls, namely, "Food" and "Materials and Supplies." Mr. Winne was a recognized food expert and my suggestion seemed to meet the approval of the Governor immediately. [By way of historical note, these two divisions were universally adopted in military practice.]

Thereafter, Governor Poindexter made one further point upon which he seemed rather firm. It was that Civil Defense, being primarily a civil matter, the Director should be an appointee of the Governor. I saw through that one at once. We both knew that President Roosevelt had made available to the Governor or was about to do so a fund of fifteen million dollars for emergency purposes and we both knew that expenditures from the fund would be made largely for civilians. The Governor naturally wanted a controlling hand by means of an appointee of his own choosing, to insure that the fund would be expended in accordance with his wishes. He suggested Mr. Frank Locey as a likely appointee. I replied that I did not know Mr. Locey but that I could appreciate his point of view. I also stated that I was without authority to make any commitment as General Emmons, the new Commanding General, would arrive within a few days. I said that I did not know

General Emmons and that it would be up to him to make the appointments, if he approved my plan. However, I agreed that I would present the Governor's views to General Emmons and, if necessary, would suggest that he meet with the Governor before making any appointments. I warned the Governor that it was quite possible that General Emmons was bringing his own man to take over my job but I promised that I would report the Governor's views to my successor and to General Emmons. The Governor was completely satisfied with the arrangement. That smart old gentleman was a tremendous comfort to me. He was always reasonable and he had the uncanny skill of putting his finger unerringly on any weakness in any proposition. When he agreed, I felt sure that the action I was suggesting was for the best interest of the Territory. We never had any agreement in writing because there was never any need for it. His word was as good as his bond and he never forgot a promise. I went on preparing the details of my plan for submission to General Emmons when he should arrive.

The situation at this time was very grave, both from the military and the civilian point of view, but there was no tendency whatever to stampede. In considering the possibilities of an all out attack, the military authorities believed that if it came the invading force would be of enormous proportions including a heavy landing force supported by both sea and air power. We, the defenders, had two full strength Regular Army divisions, together with supporting artillery, both mobile and sea coast weapons. The Navy had lost a major portion of its ships,

but there were task forces like that under the command of Admiral Halsey which were still intact and which could be counted upon to be effective. The military authorities were well aware that the Japanese would have the ability to inflict severe casualties upon us, but it was the universal belief, down to the last individual soldier and sailor, that we could and would prevent a successful landing. The General Staff figured that an attempted invasion would cost us some thirty thousand casualties in military and civilians. In these circumstances, we, the Military Governor's Office, decided to evacuate all possible women and children to the Mainland and get ready to support our troops as soon as possible.

It occurred to me that in the event of a full scale invasion, the military would be hard pressed and I felt certain that in view of the quality of our troops, a situation of no surrender and no quarter would most certainly result. I felt that those of the civilian population who were fully aware of the treatment afforded civilians by victorious Japanese troops and still wished to remain and try to defend themselves and their families should be permitted to take their chances and try to survive. Theoretically, captured military personnel have the right, under international law, to become prisoners of war, whereas a civilian belligerent has no rights whatever. In the light of the practices of the enemy in this instance, any protection would be more fanciful than real. Everyone was aware of these facts. After due consideration, I put the proposition up to defense workers who were the largest group of non-combatants. I informed them that they could be armed and could

fight but I gave them full warning that if they did so and were captured, they would have no standing as prisoners of war and doubtless would be shot, if they were lucky enough to receive that merciful type of punishment. I asked those who wished to be armed be registered to receive arms in the event the dire emergency developed. The response was astonishing and heartening. Thousands of these men eagerly volunteered, knowing full well that it would be either win or die. Fortunately, immediate threat of invasion never occurred, but the foregoing indicates the spirit of the civilian population which counted on the Military Governor for leadership.

I have often been asked whether a successful landing could have been made by the Japanese if they followed up their sneak attack with a strong landing force. Any opinion on the subject would be speculation. My own view is that if a landing force was of sufficient strength, it might have been accomplished, but the chances are that the Japanese losses would have made it costly, if not prohibitive. Subsequent to the war, General Short estimated that a landing force of 200,000 would be required to make a successful landing. The fighting force of the Army and the Navy at and near Pearl Harbor were probably the most efficient ever assembled anywhere up to that date. They had been dealt a low blow which they were eager to avenge. Under the circumstances, I have always felt that they were a match for anything the Japanese could have thrown against them. The character of the fighting these troops later displayed in the Pacific area, when they got at the Japanese, fully bears out my convictions.

CHAPTER XIII

Adoption of the Plan for the Operation Under Martial Law

After December 7th, the Hawaiian Defense Act was put into operation to the fullest extent possible, and some activities under it were functioning. The local business people, the members of the Legislature and many emergency committees met daily in the halls of the Legislature in Iolani Palace where they discussed their situation over and over again. There were some political overtones, but in general the common idea was to find some remedy for the extreme plight in which the Territory found itself. Delegate Sam King arrived by airplane from Washington and joined the conference.

My personal view of the situation was that the local authorities had neither the organization nor the means to feed, clothe, and otherwise administer to the needs of their half million citizens, and eventually they would come to realize that conclusion and that we, the Office of the Military Governor, must be prepared to act when the local authorities had reached that inevitable decision. With this view in mind, I looked over the situation again very carefully and made a tentative plan which I discussed thoroughly with my assistants, Majors Hanley and Morrison. As I saw the problem at the time, the factors were about as follows:

1. The civil authorities had no shipping facilities and therefore could not possibly supply or feed their people.

2. When the civil authorities arrived at this conclusion they would drop the problem into the lap of the military, and since the General Staff had a war to fight it would land in the Office of the Military Governor.

3. The military had at least temporary control of the local Japanese population, but it was an unknown quantity with which we could take no chances.

4. If no new attack occurred we might rock along without any great increase in security measures. However, if we continued only those security measures presently in force, and the Japs came storming up the beaches and the local Japanese went over to the side of Japan, we would be in a very bad situation and much bloodshed would result.

5. We could partially solve our problem by evacuation of most of the local Japanese to one of the other Islands, say Kauaii, but this would involve shipping, as well as feeding and guarding the evacuees. We could evacuate all of them to the Mainland and thus avoid the necessity of feeding and guarding them.

6. Either solution in 5 above would be of questionable legality, would be unjust to those who were loyal to the United States, and it would surely turn them and all others of Japanese ancestry against us. I was aware that the West Coast authorities planned the evacuation of the Japanese from that area, as I had discussed it with representatives of General DeWitt, the Commanding General of the Western Defense Command.

However, I was in complete disagreement with that plan as being illegal, unjust, and, of even more importance, it was impractical for us. In the first place we had no shipping, and in the second if we evacuated the Japanese anywhere we would lose their labor, mechanical and other skills. They were the principal artisans in the Islands, and it would be next to impossible to replace them. All things considered our best policy would be to hold the local Japanese in place under very stringent control. It was a calculated risk, but there was very little choice in the matter.

7. As to plantations and local business we must make up our minds to help them keep their business going on a reduced scale or completely abandon it. If we decided to help to keep it going we must find some means of stopping the intense competition for available labor. Failure to do so at once would result in all labor being attracted away from plantations and local business by higher wage scales offered by government contractors. Furthermore, the turnover of labor between contractors would be ruinous if it continued on its present course. We must make up our minds to freeze at least a part of the available labor to their present jobs and reallocate it where and when it was most needed. Failure to take prompt action would mean ruination of business, the plantations and ourselves, as well.

8. Downtown business was well organized but in the present circumstances was unable to help itself.

9. Even if shipping became possible, the Hawaiian merchants would be completely snowed under in a tussle for supplies in competition with

the armed services and others on the Mainland who were in the business of obtaining supplies for foreign countries.

Working into the small hours of the morning we concluded:

A. That it was probable that the successor to General Short would bring his own man to replace me but that he would expect to be handed a plan for his consideration.

B. That the policy of arresting or deporting Japanese should be restricted to those whom the FBI considered dangerous or those who committed some act of sabotage or espionage.

C. That the Japanese should be informed that there would be no mass evacuation and that offenders only would be "picked up."

D. That certain classes of labor be frozen to their jobs temporarily and that some system of orderly transfers be set up, based upon need.

E. That certain civil functions would fail if we did not assist them. That we should assist in civil functions but take over only those which the civil authorities requested.

F. That B and C were calculated risks but that they were the only fair and efficient way to treat the local Japanese and that if it worked out we would be far ahead. We could evacuate all or any portion of them if circumstances demanded it but we would not resort to drastic measures unless a considerable number did not behave themselves.

Having reached the foregoing general conclusions we again discussed at length my proposed plan for six controls. We decided that it would do for a start and that we could improve or change the plan to meet unforeseen circumstances.

Early the next morning I went to see Governor Poindexter. It should be explained that there was a veranda extending around the second floor of Iolani Palace where the Governor and I each had an office. It was a simple matter for me to call the Governor on the telephone requesting an appointment and then step from my office window and go around the porch to the Governor's Office where a knock on the French doors of his office would result in an invitation to enter. It was a short cut and I used it extensively. On this occasion, I arrived via the veranda and had a long conference with the Governor. I informed him of the details of my long discussion with my associates on the evening before and of my conclusion that the civil authorities would not be able to handle the situation. He concurred. It was obvious to me that he had that conclusion in mind when he declared martial law. I had previously gone over with him my basic plan of operation at which time he had made some suggestions. I went over it again and showed him that it had been amended to meet his views. He concurred in the plan as then submitted to him, but again said that he felt that he should name the Director of Civil Defense. He mentioned that because the President was making available to him a fund of fifteen million dollars for the relief of the Territory and he felt that he should control the expenditures from that fund. I reminded him that General Emmons was on his way to succeed General Short, that he was expected the next day, and that the decision whether the plan was adopted or not would be his, but that in any event I would inform General Emmons of the Governor's views.

During the conference I conveyed to Governor Poindexter my thought that we should not have any mass evacuation of the Japanese, and after a thorough discussion of the matter the Governor concluded as we had done, that such a policy against wholesale evacuation involved much risk but that it was the only fair thing to do. I discussed some of the other phases with him. He recognized the problems involved and remarked that "they were all hard decisions to make."

On December 16, 1941, General Emmons arrived in Honolulu to succeed General Short. He was well acquainted with Hawaii, having served there with the Air Force as a pilot from 1934 to 1936. I had never met him. On arrival at his Headquarters at Fort Shafter, he was confronted with a delegation of civilian businessmen from Honolulu. He informed the delegation that he would talk to them in my office in Iolani Palace the succeeding day. Upon instructions, I arranged the conference for 2:00 P.M. The following morning, December 17th, General Emmons appeared at my office and in company with him and Commander Todd, the Governor's Naval Aide, we made an official courtesy call on Governor Poindexter. I had accompanied General Short on his farewell call earlier. After a brief but friendly call General Emmons left for his Headquarters, telling me that he would be at my office for a briefing prior to the scheduled 2:00 P.M. meeting.

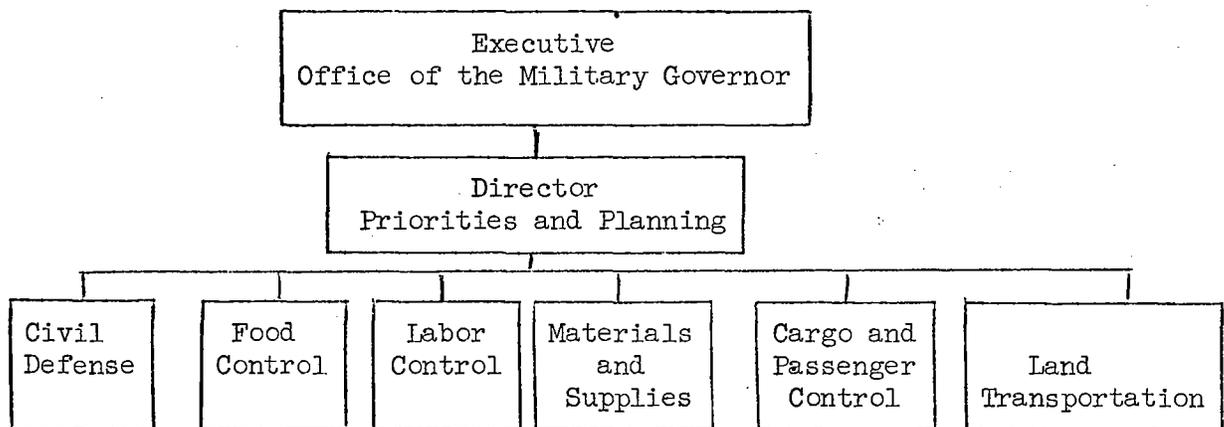
About 1:00 P.M. General Emmons came into my office. He was alone. He sat down and breezily said, "Well, let me have it." I quickly highlighted what had happened and gave him a short statement of my conclusions. He listened attentively, but it was obvious that he wished to

avoid any waste of time, which was completely agreeable to me. Every time I paused I could see that he had taken in everything and was ready for the advance. When I had completed my statement, he asked me what I proposed to do. From subsequent dealings with this brilliant man, I am sure that had I said that I was awaiting his orders I would have been fired on the spot. For an answer, I handed him my tentative plan. He glanced over it with lightning precision that I later learned to know so well. He could read a paper faster than any man I have ever met and furthermore could retain every word in it. With uncanny speed and skill, he deduced that the civilian groups were hopelessly confused and that I had a simple plan which I had exercised care to coordinate with the Governor. He recognized that the plan, though tentative, could be readily amended to meet new conditions. He thought a few seconds and then, referring to the committee of civilians outside, he said, "O.K. Let them in." At this first conference with General Emmons I realized that a truly great administrator had come to take command.

At my invitation, about fifteen men of importance in the Territory entered the room. I did not know many of them, but as best I can remember it included Delegate Sam King, Mr. Walter Dillingham, Senators Farrington, Trasli, Sylva Silva, and "Doc" Hill. I think Senator Rice of Maine was there. The others I did not know. When all were seated, Delegate Sam King began speaking for the group. He said that the businessmen and other important people had been meeting for ten days seeking a solution to the situation in which they found themselves,

but that they had been unable to discover any way out of their predicament and that they were now turning to General Emmons for assistance. General Emmons quickly appraised the group, many of whom he had known when he had previously served in the Islands. In clipped tones he then said, "You people have been meeting for ten days and have come up with nothing. He [pointing to me] has a plan that looks all right to me. Let us get at it." With that he handed over the plan. As I recall it, Mr. Walter Dillingham got the paper first. They all crowded around to get a look at the plan which was simple, diagrammatic, and easily understood. Walter Dillingham had one of the keenest minds in the Territory. I watched him carefully as he digested the plan. When I saw him repeatedly nod his head as he studied the plan, as if in agreement with it, I knew we had made a good start. The plan was identical with that shown to Governor Poindexter the day before.

Diagrammatically it was as follows:



Mr. Dillingham handed the plan on and one after the other the delegates stated that they would tentatively "go along with it" but waited for further details.

General Emmons, whom I came to learn was a man of few words, nodded to me and said, "O.K., go ahead." I then explained that the Director of Materials and Supplies was a most important post as its director would be in immediate charge in the first instance of the allocation of most of whatever shipping space became available and would to a major degree control the kind and quantity of supplies which would be imported. Accordingly, he should be their most able man and one in whom they all had confidence. A vigorous discussion ensued. Each person wanted someone who would be sure to be on his side. When the wrangling reached its height, General Emmons broke in sharply, saying, "Can't you birds agree on one man you all can trust?" There was a momentary silence and someone said "Budge" and all promptly agreed. It was not until later that I learned that "Budge" was Mr. Alexander Budge, President of Castle and Cook, one of the major industrial giants and that he was presently on the Mainland. I wrote in his name as Director of Materials and Supplies, and we went on to the next problem.

The next vacancy was that of Director of Food Control and Mr. Winne was chosen substantially by acclaim, as he was already operating under Mayor Petries' Committee on Food. When it came to Director of Labor Control, there was more wrangling. In an effort to move things along, I suggested that the manager of the Eva Plantation must be an efficient man as his plantation was particularly well kept. I did not know who the man was but someone said his name was Bond. All accepted him, so I wrote his name in. Mr. Dillingham then suggested Mr. Gray for Director of Cargo and Passenger Control and someone else suggested

Mr. Kirk, president of the local bus company, as Director of Land Transportation, and there being no objection I wrote in their names.

When it came to Director of Civil Defense, I explained that this was primarily a civilian matter and that the Governor felt that he should name the Director since he would have charge of expending a fifteen million dollar relief fund which the President had made available to the Governor. The Republicans in the delegation immediately protested, but General Emmons overruled them and instructed me to "Go ahead and find out, for sure, who the Governor wants." I left the room via the window and went around to the Office of Acting Attorney General Earnest Kai, where I had been informed the Governor would be. Governor Poindexter again gave me the name of Frank Locey. I returned via the window and repeated the name "Frank Locey." General Emmons interrupted the discussion by saying, "Whoever he is, Frank Locey is the man." That settled it and I wrote in the name.

General Emmons then turned to me and said "O.K., the slate is now full except for this Director of Priorities and Planning, who is going to work directly under you. Who have you in mind for that?" I replied that I thought this man should be an Army officer and that he would have to be an experienced one because he would have to get the allocation of shipping space from both the Army and the Navy and then juggle it around to meet the best interests of the civilian business and economic needs. I explained that all of the other directors would constitute an advisory committee and that among themselves they could determine priorities and that I foresaw that the Director of Priorities and

Planning would have the most difficult job to determine what supplies were needed and the order of their precedence. General Emmons retorted that "The man would have to be a magician" and asked who I had in mind for the job. I replied that I thought Colonel Morrill Marston, the Department of Hawaii Supply Officer, would do the job well, but that I had not yet approached the General Staff on the matter of his detail, but for the moment I would undertake to start the job as I had already approached the Army and the Navy supply people and had tentative commitments about furnishing supplies and incoming tonnage whenever it became available. General Emmons nodded his approval / ^{and} we proceeded to the next item.

The Directors having been selected, General Emmons again turned to me and asked if "there was anything else on my mind." There was and I then proceeded to inform the group that it was hoped that it would be possible to continue business in a modified form but this could be accomplished only with the full and complete cooperation of the local business people. These were smart men, the cream of the political and business minds in the Territory. They realized that unless something drastic were done and quickly, chaos would result and while the plan that was being suggested was a mere theory by an inexperienced Army officer, it was the only thing yet suggested and that it might possibly work.

The situation was desperate and they all knew it. These men sensed that if the Army moved into its purely military field, the

economy of the Islands would immediately fall into chaos and subsequent ruin. Every man present, if for purely selfish reasons, if for none other, were willing to cooperate to the fullest and indicated their feelings by nodding in approval. General Emmons ejaculated "I'll buy that" and the die was cast. He then asked if there was anything else to be decided at the moment, and there being nothing the visitors were excused and filed out like a lot of school boys, delighted at the turn of events, wherein they had shifted most of their burdens and responsibilities to the military and being confident that in the new Commanding General they had a man who had the courage, force, and intelligence to push through to a successful conclusion any program he started.

When the last visitor had departed I sat alone with General Emmons. I was the legal advisor to General Short and he had appointed me Executive for Martial Law. Since it was a very important position it would have been natural for General Emmons to prefer an appointee of his own choice in that position. Accordingly, I fully expected to be succeeded and stood ready to be relieved and either assigned to other duties or assist the new man, whomever he might be. There we sat together for several minutes and in silence. The whole matter was brand new to General Emmons and he was turning it over in his mind. From long and close association with him afterwards, I learned that his mind was lightning fast and accurate. Undoubtedly he was considering the various avenues open to him. He had accepted my plan as a stop gap,

but there was no assurance that it would work and it might not be the best action to be taken. He seemed to be going over the ground that I had traversed so many times. The military was responsible only for internal security and winning the war. He could evacuate the Japanese and let the civil authorities worry about their problems. He could let the Governor and the Interior Department work out their own salvation. He could perhaps get martial law rescinded and let the civil authorities struggle with the M Day Bill provisions. As a military commander, General Emmons could withdraw his support from the civil authorities and use only such measures as were necessary to neutralize the local Japanese.

Any or all of these measures could^{be}/taken by the military commander. He then might be subjected to orders from higher civil or military authority, in which case the responsibility would be squarely upon the authority issuing the order. He would be entirely within his rights and he would escape the responsibility and the grief which was bound to follow. Any withdrawal from his present position would, of course, mean at least partial destruction of the economy of the Islands and might well result in terrific interracial strife and bloodshed. Whatever he did was bound to result in eventual political and legal difficulties, with him on the defensive and on the short end. Historically, it has always been so. A lesser man might have taken any of the easy ways out or might have vacillated until the local situation got out of hand. Fortunately for the future of Hawaii, General Emmons was not that kind of a man. All of these things went through my mind while

we sat there and I am quite sure they passed through his mind also. Having thought it all through and come to his decision, he turned to me and said, "Well, have you anything else for me?" I replied in the negative. He arose and with a characteristic wave of his hand that I came to know so well, said, "Well, I'll be seeing you." With that, he departed.

To my mind, this episode was a crucial turning point in the modern history of the Hawaiian Islands. To have failed to have taken aggressive action such as was taken would unquestionably have either destroyed the economy of the Islands or at least have set it back fifty years in its development. It took a tremendous amount of courage and business acumen on the part of General Emmons to take the action he did take. Once having embarked upon this course, he permitted nothing to deter him, even though he well knew that the memory of the public is very fleeting and that at some time in the future he would be called upon to answer for his actions, and at a time when the memory of the extremely urgent conditions had long since disappeared. In this, he was not disappointed.

In my humble opinion, when history fairly evaluates the entire Hawaiian situation during World War II, far from political considerations and personal disappointments, General Emmons will stand out as a man who was equal to a most difficult task of saving the economy of Hawaii from destruction and that he accomplished it with great credit to the community and to himself. Only a truly great man could have accomplished this result.

CHAPTER XIV

The Implementation of the Plan

When General Emmons left my office on December 17th with the cryptic parting words, "Well, I'll be seeing you," it was no idle statement because early the next morning he was back again to inquire how far we had progressed. Now it is comparatively simple to sit down and draft a theoretical plan, but it is quite another thing to put such a plan into operation. Implementation requires the services of the people, good and efficient people. Even a bad plan can be made to work with efficient assistants. As soon as the rudiments of the plan had been made known to the public, there was a rush of people, which seemed to include about everyone in the Territory, to volunteer their services in any capacity. The public response was so heartening that I felt that the plan would work successfully. On the first morning we had a meeting of the Directors of the Controls, all excepting Mr. Budge who was still on the Mainland, and he was not yet aware of his appointment as Director of Materials and Supplies. The meeting was very brief. I have no recollection of what was said, but the instructions must have been very meager because as I recall it I had worked out only the generalities. There were some suggestions made by the Directors and adopted. I do recall that we agreed to meet regularly and frequently to discuss progress. Space had been allotted in Iolani Palace by Governor Poindexter, and on December 18th we were on our way with a new experiment in government.

The newly appointed directors were all well known and respected in the community and were actively supported by every businessman and politician throughout the Territory. These directors and many other public spirited persons served without any compensation save the satisfaction of serving their country. With such backing any plan would be bound to succeed, and in a minimum of time our tasks were well under way.

The fact that business, large and small, was so solidly behind military government increased the public confidence to a point where actions of the Military Governor were taken on faith in his intelligence and integrity, for it was now a joint operation of the military, civilian business and the general public. It was a relief to the Military Governor when it was no longer necessary to explain every small action taken in the public interest. While we still had the Provost Courts, necessary to enforce orders in the case of recalcitrants, the operation of such courts could not have accounted for the overwhelming support received by military government. Public confidence cannot be won by force. It must be inspired by fair and honest dealings. It was gratifying to know that our efforts were being given full support.

I requested the General Staff of the Hawaiian Department to release Colonel Marston for the position of Director of Planning and Priorities. He was an outstanding officer and the Staff decided that his services could not be spared from his duty as Chief of the Department Supply Division. The Staff offered instead Major Bertram Hayford,

Marston's assistant. This officer was somewhat young for such an important assignment but I accepted him and a very fortunate choice he proved to be. He was studious, quiet and very hard working. Among his other virtues, of which he ^{had} many, he was scrupulously honest, a trait which instantly impressed itself upon all who dealt with him. Major Hayford was duly assigned as Director of Priorities and Planning which was perhaps the most difficult post in the entire set-up. As a part of his job he was required to obtain ship cargo space from the Army and the Navy which was a difficult chore. Having obtained it, he had the further, and perhaps more difficult, job of distributing it among the civilian needs. Naturally, in view of the shortage of the space, every local importer applied for all of it. General Emmons' remark that to fill that position one "would have to be a magician" was not much of an exaggeration. The Army and the Navy were loathe to release any of their space and local enterprise clamored for the maximum. It was a case of too many and too little all around. Hayford's job was made more difficult by reason of the fact that in dealing with the military he was doing business with officers who were senior to him in military rank and who were more experienced than he. In dealing with civilian business he found that all of them were men of vast experience in business affairs. However, Hayford's innate honesty and integrity impressed everyone with whom he transacted business. The acceptance by Mr. Budge of the office of Director of Materials and Supplies greatly reinforced Hayford. Mr. Budge was one of the outstanding men in the Territory with a special

genius in business. He promptly smoothed the way for us with his local business associates and his competitors as well. Hayford had the good sense to lean heavily on Mr. Budge and they "hit it off well" and soon became indispensable associates.

Competent assistants and consultants were brought in from downtown business firms on a purely unpaid and volunteer basis. Many experts such as Alex Smith were from the top echelon of local business. The result was that the operation, which was fraught with difficulties, soon began to work out the kinks and run smoothly. At the beginning, I watched over the Priorities and Planning activities as it was the keystone of the whole structure, but soon realized that Major Hayford was being fully supported by Mr. Budge and that the Control had earned the respect and confidence of all the people with whom it dealt. This control was the basic one upon which all of the others depended. It did millions of dollars worth of business and as time passed the competition for shipping space became more and more intense. There was a constant clash of competing interests but in the entire operation the honesty and integrity of those operating it were never questioned. Much of the credit was due to the skill and business acumen of Mr. Budge who supported Major Hayford at every turn. Under the tutelage of Mr. Budge, Hayford developed rapidly and it was not long before he could stand on his own feet and operate with the best. This fine young man was successively promoted through the ranks to colonel, and as evidence that such promotions were no accidents, when he left Hawaii for other assignments his experience in Hawaii stood him in good stead and at the end of the war he was a major general.

In the early stages of military government, the public had some difficulty in comprehending the terminology and brevity of some of the orders. These orders were expressed in military terms which were unfamiliar to civilians. However, in the briefest possible time the orders were not only understood but the military terminology was adopted in general conversation to some extent. Many a joke was founded upon the phraseology of the military profession which, admittedly, is in some respects peculiar. The Hawaiians are never at a loss for humor and a joke is considered appropriate under even the most dire circumstances. The military was soon the butt of many jokes based upon our peculiar language but we laughed with them because anyone in the military service knows that when the troops are making jokes the morale is high.

We were no magicians and were plowing virgin soil without any precedent whatever. We made mistakes, many of them. Most of them seemed to be obvious after they occurred. When we made such a mistake we promptly acknowledged it and took corrective action at once. We progressed rapidly and the success with which the local economy was reconstructed to meet wartime requirements was a monument to the efforts of those engaged in the project. We expanded from time to time in order to meet our everchanging requirements and as time passed we changed from a mere idea to a compact, well knit, organization, capable of meeting any emergency. The chart below shows the organization of the Office of the Military Governor as of March 1, 1942,

less than ninety days after the beginning of its operation. Many activities are shown on the chart, but it is to be noted that the basic plan as approved on December 17th still remained as the foundation. As time passed and new problems arose, further additions were made, but the basic plan was never materially altered.

CHAPTER XV

The Operation of Martial Law

Vignettes of a Few of the Important Persons and Places in the Planning and the Operation of Martial Law

General Delos C. Emmons

The Blitz left Hawaii paralyzed but the military could and did recover quickly. As to the civilian fortunes, however, the matter stood in a precarious condition. Martial law had been declared and the military was in control so far as security was concerned. My small group had a plan of action with which we believed the economy of the Islands could be saved. If the new Commanding General concurred in our plan we could go on and give it a try. However, it would have been easy to throw over the whole scheme, evacuate the entire Japanese population or even the entire civilian population, on the basis that Hawaii was a theater of war. It would be a decision for the new Commanding General. Thus, the whole future of civilian Hawaii rested in the hands of General Delos C. Emmons who was on his way to take command of the situation. I have never discussed with General Emmons what his thoughts were on the matter when he arrived. As I have stated, he slipped in unobtrusively, checked over my plan quickly, decided that it might work and without further discussion, put it into action. This was typical of the manner in which he operated. Hawaii was most fortunate that he was selected to succeed to the office of Military Governor. A lesser man might well have vacillated or have made a cautious approach to the problem. Had this occurred, the consequent delay might have been fatal.

General Emmons was an outstanding officer with a fine educational and military background. His basic branch was Infantry but his primary interest was in flying. He was one of our earliest aviators and attained the rating of Command Pilot. He was a graduate of the United States Military Academy, all of the Army service schools, and took a post graduate degree at Harvard in business administration. He had been procurement officer for the Air Force and was thoroughly experienced in big business. Thus, he was admirably equipped for the job he faced. Although he was a natural as an administrator and had a tremendous background in that field, his heart was always with his troops, "trups" as he termed them.

General Emmons was a man of few words. He was somewhat addicted to the use of slang but, when used, it accurately expressed his views. He disliked debates and never permitted acrimonious disputes. He never harangued a subordinate, and when an officer demonstrated his unfitness for his assignment he was promptly reassigned. He was tolerant of the views of others and was tenaciously loyal to his subordinates who did their duty as they saw it. This was true even when the action taken was contrary to that which he himself would have taken. He was a distinguished looking officer who carried himself with dignity and poise under all occasions. He never failed to make a favorable impression at public functions. He genuinely disliked personal publicity, believing that it was a waste of time. He disliked press conferences, but when it could not be avoided he appeared and never failed to make a good impression by honest and direct answers. It never embarrassed

him to admit that he did not know the answer to a specific question, and he had no hesitancy in referring such questions to an accompanying staff officer for answer. This always seemed to please the press who were always on his side. It took considerable urging to get him to make a public address because he steadfastly refused to do anything which smacked of personal publicity. However, on the few occasions when he did speak he was very effective.

General Emmons was very considerate of his subordinates. For example, he came to my office instead of requiring me to go to his. This saved time for both of us. Brevity was his watchword. Prolonged discussions annoyed him and he made no effort to conceal his displeasure. He preferred written to verbal reports and could read a page about as fast as anyone I ever saw do it. When he spoke he did so with clearness and accuracy. His typed directives were flawless, but his handwritten instructions were frequently unintelligible even after a careful study. He had firm and fixed opinions on most subjects but always had an open mind for new ideas. His principal subordinates were vested with whatever authority was necessary to accomplish their missions and those who failed to take action when action was required soon found themselves in other assignments.

General Emmons was not a stranger to Hawaii as he had served there previously as a pilot with the Air Force in 1935. Because of this prior service in the Islands he knew a number of influential people in the business and social world. For example, he was on very good terms with Mr. Budge and Mr. Dillingham. Instead of being an advantage to them

in dealing with him, he used his friendship to make it harder for them to deal with him, this, in order to keep them at arms' length and prevent any criticism. There was something slightly impish about him because although I felt sure he had the highest regard for Mr. Budge, he took great delight in "needling" him. Strangely, Mr. Budge, who ordinarily had a fine sense of humor, reached for the bait every time General Emmons dangled it. Frequently, Mr. Budge went to considerable pains to prove General Emmons in error when, in fact, General Emmons was merely intending to tease him. There can be little doubt that Mr. Budge was the closest to General Emmons of any of the local business people. This was fortunate because Mr. Budge was recognized as the outstanding businessman in the Territory and his influence on our affairs was all important.

General Emmons was constantly inspecting the alertness of his command and very little escaped his eagle eye. He made notes on the backs of envelopes or small scraps of paper, in a handwriting that was most difficult to decipher. On some occasions his notes could not be understood and when asked to translate them he would read them off rapidly and then say "perfectly clear," and then with a chuckle add, "clear as mud." When he came to my office, his calls were brief and to the point. He issued crisp directives, listened to a short summation of our activities and then would rise, wave his hand and say, "Well, I'll be seeing you," and he would be off on his rounds. He was lightning quick to define the objectives I had in mind and was extremely progressive. Many of the things we were trying to do had no

precedent whatever, and some of the proposed activities were purely experimental because no similar situation had existed before. He realized that a "book following man" would be certain to fail and he gave me a very free hand to meet whatever situation arose. He expected us to make some mistakes, not too many, to be sure, but he expected us also to admit a mistake, when made, and take immediate corrective action. He placed no restrictions on my authority. I was expected to do whatever the best thing was to be done. However, he expected to be kept advised of everything of importance that he should know. In this he was never disappointed. He wanted the essentials and he wanted them brief. He had many ideas of his own and it was his custom merely to say what he wanted to accomplish and we worked out a method to get it done. He could and did, on occasion, stop a proposed project by simply saying, "No." Although I knew him well, I never argued with him once he had made up his mind. It would have been futile anyway.

One morning, General Emmons arrived at my office and was obviously quite angry. He soon made me acquainted with the cause of his wrath. It appeared that late the evening before, while traveling in his car, inspecting the readiness of his "trups," he lit a cigarette from a cigarette lighter. The car was traveling on a main road but it was quite dark. Instantly, his driver got the stern command to halt. The driver halted and out of the darkness a military policeman appeared. The driver attempted to explain that his passenger was General Emmons, but the MP was not in the least impressed, saying "Oh, yes, I'm General

Pershing, myself." The MP then commanded: "Come out of the back seat, you." General Emmons obeyed at once and the MP proceeded to give him the "What for" for violating the regulation concerning blackout. After a real good "crawl" the MP flashed his light in the face of General Emmons and upon recognizing him exclaimed, "Good God-- sorry, sir." General Emmons got back into his car and proceeded on his way without complaint or comment and that ended the matter so far as concerned the MP. However, the next morning, in my office, the General was still boiling mad about "that damn fool order." He related the incident to me and inquired as to who had issued "that damn fool order." When advised that it was his own order, he looked surprised but quickly recovered and said, "Well, no matter who issued it, it is a damn fool order and I want it changed." Thereafter, it was lawful to light cigarettes from lighters in cars at night, but it was said that although General Emmons was a chain smoker he rarely took advantage of that privilege while traveling at night. A few days later, when relating the incident to Mr. Budge, he remarked, referring to me, "His damn police nearly had me shot for smoking in my own car." He added, however, "I must say that his Army is on the job and they don't care who you are, either." That was the key to this man's character. He knew that the MP was simply enforcing orders, as they were.

The soldiers borrowed by me from Colonel McCulloch's 27th Infantry were armed with machine rifles. One of them rode with me nightly on my inspections. I thought it even more important that General Emmons also have such a soldier. He resisted it strongly as nonsense and even

refused to carry a gun. I urged him to have a body guard accompany him if only for the reason that if anything happened to him it would give considerable comfort to the enemy and might adversely affect the local situation. Grudgingly, he consented to accept one of my borrowed men. It irritated him considerably and he constantly referred to the protection afforded him as "Your Army." Despite his objection, I felt much reassured because the car guard selected was one of the finest young soldiers I have ever known. One day General Emmons came to my office accompanied by a beautiful police dog. He instructed me to "take your Army off my car as he is no longer needed." He stated that I need not worry as the police dog would replace my soldier. I firmly believed then and now that no police dog that ever lived could replace that soldier, but I kept my views to myself. For the next few days the police dog accompanied General Emmons on his night vigils and always when he came to my office. One morning while General Emmons was at my office and the dog lay asleep at his feet, General "Boom Boom" Bergin's artillery suddenly began target practice by shooting at ocean targets from artillery positions in the hills directly behind the building where we were. The shells howled over our roof en route to their ocean targets and having full confidence in General Bergin and his gunners the local command was not disturbed except for the noise. General Emmons' dog, however, took another view of the situation. Apparently, the owner of the dog had failed to inform General Emmons that the beautiful and obedient canine was gun shy. When the firing started, the dog became excited and ran around the room

like one possessed. He began frothing at the mouth from fright. He got worse and worse as the firing continued and I made up my mind that he was going to bite one of us and I was determined that it would not be me. I reached back behind me to a curtain where I kept a sporting rifle which I intended to use in case of insurrection. This seemed to me to be an insurrection of a major magnitude. Seeing the rifle and realizing what was about to happen, General Emmons shouted at me not to shoot the dog as he was only borrowed. Eventually we managed to subdue and collar the dog. General Emmons left, leading the dog with a leash consisting of a curtain cord from my room. I never dared to inquire what happened to the dog or what General Emmons said to the owner. All I know is that beginning with that night my soldier again took up his duties of riding guard on General Emmons' car and I breathed easier.

While I was in Washington in the winter of 1942 at the break of the martial law controversy, a Washington columnist lent his column to a scurrilous attack on martial law in Hawaii. It was obviously a hand out from our Washington opponents. It gave me a silly and innocuous blast but went on to say that I had "let it be known to my intimates that I really was the man on horseback." That was wholly untrue and unfair. Disloyalty is not in my makeup and is a fault that I despise. It so upset me that for a time I considered paying the columnist a visit but had the good sense to realize that in my position I could not afford that luxury, much as he deserved it. I felt hurt and could hardly wait to return to Honolulu to assure General Emmons that the

allegation was wholly untrue. At the first opportunity I rushed to General Emmons' headquarters but before I had a chance to say a word General Emmons chuckled and said, "I see that you have read that syndicated story on martial law. Forget it. Nobody pays any attention to what that columnist says. What is good and bad in Washington?" That ended the matter and we quickly got down to business. This was one more proof that the judgment of General Emmons concerning people and especially his subordinates was uncannily sound. In this instance, as always, he was far ahead of me.

There are some forty volcano peaks in Hawaii which leaves little doubt as to the origin of the area. Mauna Loa (Great Mountain) on the Island of Hawaii is the largest volcano in the world. Many of these volcanos have long ceased to be the source of danger. Such a one is Haleakala on the Island of Maui. The crater of this volcano is enormous and contains picturesque pyramids of razorsharp and colorful lava. It is one of the most interesting sights in Hawaii but until recently had not been noticed by tourists. Among the volcanos which are still active are Kilauea and Mauna Loa, both of which are located on the Island of Hawaii. Kilauea is relatively small but it keeps up a steady, mild, boiling of lava with only occasional serious outbursts. Tales handed down from one generation of Hawaii to another have it that around 1800 Kilauea erupted and destroyed a sizable band of warriors. Of recent years it has not been very destructive. Mauna Loa is something else again. Its eruptions have been much publicized and at times

it has been a serious menace to the City of Hilo which is situated in the vicinity. For long periods, sometimes extending to several years, Mauna Loa has remained dormant and then, with but slight warning, has begun to boil. Occasionally it subsides without serious disturbance but at other times the boiling has increased in intensity and eventually has spilled over and cascaded down the sides of the volcano in streams of molten lava. When this has happened there is consternation in the surrounding terrain, especially in the vicinity of the City of Hilo because when it gets started the lava travels at a considerable speed and is capable of devastating damage. At such times the population prays, the "Tabu" men make their fantastic passes, and the military is called upon for aid. In recent years the Air Force has been assigned to divert the path of the lava away from the City of Hilo and other habitations. This was effectively accomplished in 1935 when bombs accurately dropped from airplanes have successfully diverted the lava flow.

The native Hawaiians have designated "Madam Pele" as the goddess of volcanos. The legend and old folks tales have it that this goddess is afflicted with a terrible wrath and the methods of appeasing such wrath are numerous. One of the best known legends, and one which is invariably asserted by Hawaiians, is that anyone who by sorcery, magic or otherwise, attempts to interfere with the anger of Madam Pele must appease her wrath by generous offerings of food. One who fails to make a good and sufficient offering or scoffs at her anger will be certain to incur her wrath and will soon suffer a violent death.

Nothing that I know of was more firmly fixed in the minds of the native Hawaiians. To them, this legend is gospel.

In 1942, in addition to all of our current troubles, Mauna Loa began to erupt and it was not long before we were assured that Madam Pele was in a tantrum of the most serious kind. While this matter was of paramount importance to the people in the area of the City of Hilo, the whole Territory became interested in the outcome. "Now, the Military Governor was up against Madam Pele and what was the Military Governor going to do about it?" That was the burning question of the day. It devolved on me to take action. Research disclosed that the volcano had been bombed in 1935 under somewhat similar circumstances. I arranged for constant reports on the progress and direction of the flow of the lava. The Signal Corps made some excellent night photographs of the flow at great risk to the personnel. It became a question of determining when the appropriate time for the bombing had arrived. Prior reports indicated that five flyers had successfully diverted the lava flow in 1935. It occurred to me that General Emmons might have personal knowledge of the matter as he had been serving in Hawaii during that period. I had all the data ready for his decision as to the time of bombing. One morning he arrived at my office and studied the reports carefully for some time and then decided that the next day would be the appropriate time, if the lava continued in its present course. It occurred to me that in view of the fact that he seemed to have special knowledge concerning the matter that he might have taken part in the bombing in 1935. As near as I can recall our conversation on the subject it was substantially as follows:

General Green: "By the way, General, you were out here in the Air Force in 1935. By any chance did you take part in the bombing of the Goddess Pele?"

General Emmons: "I sure did and it was not by any chance either. It was upon direct orders as it was a dangerous mission. I will always remember it as it was like flying inside a fiery furnace. Five of us in separate bombers made the run. I was sitting on top of the gas tank expecting it to explode any minute. I was scared as hell."

He would have stopped there but I prodded him further.

General Green: "Didn't you know of the legend that anyone who interferes with the Goddess Pele when she is erupting must feed her or meet a violent death?"

General Emmons: "Sure I did. Everyone knows about that and I did something about it, too. After we came in from the run, I made another with a passenger, a small pig that I bought. When I was over the center of the crater, I dumped him out. It was the meanest thing I ever did and I can still remember the poor devil's screams as he catapulted below."

General Green: "Did the other flyers do likewise?"

General Emmons: "No. They gave me the horse laugh. That is all there is to it and I am not telling you any more. You are too inquisitive anyway."

General Green: "Just a minute. You cannot leave me in the air like that. How many of the five flyers are now living?"

General Emmons: "I suppose you will have to know or you will annoy me forever. I am the only one left."

General Green: "I never thought you were superstitious, General Emmons. Are you?"

General Emmons: "No, I am not. I am just damn careful and in this instance it paid off."

We turned our attention to the other business at hand.

In the early part of 1943 it was evident that political pressure in Washington was building up against martial law in Hawaii. Although General Emmons despised politics he understood that game exceedingly well and knew that once the political pot begins to boil the pressure builds up rapidly and without regard to justice and equities. The Washington politicians could not bring themselves to the point of quashing martial law since it would mean the responsibility would rest upon them instead of the Army in the event of dire results. Accordingly, they took a lesser but safer course of chiseling away some of the powers in the hands of the military but being careful not to relieve the military of the principal responsibility. The idea had been progressing for some time and the result was inevitable.

General Emmons had been sent to the Hawaiian Islands to insure the security of that area. When the smoke had cleared away even slightly, he encouraged and assisted the civilian authorities to take all possible steps under the M Day Bill and was always ready and willing to turn over to civilian operation everything not clearly essential to

the accomplishment of his mission, namely, the security of the Islands. Considerable progress had been made in that direction with Governor Poindexter. With the advent of the Stainback regime it soon became apparent that it was no longer a question of the orderly transfer of appropriate powers in accordance with responsibility and in reason, it became a tussle by the new regime to obtain autocratic power over the military and without any regard for security.

In the ensuing fray, General Emmons demonstrated that he was magnificently equipped for such a tussle. He was dignified at all times and although frequently sorely tried he never lost his aplomb. By intelligent action and skillful tactics he managed to accomplish adequately the military mission assigned to him and also was able to make a major contribution to the economy of the Hawaiian Islands. When he arrived in Hawaii in December of 1941, the outlook for the agricultural and commercial economy of the Islands was so bleak as to indicate that certain destruction was in the offing. During the succeeding two years while he was the Military Governor, he made it possible for the business people of Hawaii to recover and prosper.

After these many years in which to make sober reflection, I have come to the conclusion that a place should be made beside King Kamehameha for a statue of General Emmons. I feel that King Kamehameha would be flattered because the day will surely come when General Emmons will be recognized as the most outstanding man in modern Hawaiian history.

Fleet Admiral Chester W. Nimitz

When Fleet Admiral Nimitz assumed command of the United States Naval Forces in the Pacific on December 31, 1941, a major portion of his command lay at the bottom of Pearl Harbor. In the early part of 1942, the outlook for the United States Navy in the Pacific became even more bleak. On December 10, 1941, the "unsinkable" British dreadnoughts, the Prince of Wales and the Repulse, were sunk. On February 10, 1942, the "impregnable" City of Singapore fell, an easy prey to a Japanese invasion; and on February 27th the Allied Fleet, under two of the bravest of the brave, the Dutch Admirals Helfrich and Doorman, succumbed to a far superior force of the Imperial Japanese Navy at the Battle of the Java Sea. By March of 1942, it was a foregone conclusion that the Philippines could not be supplied and that it would eventually fall to the Japanese. General MacArthur escaped to Australia and General Wainwright had been designated by Washington to command the area and to fight a losing rear guard action as long as it was possible.

Admiral Nimitz had the carriers Enterprise, Hornet, and Yorktown, some cruisers, destroyers, and a submarine force still intact. The surface ships under that glorious sailor Admiral William Halsey were dispatched to raid in the vicinity of the Gilbert and Marshall Islands. This mission was carried out with extraordinary success. The submarine forces based at Pearl Harbor chalked up a fine record. The havoc wrought by this, the "silent service," was stupendous. Nevertheless, the force at the disposal of Admiral Nimitz was so far inferior in

strength to that of Japan as to make a showdown fight impracticable at that time.

From a severely damaged fleet, Admiral Nimitz rapidly rebuilt the Naval Forces of the Pacific to the point where it could avenge the Pearl Harbor defeat. It was largely a matter of materiel since the Navy personnel were more than anxious to even the score of December 7, 1941.

Early in May 1942, Admiral Nimitz learned from various sources of intelligence, including "magic messages," that the Japanese intended to make a landing at Tulagi, a small island near Guadalcanal. He dispatched substantially one-half of the force available to him to prevent that landing. This force included the carriers Yorktown and Lexington, six heavy cruisers and eleven destroyers and was commanded by Rear Admiral Frank Fletcher. The Japanese force under Admiral Inouye were superior but nevertheless the resolute Fletcher commenced the attack. It was primarily a carrier battle, the combat airplanes of both sides attempting to inflict mortal damage on the carriers of the other. Admiral Fletcher succeeded in preventing the landing and inflicted severe damage on the enemy, but both his carriers were badly hit and the gallant Lexington was sunk. Fletcher, having accomplished his mission, withdrew and disappeared in the darkness. At Pearl Harbor, Navy tacticians concluded that the loss of the Lexington gave the tactical victory to the Japanese but from a strategic point of view Admiral Fletcher had won a victory.

Later in May, it was learned that the Japanese contemplated making a feint at the Aleutians in an effort to draw out Admiral Nimitz's Fleet, then destroy it and make a landing either at Pearl Harbor or Midway Island. The point of landing was not certain, but after careful consideration Admiral Nimitz decided that it would be Midway. The Japanese had 200 ships including eight carriers. Admiral Nimitz had but two carriers ready for battle, but the badly damaged Yorktown was hurriedly returning to Pearl Harbor for repairs. Within twenty-four hours after her arrival the Seabees had miraculously completed the repairs sufficiently to permit that great fighting ship to sail out again to battle. The American Fleet under Admiral Fletcher and Admiral Spruance, consisting of carriers together with cruisers and destroyers, set out for Midway to meet the major Japanese Fleet. It was not long before the Japanese became aware of the presence of the strong force of American ships. The Japanese had been wishing for an opportunity to destroy the American Fleet and here it was. The land forces on Midway had been reinforced by a considerable number of aircraft, in anticipation of being able to take part in the battle from the land. The Japanese force was confident, especially since they were superior in every quarter. The American forces were imbued with the idea of avenging the sneak attack on Pearl Harbor and, unknown to them at the time, Admiral Nagumo and his flyers who had perpetrated that attack were in command of the attacking force of four carriers, each of which had taken part in the Pearl Harbor raid.

The issue was joined and the two armadas battled it out all through the day. We in Hawaii sat on pins and needles because if the Japanese prevailed, Hawaii would have been the next landing spot. Gunners and airmen fought gloriously on both sides but esprit of the American attack was superior and could not be denied. Admiral Fletcher lost his flagship, the valiant Yorktown, which fought effectively to the very last. He transferred his flag to the cruiser Astoria and continued the fight. Admiral Nagumo, the Japanese commander of the Pearl Harbor raid, lost his carrier Akagi under him and was forced to transfer his headquarters to another ship. All four of the Japanese carriers of Nagumo's striking force were useless and burning. Thus was the sneak attack of Pearl Harbor avenged.

Having sunk all of the Japanese carriers of the task force and inflicted considerable damage on the other surface ships, Admiral Spruance, now in command, withdrew under cover of the night. While it was not then apparent, this decisive battle broke the back of the Japanese supremacy in the Pacific Ocean. At the time the Americans had no conception of the greatness of the victory of the American Fleet.

There followed successes of the United States Fleet under such famous commanders as Kinkaid, Barbey, Wilkinson, Pye, the valiant Witcher, and the Commander of the unsung heroes of our submarine forces, Admiral Lockwood. Eventually the Islands of Guam, Wake, and others were recaptured and became the bases of operations against Japan. The homeland of the Japanese could now be bombed from those bases, and it began

to spell the beginning of the end for the Japanese forces. At long last, the Army and the Navy, after some of the bitterest fighting in history, knocked the Japanese forces into submission. The Japanese Fleet was destroyed. Substantially every Japanese flyer who had taken part in the sneak attack on Pearl Harbor was downed forever. Seven out of every ten Japanese merchant ships were at the bottom of the Pacific and the Japanese Nation faced starvation. It was only fitting that the officer responsible for the naval phases of our great victory, Fleet Admiral Nimitz, should be our United States representative in signing the Allied Peace terms with Japan aboard the USS Missouri in Tokyo Bay on September 2, 1945.

Since Admiral Nimitz was the senior officer in Hawaii, he could have assumed control of the martial law situation but he was content to leave it in the capable hands of General Emmons. The Navy had a major stake in the operation of martial law from a security point of view as well as in the matter of labor peace. In every field where the interest of the Navy existed, Navy officers were employed in the martial law set-up. Besides the field of security the most important field of control was in labor. The Navy was the largest user of skilled labor and it was vital that its needs be supplied to the utmost. On^{the}/other hand, there were other requirements to be met and one or the other would suffer unless the available labor was prorated in accordance with priorities as to needs. No system of controls would work except when everyone cooperated fully. Now, I was the first to admit that my schemes for labor controls and other controls were merely theoretical plans, but

I felt that it would work if all cooperated. As it happened, there was no hesitancy on the part of anyone in the Army or the Navy to give full cooperation. It had the complete support of Admiral Nimitz and General Emmons and that is all it took. The interchange of employees soon became a matter of course. The setting up of a Central Identification Bureau for both services was another sample of cooperative measures between services. The personal example set by Admiral Nimitz and General Emmons in the matter of cooperation soon spread all down the line.

The cooperation between the Military Police and the Shore Patrol of the Navy was a matter of long standing before the war. Details from both services were housed in the Local Police Station in Honolulu. Violations were handled as near as possible by the unit to which the offender belonged. This was in the interest of peace and harmony because there is an ingrained objection in both military services to being disciplined by personnel of the other. There is a more serious objection by military personnel, of any service, being disciplined by civilian police. Despite these objections, the desires of offenders were not always considered and there were times when it took the joint efforts of all enforcement agencies to restore order. All had very efficient personnel on this duty and its operation was harmoniously performed during the operation of martial law.

Admiral Nimitz was a man of singular distinction. He conducted himself with marked dignity and he looked every inch the great commander

that he was. He was a strict disciplinarian but at the same time he was well known to be reasonable and remarkably easy to talk to. For a man who carried such heavy responsibilities on his mind, he seemed fully capable of controlling his burdens rather than having them control him. He could relax and did. To me, he always seemed astonishingly calm. His personality was completely charming and it seemed fully natural with him. On numerous occasions, at functions attended by the Admiral and by me, he was invariably cordial. He had a keen sense of humor and also a slight mischievous streak. When we were both present at an affair which was being attended by Governor Stainback, he habitually used the term "Military Governor," knowing full well that Governor Stainback strenuously objected to the term "Governor" being applied to anyone in the martial law set-up. The purpose of Admiral Nimitz on this occasion was not to aggravate Governor Stainback, although I doubt very much whether such a triviality would have bothered him. Rather, it was to impress those present that the martial law project had his complete support. Such evidences of his confidence were very valuable and convincing to the local population.

Elsewhere in this treatise, reference will be made to the war-time Hawaiian currency known as "Emmons' money," which was substituted for the regular United States currency. The only distinguishing marks were overprints indicating that it was currency to be used in Hawaii. I obtained the first four one dollar bills of this Emmons money to be issued in Hawaii by exchanging for it four one dollar bills of regular

currency. At my request, General Emmons endorsed his name on all four bills and I did likewise. I then sent all four bills to Admiral Nimitz with the request that he endorse his name on all four bills, retain one for his scrap book and return the other three to me. In my letter of transmittal, I explained that I intended to give General Emmons one of the bills for his scrap book, retain one for myself, and send the fourth to The Adjutant General of the Army for historical purposes, because, to my knowledge, it was the first time such a money transaction had been accomplished. With his reply, dated July 29, 1942, Admiral Nimitz returned all four of the bills, duly endorsed, and stating that he was not including American currency in his scrap book and added, "No doubt you will have constructive use for the one allocated to me." At the bottom of the letter was a penwritten postscript which typifies the keen sense of humor possessed by that great commander. It read, "I have a particular yen for Japanese yen taken from captured or destroyed planes--and if you get a collection of that kind of currency please don't forget me. CWN."

Needless to say, my great regard and respect for Admiral Nimitz was such that I lost no time finding yen for his scrap book. It so happened that on December 7th, a Jap flyer was forced down on the Island of Niihau, and, upon landing assisted by a native born Japanese and also by an American of Japanese ancestry, he took over control of the Island at gun point. It was an unusual story and worth repeating here. The Island of Niihau is a small island off the coast of the larger Island of Kauaii. It was owned by the Robinson family who lived

on Kawaii but they maintained a plantation on Niihau. This latter island was occupied by some 300 plantation workers who were for the most part Hawaiians. There were but two Japanese living on this island when the enemy flyer landed. As near as could be ascertained, neither of these two had any knowledge that the war had started but they nevertheless went over to the Japanese at once. The plantation workers on Niihau submitted to the capture of the island without protest, but when the Jap flyer threatened them with a gun provided by one of the local Japanese and enforced complete idleness, the head man of the Hawaiians, Benjamin K. Kanahale, protested that he should inform his employers, the Robinson family, concerning the situation. He made ready to go to Kauaii by boat, but the Jap flyer stopped him and threatened to shoot him. The Hawaiian persisted and the Jap shot and wounded him slightly. The Hawaiian protested that shooting him was an unfriendly act. The answer of the Jap was to shoot him again and it was not until the Hawaiian had been shot three times that he took serious offense, but at that point he did so with a vengeance. Kanahale angrily knocked the Jap flyer down and his loyal Hawaiian wife then bashed in the Jap's head with a stone. When the dead Jap was sufficiently mutilated, Kanahale set out by boat for Kauaii to inform his employers of the late goings on at the plantation. The two Japanese who had assisted the flyer promptly committed hari cari. Among the effects found on the person of the flyer were certain Japanese coins and paper money, all of which were turned over to the Intelligence Corps. My inquiry brought the information that the coins and paper money were intact.

In response to my request, I was furnished three metal yen and two paper yen, which lately had been the property of the downed flyer. The value was small, if it had any value at all. I kept one of the metal coins as a pocket piece and sent the remaining two metal yen and the two paper yen to Admiral Nimitz for his scrap book. In his reply, Admiral Nimitz wrote, "I have kept the two bills for souvenirs and I have given the two coins to two officers (one coin to each officer) who are just departing on a very dangerous mission. The coins should bring them luck." I had reason to believe that the two officers were Admirals Fletcher and Spruance, and if my surmise was correct they had good luck indeed--and so did I. I doubt whether our yen pieces greatly influenced our good fortune, but it may have and I still hold tightly to my yen.

Students of naval tactics agree that the United States Fleet in the Pacific in World War II turned in a remarkable performance and that Fleet Admiral Nimitz was one of the great naval leaders of all time.

Major Hanley and Major Morrison

The two above named officers were my principal assistants and associates whose counsel, skill, and energy contributed in a large degree to the successful operation of martial law in Hawaii. Too much cannot be said in recognition of the services rendered by these two officers. Their abilities may be realized by the fact that Hanley quickly advanced through the grades to colonel, and Morrison eventually attained the rank of brigadier general. He succeeded me and accomplished major results during a trying period.

Major Hanley, the senior of the two officers, was a bachelor, a devout churchman, and a man endowed with a strict sense of moral values. He had an instinctive leaning in favor of the under dog, which trait served a most useful purpose because, in emergencies, it is easily possible to overlook the rights and feelings of minorities. "Jim" never permitted this to happen. His knowledge of military decisions and procedure was vast by reason of having been connected with the War Department for a number of years in a civilian capacity. He knew military orders and regulations expertly and was an experienced draftsman of both. He had a tremendous capacity for work and no task was too arduous for him. He was an exacting taskmaster and insisted that everyone under his authority equal his own attention to duty. He was scrupulously honest and pugnaciously insisted that everyone else adhere to that standard. He was smart, loyal, accurate, and never at a loss to meet any unexpected problem. He was a rare combination which precisely fitted him for the duty of senior Assistant Executive.

On the day I set up shop as Executive to the Military Governor, in the Iolani Palace, Major Hanley moved in a cot in the one room which was our headquarters. For the next year Major Hanley slept in that room. It was said to have been the former bed chamber of a queen in the Monarchy days. Hanley thoroughly enjoyed the many quips to the effect that he, a bachelor, was occupying the Queen's bed chamber. The room was called Queen Emma's Room but whether Queen Emma ever occupied it was open to some question. During the major portion of the early days, there was small opportunity for sound sleep because some one was always at work in this room which served as our office and our headquarters. Apparently, however, this did not disturb Hanley too much because he once remarked that after working for me for a while he could sleep standing up and that he frequently had an opportunity to try it out. It was not uncommon for me to work out some new phase of our operation long after midnight and wake up the nearest staff member available to try it out on him. Invariably Hanley was the nearest staff member and he ^{was} / unceremoniously awakened and directed to arouse the remainder of the required conferees. On such occasions, he awoke with a start, but when fully awake, after dashing cold water on his face, he was ready for anything required. Although he was rudely awakened in this fashion an untold number of times, I never saw him disgruntled about it. This man had a marvelous mind and a body and a spirit that matched it.

As time passed Jim became the operations officer for the group although his duties were in no way limited to that field. He got

results in a minimum of time and although he was red headed and had the temperament that normally goes along with that adornment, I never saw him irritated because of the amount of work which was put upon him. He attacked each new project with such a will that it sparked the whole group. He was as brave as a lion and had frequent opportunity to prove it. As the principal administrator of the office he frequently had to carry out restrictive orders. He carried them out with such dispatch that he became associated in the public eye with enforcement measures in a manner which was unfair to him. A part of the onus of enforcement which was wholly mine rubbed off on him. As a result he got the public image of being severe. Governor Stainback called him my "hatchet man." This moniker pleased Hanley who took the position that it gave him a preferred status of being on a long list of important people ^{that} Governor Stainback did not like. Dozens of citizens up and down the totem pole of importance went out of their way to report instances of manliness and kindness on the part of Major Hanley. He always seemed to have a number of projects in which he was lending a hand to somebody who was unfortunate. It seemed to me that the soldiers admired and respected him above any other officer in the set-up. They believed that he "understood them," and I think he did. I was extremely fond of this officer, trusted him implicitly, and never had the slightest reason to regret my trust.

My other principal assistant and associate was Major Morrison who also was a reserve officer on active duty in my office at Fort Shafter when the attack occurred. This officer had a tremendously

valuable experience as a lawyer in civil life. He had been with the legal department of a major oil company before coming on active duty and was well accustomed to competing with other lawyers in connection with oil leases. The competition must have been severe because Morrison was as sharp as they come. His innate shrewdness and his experience enabled him to see pitfalls long before any of the rest of us. Hawaii was noted for shrewd dealings, but I cannot remember a single instance in which Morrison was outsmarted by lawyers there or anywhere else for that matter.

From long custom, Morrison scrutinized every paper and every suggestion from outside our staff with a jaundiced eye and frequently found "hooks" as we termed tricky passages or concealed self-interest. I relied heavily on his intelligence, his vision, and his judgment, and never regretted it. He was a master draftsman of legal documents and a skilled negotiator. He was very quiet in manner and because of that fact opponents were prone to consider him an easy mark. Those who made such a mistake usually regretted it. His pet antagonist was Attorney General Anthony in the Stainback regime. Morrison took special delight in baiting him to hear him rage. Both Hanley and Morrison had unusual capacity for work but they were frequently extended to their utmost. Neither was limited as to his authority. Each was empowered to do whatever had to be done to meet any urgent situation. In the early days emergencies seemed to arise from one hour to the next and frequently it appeared as if many arose at the same time. We conferred several times a day but most policy decisions were arrived at after

careful discussions at night. Some of these conferences lasted the better part of the night and a few lasted the entire night. My two assistants were privileged to break in on me in my office at any time except when I was in conference with General Emmons and they were privileged to sit in on any conference on any matter in which they had an interest in the subject matter. We kept each other well informed at all times and that seemed to be the keystone of our success.

By nature Major Hanley and Major Morrison were wholly unlike. Hanley was a big robust man while Morrison was a small wiry man. Their backgrounds were likewise different. In view of the extreme pressures under which we all worked there were occasions when we all three got at loggerheads. Since all three of us were operators, this was bound to happen on occasion. As the pressure increased the number of occasions of impasse became more frequent and serious. At last I felt impelled to do something to alleviate the difficulty. I hit upon a sort of one-sided plan and called in my assistants to discuss it. It was simply this. We three would run our affairs like a corporation. Hanley and Morrison together would be considered to own 49 per cent of the stock and I would be considered to own the balance of 51 per cent. Each of us would have a perfect right to lose our tempers at any time provided that no two of us would have the right to lose our tempers at the same time and provided also that I, as the principal stock holder, would have the right to get angry whenever it seemed appropriate. They saw the point and laughingly agreed to go along with the scheme.

Thereafter, when it came to my attention that these two overworked men were beginning to get at odds, I had only to hold up my finger and say "my turn now." They would burst out laughing and promptly forget what their disagreement was about.

I do not know what these two fine young men did when I lost my temper which was often, except that at such times it seemed to me that I had some difficulty finding them until I had cooled down. On occasion, when there was considerable heat engendered in one of our discussions, I would take to pounding the table for emphasis. At such times, at an appropriate moment, one of these young men would say, "May I ask a question?" Upon being granted permission, the questioner would raise his finger and say, "Could I have my turn to get mad now?" That always brought me down to earth and we would proceed with moderation. There never was any formality between us. They spoke their minds frankly and without reservation. I always listened to their ideas and gave them full consideration, but since I was responsible I made the final decisions. Regardless of their original views, both men carried out decisions without further discussion. All three of us made mistakes and none of us was above admitting it and rectifying it at once. Our relations were very close and I had no favorite in either. I felt then and I do so now that these two young men were the finest associates any man could be privileged to have. Much of the success of martial law in Hawaii was due to their energy, intelligence, skill and devotion to duty. When I use the pronoun "we," I intend it to mean Hanley, Morrison and myself.

One other person might be mentioned as an indispensable part of my immediate staff. It was our confidential secretary, Miss Pauline Stroup. This unusual young woman had no title. She simply did everything and anything that needed to be done and she accomplished everything with remarkable speed. She was a professional speed stenographer and typist who had won many contests in these fields. She could type very nearly as fast as one could ordinarily talk and could record accurately the statements of several persons who were talking at once. I do not recall where she came from and I cannot seem to remember when she joined us. The first I recall having seen her was when she was installed in a small office outside of mine from which place she filtered callers to appropriate places, managed the soldiers on duty, made engagements, procured food, and insisted that workers stop long enough to eat it. Whatever else she did, she did well and quickly. She could get anyone on the telephone or could have him standing before us in short order. On occasion, she came up with an idea that we had overlooked. Never was an office assistant born with more judgment, common sense, and, indeed, endurance. She sometimes worked as much as sixteen hours a day and never seemed to lose her quickness of mind nor her sense of humor. She was a gem.

Mr. Alexander Budge

Mr. Alexander Budge, the man who, on December 17, 1941, was tapped to be Director of Materials and Supplies, was at that time on the Mainland. He returned to Honolulu about December 20th and was informed by General Emmons of his prospective assignment. General Emmons suggested he come to see me which he did promptly. I had never met Mr. Budge and knew very little about him except that he was President of Castle and Cooke, one of the leading business houses in the Islands, and that he was one of the most distinguished business leaders who was not born in the Islands. He had never heard of nor seen me before. Our first meeting was brief. He asked for and received, in detail, what was to be expected of him. He was not enthusiastic about taking the job, but I could see that he fully understood the problems and the risks. The first meeting convinced me that his selection as Director of Materials and Supplies was indeed fortunate. When he left, he said he would think the matter over and would let me know his decision whether or not he would undertake the assignment. I urged him to accept but he still said that he would "think the matter over." Characteristic of this exceptional individual, he had been gone scarcely half an hour when he called on the telephone to say that he had made up his mind to accept. Characteristically also he tossed out a dozen or more new ideas while talking to me on the telephone. I later learned to know this man very well and I soon found why he had the respect of all of the local businessmen in Hawaii.

Mr. Budge was truly an extraordinary businessman. He completed difficult assignments out of hand and impossible assignments frequently only took him a little while longer. What a man.

After that first day, Mr. Budge came to my office nearly every day. He kept his finger on everything relating to supplies and was fully aware of all progress in most fields in which we were operating. He was quiet in his manner but his chain lightning mind thought through the most difficult problems in short order. He knew more about the economy of the Islands than anyone I ever met. He was President of Castle and Cooke Company which owned and operated many enterprises including ships, plantations, docks, and many other activities, but I never knew Mr. Budge to favor any of the companies in which he had an interest. Furthermore, he was prompt to check any other person from doing it. He was a very forceful person who drove himself and everyone under and around him. He was always reasonable but on the other hand expected that things be accomplished with dispatch. He was impatient of delays and abominated excuses for noncompliance, even if the excuses were valid ones. He carried a small note book in which he wrote down subject matters and projects to be accomplished. When they were completed, he crossed them off. Whenever a project remained long in his note book he was unhappy and persistently prodded the person responsible for the accomplishment of the matter until he could line it out in his book as finished business. He knew everyone in the Islands who was important and also those who were not. He knew the capabilities of substantially everyone and whenever a new project came under discussion

which required special skills he unfailingly knew someone "who ought to be able to do it." Having named the person who could do a job he drove him until he had completed it. Hours meant nothing to him and he had the endurance to work around the clock whenever it was necessary.

Frequently, Mr. Budge came to my office to meet and confer with General Emmons. They had known each other previously and had considerable social contacts. Mr. Budge did not relish being twitted on business matters and was prone to become irritated when it happened, especially if it was undeserved. General Emmons discovered this chink in the otherwise completely solid armor of Mr. Budge and constantly pricked him there. Both had brilliant and speedy minds. Each appreciated and admired the other, but neither could resist a passing dig at the sensitive portions of the other. At these meetings, I took hurried notes and put into effect whatever they had agreed upon. There were never any orders given. I just listened in and did whatever was necessary to accomplish what General Emmons wanted done. Although neither of these smart men needed any advice from me, they habitually did me the courtesy of asking my views. There was nothing cut and dried about these conferences. The conferees spoke their minds and tussled matters out. When General Emmons made his decision, that was the end and we went to other business.

When they differed, Mr. Budge urged his views strongly and fearlessly, but on the few occasions when he was unable to convince General Emmons of his point of view he accepted the adverse decision without rancor and went to other business. He never failed to support,

cheerfully, any decision in which he did not agree. Disloyalty was not in this man's makeup--he detested that weakness on the part of others. He hated "yes men" perhaps more than any other thing and soon banished persons who were so addicted. Competition was the delight of his life and he was never happier than when a project required delicate expert handling. His business timing was perfect and no one was ever known to catch him in an adverse position which could have been avoided by proper consideration. When circumstances required him to yield in any business activity, he did so gracefully and without any reservations, except not to let it happen again. In his dealings with General Emmons he was never ashamed to admit that he had made a mistake whenever it happened, which was seldom. On the other hand, he never permitted a mistake on the part of General Emmons to pass without a reminder of the fact. On such occasions there was never anything further than gentle ribbing.

Mr. Budge had a delightful sense of humor but when he exercised it it was always of a brief nature, as if he felt that available time was too short for any extended levity. Business was both his vocation and his avocation. Strangely, this seemed to be in a large measure a common characteristic of all successful businessmen in Hawaii. Mr. Budge was undoubtedly one of the ablest and most respected businessmen in the Islands. He had a nervous temperament and I discovered that when that characteristic became accentuated, it was a sign that things were uncertain with Mr. Budge, or that matters were not going as well as he had expected. Except as to this characteristic, it was extremely

difficult to divine his thoughts and his state of mind. Of all the men I have dealt with, this man was the most formidable to determine what was going on in his mind.

World War II developed some exceptional businessmen, some of truly giant size, but I have never met one who could overshadow Mr. Budge. He shunned publicity as if it were a plague and I have never seen a published photograph of him. He was rarely in the public eye, but in many of the most important matters he was ever behind the scenes where he was an expert without peer. It was this man who, more than any other civilian, was responsible for the successful conversion of the economy of Hawaii to war time needs. He did so in his usual, quiet and efficient manner and without drawing any attention to himself. "Smart" is a weak word to describe him. I prefer the term "dedicated industrialist." More than any other man he was responsible for the continuity of business in Hawaii under war conditions, and I know of no other Hawaiian businessman who contributed so much and claimed so little credit.

Mr. Walter F. Dillingham

Mr. Walter F. Dillingham was a native born citizen of Hawaii, a product of the local schools and thereafter Punaho Academy and Harvard College. He was striking in appearance, robust, intelligent, and as smooth as silk in manner. He and his family moved in the highest social circles. Mrs. Dillingham was as gracious as she was attractive. Their home on Oahu was a show place which was complete with a private polo field where Mr. Dillingham and his sons and friends competed with other teams and the best the Army could muster. The entire family was public spirited and took an active interest in all plays, musicals and other matters in the nature of public entertainment and interest.

In business circles Mr. Dillingham was acknowledged to be one of the most successful in Hawaii. He was highly energetic, far-sighted, and a powerful entrepreneur. Together with his brother, Mr. Dillingham owned or controlled the only steam railroad in the Islands, a bank or two, a dredging company which developed a large portion of the water front in Honolulu, a canning company, an automobile agency, the Honolulu Rapid Transit Company, a couple of sugar companies, and at least one cattle company. I feel certain that the foregoing was not all inclusive of the Dillingham interests at that time.

Although his business interests were extensive and he was a director of a number of projects owned or controlled by the Big Five, the public did not regard him as a member of that group. In fact, at times his

interest seemed to be adverse to some of theirs. He was not one to advertise his interests in various projects and publicity was given as and when it served his purposes. Mr. Dillingham was beyond question a brilliant man who loved business as a vocation and as an avocation as well. He was recognized as a rugged competitor who loved to win. His successes in the business world were so numerous as to merit the respect and, perhaps grudgingly, the admiration of his competitors.

Prior to the war, like other members of the military staff, I met some of the social and business leaders of Hawaii, but my contacts were not such as to permit me to form a reliable personal impression concerning many of them. When war came, my duties changed so that I came in close touch with most of the business people of the Territory. I formed the opinion that as a class they were outstanding and fully as astute as the top cut of the business people on the Mainland. All were highly competitive in spirit but at the same time the leaders of this elite group, as well as the lesser lights, were devoted in their belief in the future of the Territory.

Of all of the outstanding members of the business community of Hawaii, Mr. Dillingham seemed to me to have the most difficult personality to fathom. As time passed I became more acquainted with him and formed the opinion that he was basically an individualist and that cooperative effort irked him when others had the veto power over any project with which he was concerned. He seemed to prefer to run his

own affairs without any restraint or restriction. No project was too large for his interest, but when his companies were engaged with others in projects too large for individual contractors Mr. Dillingham always seemed to manage to be in charge of operations. By nature he seemed to be a lone operator, and I gathered that he was happiest when the success of the project at hand was not altogether assured. Behind his suave manner he had a fierce competitive spirit. The profit motive was strong in him but I concluded that of equal importance to him was the satisfaction he took in winning in competition and especially in outsmarting competitors who were antagonistic to him. He despised welchers and weaklings and respected strong competitors. All in all he seemed to have a zest for life in all its variations.

It was frequently said that Mr. Dillingham made his fortune by cultivating every President, Vice President, Secretary of State, and about every Senator and Congressman for more than forty years prior to Statehood. However true that may be, the cultivation worked both ways and to the mutual advantage of all concerned. On more than one occasion it was the foresightedness and influence of Mr. Dillingham that saved the Territory from embarrassment or disaster. In 1931 the wife of Lieutenant Massie, an officer of the Navy, was beaten and assaulted while walking at night in Honolulu. Five local men were subsequently tried for the offenses. The jury was unable to agree on a verdict. Mrs. Fortesque, a Washington socialite, the mother of Mrs. Massie, arrived in Honolulu and thereafter one of the accused persons was kidnapped by Mrs. Massie, Lieutenant Massie, and two enlisted men of the Navy.

Their purpose was to induce the victim to confess. They overdid it and the victim was shot and killed. Later all four were tried, convicted and sentenced to ten years' confinement. The two cases raised a storm of protest both in the Islands and on the Mainland. The sentences of the four were reduced to one hour confinement. This only served to increase the bitter public feeling.

The presence of the Fleet at Pearl Harbor, then as now, was of great financial interest to the local business people. The custom of the military and naval personnel made itself felt by a calamitous buyers' strike. There were suggestions of withdrawing the Fleet and the military personnel from the Islands, and there were also suggestions that the form of government of Hawaii be changed to a military commission form of government. At the peak of the controversy, Mr. Dillingham asserted himself in a most effective manner and his efforts were largely responsible for the return of conditions to normal. This was only one of many matters in which Mr. Dillingham was a powerful influence in the progress of Hawaii.

The Chamber of Commerce of the City of Honolulu was without doubt one of the most influential units in Hawaii. Mr. Dillingham was always a leading member of that powerful body. At his own expense he opened an office in Washington to make sure that the interests of Hawaii were properly protected. That office was presided over by a skillful group of lobbyists. To be sure the office represented the interests of Mr. Dillingham but those interests were inseparately

entwined with those of the Territory of Hawaii. The man on the street in Hawaii and, indeed, official Washington believed that Mr. Dillingham considered himself synonymous with Hawaii and that view was to a major degree concurred in by the majority of the business interests in Hawaii.

After the war began, Mr. Dillingham was a frequent caller at my office to keep appointments with General Emmons. These conferences were held in my office as a convenience to both parties and also to insure that I understood whatever these two men agreed upon. The conferences generally started out with some suggestion by Mr. Dillingham for the improvement in the operation of martial law, but it was rare that some of Mr. Dillingham's business affairs did not creep into the discussion in the course of the meeting. The two men were social friends of long standing and they frequently discussed such matters in the course of their meetings in my office. At such times they felt free to discuss their personal business as if they were alone. I felt flattered in this respect and neither ever had any reason to regret the confidence they placed in me.

It was fascinating to watch these two brilliant men in action. They understood each other and each thoroughly respected the intelligence of the other. They maneuvered as if they were duelists. Each seemed to have the ability to divine the true thoughts of the other. The man on the street had the confirmed opinion that there was no businessman who could not be outsmarted by Mr. Dillingham. It seemed to me that Mr. Dillingham made a special effort to outsmart General Emmons merely for the pleasure of doing so, but as far as I could see,

General Emmons was inevitably waiting for "Walter's next move." It was sort of a game between these two, and a very interesting one for both of them, as well as for me, an observer.

Mr. Dillingham habitually started off on some subject which gave the impression that he was intending to divert attention from his real purpose. The circuitous route would not get very far before General Emmons would have divined what Mr. Dillingham really had in mind. When stopped, "Walter" would look surprised and thereafter the men would get down to the real issues and then promptly settle them. As an observer, I often wondered whether Mr. Dillingham actually intended to divert the attention of General Emmons or was simply leading him a chase, intending and expecting to be caught in order to put General Emmons in a receptive mood by having won the first round. I was never able to figure that out as Mr. Dillingham was far too clever to permit me to make a fixed opinion of his plan of approach. Whenever he asked for something to which he was not entitled, he was at his best. When it was denied him, he showed no resentment but went on to the next proposition as if nothing had happened. One could learn much from the maneuvers of these well matched and brilliant men--and I did.

On one occasion, Mr. Dillingham came to see General Emmons, and before getting to the special business at hand Mr. Dillingham said: "Delos, you have the most orderly town in the world." General Emmons replied, "I take it that you have had a session with Green's Provost Court." "Yes," said Mr. Dillingham, chuckling, "and it was an

enlightening experience. I was coming down town this morning and was moving along at a pretty good clip when a Hawaiian motorcycle policeman ordered me to stop and go to the side of the road. It was a Hawaiian policeman I knew. In normal times, he would not have stopped me, much less ticketed me. However, he wrote out the summons and handed it to me and said 'Provost Court, Mr. Dillingham.' That was bad enough, but worse, nearly everyone that I have been associated with in Honolulu since I was born passed and enjoyed it. I went to the Provost Court presided over by your Colonel Franklin."

"That's Green's hanging judge. I think he would convict me as quickly as you," General Emmons broke in, obviously thoroughly enjoying it.

"Well, Delos, I handed my summons to the Clerk of Court, who I have known for years and who in normal times would have handed it back to me or might have torn it up in front of me. Instead, however, he said, 'Over there, Mr. Dillingham,' indicating a group of perhaps twenty cane cutters, defense workers, and others who were cued up. I went 'over there' as directed. All had received summonses for speeding. Your Judge Franklin banged his gavel and ordered 'line up.' I obeyed and found myself standing between two of my Filipino employees. The Judge made a very noble speech and wound up by inquiring, 'Any of you want to plead "not guilty"?' 'If you do, I will hear what you have to say later. You can argue your case and I'll hear both sides.' No one answered and your Judge Franklin said, 'all right. I assume you all plead guilty. \$25. Pay the clerk.' He then turned his attention

to another group which was being assembled for his judicial consideration. I lost \$25 faster than ever before in my life. The strange thing is that I found no objection to it. I'll say this for your judicial system, Delos, it may seem summary and it surely is, but it is impartial and effective. I will also say that I have never seen this town so orderly since I was born."

Both men had a hearty laugh over the incident. As for myself, I was glad that the experience had impressed Mr. Dillingham that while the procedure was summary the administration of justice by the Provost Courts was fair, honest and impartial. After all, those are the qualities which make for general respect for law.

There had always been a controversy as to whether food, other than sugar and pineapples, could be grown in the Islands in sufficient quantities to make it worthwhile. For years prior to the war, this problem had been considered on the basis of survival in the event of a cutoff situation and it was now a pressing problem, because if food could be produced in appreciable quantities it would save shipping space which was at a premium. It had been tried at various times previous to the war. Such experimental efforts brought only passing interest and no definite conclusion seemed to have been reached. There was one school of thought which held that, climatically, the Islands were incapable of raising anything but sugar and pineapples. Others thought that in view of the shortage of plantation lands, the owners would not be interested in giving any of it over to the production of other crops.

They argued that in the prior experiments only marginal plantation land had been used. I had no firm conviction as it did not appear to me that the matter had ever been given an enthusiastic try. It seemed important to me because at that time no one could say that it was impossible or improbable that a cut-off situation could again exist. Accordingly, I drew up a plan and submitted it to General Emmons and recommended that if he approved, Mr. Dillingham be placed in charge of it. General Emmons approved the idea and said, "If I can get 'Walter' to take the job, he will get it done, if it can be done--and if it cannot be done, he still may get it done. At any rate we will know whether it can or cannot be done."

At an ensuing meeting with Mr. Dillingham, General Emmons put the matter squarely up to Mr. Dillingham. "Walter" at once recognized the problem and its ramifications. General Emmons appealed to him strongly that it was a matter of public interest and that he, of all the people, was best qualified to undertake it. "Walter" realized that the plantation people would be likely to take a dim view of the proposition but that was nothing new to him as an obstacle. At last, looking straight at me, he said that he would accept the task on condition that he be given a free hand and exempted from all control by the Office of the Military Governor. General Emmons hesitated, but at once I recommended concurrence with his terms. I realized that "Walter" was a strong willed individual who brooked no interference from anyone and especially a subordinate such as I was. I felt that the matter was not of military importance and that it was primarily a

matter between "Walter" and the citizens of the Territory, of which he was a prominent member. Furthermore, anyone who undertook to supervise "Walter" Dillingham would have more than a full time job for which I had no time nor inclination. General Emmons accepted the terms asked by Mr. Dillingham and the latter promptly went at the task with his accustomed skill and will. I watched the project grow but was extremely careful to avoid interfering in any manner but at the same ^{time} /to lend my full support to every way suggested by Mr. Dillingham.

A few months after the project was undertaken it began to show evidence that it would be successful. About this time, Governor Stainback succeeded Governor Poindexter as Territorial Governor. From statements previously made to me, of all the people Governor Stainback hated, and they were legion, his greatest animosity was against Mr. Dillingham. He never explained his reasons for his extreme animosity but it was clear that it was deep and of long duration. One of the earliest official acts of Governor Stainback was to summon Mr. Dillingham to his office and flay him raw.

Mr. Dillingham was a fine physical specimen, a polo player of note and an all round athlete. He was a man of distinction and of great pride. To be insulted by a pudgy little bureaucrat and especially without any justification shocked Mr. Dillingham beyond any feeling of anger. This veteran of thousands of business tussles, disagreements, and controversies, for the first time in his career had been deeply and seriously hurt by wholly unjustified and unwarranted abuse. Amid a continuing tirade of pent up vituperation he took his leave of the Governor and came immediately to my office.

I shall never forget Mr. Dillingham's appearance on that day. He was still visibly shocked and unable to comprehend that such things had been said to him. He repeated to me some of the ghastly things. It was almost incredible that a normal official could say such shocking and unjust things to a man of the distinction of Mr. Dillingham. However, I knew from experience with him that when angry the Governor indulged in irresponsible and unjust tirades against whoever had caused his disfavor. In this case the outburst was the culmination of years of stored up and fermented hatred.

We sat in silence a short while and it was evident that Mr. Dillingham was, for the first time and perhaps the only time in his life, at a loss as to his next action. He asked my advice. This was merely something to gain time for thought and composure, as Mr. Dillingham was never in need of advice from any subordinate. I refrained from reminding him that he had specifically asked to be released from any advice or suggestions from me. Seeing this strong man so completely dejected as a result of unjustified abuse seemed to me to be a sinful thing. We talked a long time on trivia and then turned to confidential matters. Mr. Dillingham opened his soul to me and confided to me some of his hopes for Hawaii and his family. With his weapons sheathed this was a different man than I had ever known before. I doubt if very few people in Hawaii ever knew this man as he actually was behind the shield of his business and public front. At this interview I came to understand and admire him for the truly great man that he was.

Mr. Dillingham indicated his intention to resign as Director of Crop Production, although he said that he hated to do so because it was beginning to take shape. I urged him not to do so because if anyone could make a go of it he could do so, and if he resigned the matter would surely fail, and that thereafter no one would be willing to undertake it, believing that the greatest entrepreneur in the Territory had failed to make a go of it. At long last he agreed to continue, if I would "lend him a hand." Actually, he needed no assistance from me or anyone else, but it was pleasant to be consoled by a fellow sufferer from a common source of irritation. Thereafter, I understood Mr. Dillingham better and admired him more. As we parted on that day, I concluded that though terribly wounded in his pride, Mr. Dillingham would recover, but that he would never forget the unjust and irresponsible tongue lashing he received at the hands of Governor Stainback--nor would he ever forgive it.

Very few people could truthfully say that they were intimates of Mr. Dillingham, and I was not one such. However, when I became better acquainted with him, I formed the opinion that there was a side to this complex man which he was at great pains to conceal from his competitors and the public. Although he professed to be devoid of sentiment and relished the public image in this respect, he was highly sentimental in regard to Hawaii, only second to his regard for his family. He loved the Territory, believed in its future, and urgently wished to be a potent factor in the fulfillment of its destiny. He spent a lifetime in the advancement of the interests of Hawaii and regarded his contribution to the progress attained among the most important efforts of his life.

I have referred to the fact that although the entrepreneurs of Hawaii were fiercely competitive, they all seemed to place the welfare of Hawaii above their business ambitions. To me, that universal feeling was exemplified on each Kamehameha Day. In 1871, that day, June 11th, was set apart as a national holiday by King Kamehameha V as a memorial to his ancestor, King Kamehameha I, the founder of the Hawaiian Kingdom. Annually on that day a national holiday takes place wherein all business comes to a halt and as far as possible the clock is turned back to the monarchy days. All native born citizens (Kamaainas) assemble in downtown Honolulu. They then parade to Iolani Palace, the residence of the former rulers, and there pay their respects to the departed monarchs. The parade is without accompaniment and is a solemn affair. All the marchers wear leis and the traditional feather capes. It makes a very colorful procession. I have been present on three occasions when this reverent celebration has taken place, and on each of those occasions I have been impressed. It seems to me to be an occasion for a public renewal of faith in Hawaii by each and every marcher. On each occasion where I have observed the march, in the front rank and towering above his fellow marchers I have seen Mr. Walter Dinningham, the proudest Hawaiian of them all.

The views of Mr. Dillingham on the subject of martial law in Hawaii may be gleaned from his testimony before the Army Pearl Harbor Board when he appeared before it as a witness on January 8, 1944. The following is an extract from that testimony.

"General Grunert (President of the Board): Is there any indication at present that business or employers of labor would be inclined to not cooperate with the military in what the military thought ought to be done, because they now think that there can now be no more raids, and, on account of the present war situation, a great many of these restrictions should be removed, because they interfere with business or pleasure?

"Mr. Dillingham: I do not think the business men have raised the point even in their own minds. I think that this little community was solidly behind whatever was necessary in the judgment of our military leaders to be done, just as if they were all in uniform and drilled to support them. I have seen them (the community) in trouble before; we had the plague, cholera, and other scares there, yellow fever and one thing and another, they were pretty badly frightened and got together to do something about it but I have never known this community so of one mind to get in and do whatever was necessary or give whatever was wanted as they have been since the 7th of December.

"The exception to the rule was when politics entered into the thing and there was a feeling amongst some of our legal colleagues that we ought to say, 'By God, we ought to maintain the rights of American citizens and all that sort of hooey that nobody gave a damn about.'

"We were willing to go to bed at eight o'clock, go without lights and all the rest of it, and nobody wanted any change. Irrespective of what has been said, that was the truth. They did not want to be moved into a different position for one good reason. They felt that if anything was lurking in the minds of the Japanese or any tendency for any Japs to get together or any desire to do a thing like that, they were denied that opportunity under the curfew and were darned sight safer as American citizens under that kind of military control, when the fear of immediate punishment was facing a violator of military law, as against cases dragged along in the courts and the minute they lifted the thing our troubles began with the police and the police department. The minute it was done they began having trouble.

"General Grunert: Wouldn't that be good government on the part of the city or the county to have put that in on their own accord?

"Mr. Dillingham: To do what?

"General Grunert: To have a curfew of their own.

"Mr. Dillingham: No, it is the fear of punishment, General. It was the teeth the military control that made people feel comfortable here."

If one analyzes the foregoing testimony of Mr. Dillingham, it will be glaringly apparent that Mr. Dillingham thoroughly understood the reasons for martial law in Hawaii, that he approved the methods of its operation and believed that the administration was appropriate and honest. He asserted that the views he gave represented those of the vast majority of the citizens of the Territory. If any one could know the views of the population of Hawaii it would be Mr. Walter Dillingham, the greatest Hawaiian of his generation.

Major General James A. Woodruff

Among the residents of the Niunalu Hotel where I resided during my entire stay in the Hawaiian Islands was Major General James A. Woodruff who had recently retired from the Army after a long and brilliant career. In appearance he was an exceptionally striking officer. He was tall, erect, and always impeccably attired, and obviously "sharp as a tack." On occasion, before the war, when he wore his uniform he wore his cap at a rakish angle which many officers unsuccessfully attempted to duplicate. He was pleasant to all of the guests at the Niunalu Hotel and was especially courteous in his social affairs. In dealing with military personnel, however, he preserved the military dignity normal to the "Old Army," of which he was a member and in which he had earned the sobriquet of "War Horse." I was many years his junior but as a member of the "Old Army" I enjoyed some slight privileges which he did not bestow on military personnel who were "lately joined." However, that entailed some responsibilities also, and the letter of the regulations had to be carried out. He was especially fond of children who took to him naturally. With them, he was completely relaxed and without formality, but with adults, he constantly maintained an air of dignified aloofness.

On the second day after the war started, General Woodruff walked unceremoniously into my office in Iolani Palace, the seat of government, and said bluntly, "Green, I want a job." His tone brooked no argument. Although I had no authority whatever to place any retired personnel on active duty, I acquiesced in his request, trusting that the War Department would confirm my action. It did so promptly. What a break for me.

There I was, swamped with hundreds of things that should be done and very few experienced officers to accomplish them. At once I assigned General Woodruff to a substantial portion of the worrisome tasks that I had not fully considered. The term "assigned" is not quite descriptive of the facts. Whenever I mentioned a task, he would say, "I'll take care of that" and take care of it he did. He completed one difficult task after another. He had the full respect of the Navy for two reasons. First, he was years senior to anyone then on duty locally, and, second, the Navy appreciated his efficient and abrupt manner. No instructions or limitations were ever mentioned. All he wanted to know was what was desired and he promptly accomplished the result in a minimum of time. Obstacles meant nothing to him. He simply swept them away or treated them as nonexistent.

He organized and presided over the Military Commission for the trial of offenders in a most effective manner. Prior to the war there had been a difference of views between the Army and the Navy as to security measures, especially in the matter of the type of pass which was necessary for workers on docks and the type of investigation which should be instituted before approving such passes. I was discussing the problem when he came into my office one day. He took the problem off my hands and in short order there was operating a joint Army and Navy agency which washed out all previous problems. He always addressed me as "Green" and never called me by my rank. I leaned heavily on him, and his advice was always sound. When he told anyone to do something or to get it done, whether he was a soldier, sailor or a civilian, it

was done at once, and without any quibbling. It just never occurred to anyone to question any directive he gave.

Early in May 1942, I was promoted to Brigadier General. On the evening the promotion was announced, General Woodruff came to my quarters, congratulated me tersely and handed me one of his rakish gold braided general officer caps. He stood there in the darkness for a moment and then shook hands and left. It was this fine old soldier's way of saying that he approved of my promotion, and it made me extremely proud. From that time on I attempted to imitate General Woodruff in the manner of wearing my cap, but although I was to wear gold braided caps for a number of years thereafter, I never succeeded in attaining the rakish angle that seemed to fit General Woodruff so perfectly.

Along about March 1943, it became rather well known that I was soon to be relieved and returned to the Mainland for reassignment. One day, General Woodruff came to my office and said, "Green, I want to go back on the retired list." He then explained that he desired to see his family and was tired and gave other reasons. Naively, I gave him a sort of pep talk to the effect that he looked fine, that things were easing up, that it gave him something to occupy his mind, and that he should stay on active duty. Obviously irritated by my stupidity, he blurted out something like this: "Look here, Green, don't be so dense. I came back to active duty to help you out. You were in a bad spot and I came to help you personally. It is no longer a secret that you are leaving and I am not going to serve under any other whippersnapper."

It dawned upon me suddenly that this distinguished officer of the old school had been serving uncomplainingly, under his junior by many years in rank, age, and experience. I have never ceased being proud of my associations with General Woodruff, and I have always borne in mind the wonderful example he set for me.

A short time before I left the Hawaiian Islands, the Navy granted permission to a sport fisherman to take his sampan on a fishing trip into the open sea. He was good enough to invite me and permitted me to include a guest of my own choice. I chose General Woodruff. I had but little experience in sport fishing, but I was a good sailor having been brought up on the Atlantic Ocean. On schedule we churned out of the Yacht Club channel in a very nice sampan with four congenial people aboard. I was in high spirits. Within a day or two I would be relieved from my arduous assignment in Hawaii and would go to the Mainland for a brief respite before taking over another similar task which the War Department boys had confidentially informed me would be even harder than the assignment I was leaving. It would be a change anyway and at the moment I was free, the first real vacation I had had since the war began. Even if the fishing was not good, being on the water would be a treat.

The channel was calm but as I looked ahead, I could see that the outside ocean was quite choppy. That would really be fun. As we struck out into the open sea, the sampan jumped and twisted like a bucking bronco. Those Japanese sampans are good sea boats, but they ride on the tops of the waves and go through a lot of contortions in

rough water. Our lines were put out and the fishing began. We talked as we went along, shouting to each other to be heard above the noise of the sea and the engine. General Woodruff was in a gay mood and dominated the conversation. As we proceeded, it dawned upon me that he had not spoken for some time. I stole a glance at him and saw that he was deathly pale. By the time we reached Diamond Head he had retired to the cabin and was stretched out in a berth. He became violently ill and there is no illness equal to sea sickness. As we continued, he became more unahppy and his color became so alarming that when we reached Koko Head I suggested to our host that we turn back to shore. He thought it advisable and as we were turning I suddenly got a strike and the heavy reel sung as the line payed out rapidly. In my excitement I tried to stop it and got my hand badly cut for my trouble. My host assumed charge of the boat and his crewmen hustled me into a harness, as the fish was apparently a large one. My host and his crewmen shouted instructions to me as to how to bring in the fish. I needed all of it because the fish was evidently large and I was inexperienced. Above all the din I heard the voice of General Woodruff giving the order, "Green, don't you lose that fish." He would come out of the cabin and cheer me on until he was forced to retire by another attack of sea sickness. As soon as he felt better he would come to my side and continue shouts of encouragement. The tussle lasted perhaps half an hour, but at long last I succeeded in bringing the fish close enough for my host to gaff and pull it in.

How could one lose such a fish under the circumstances? It proved to be a 75-pound yellow fin tuna, the largest fish I ever caught. As we came into the channel and smooth water, General Woodruff felt better and was as happy as I was about the whole thing.

I shall never cease to remember the help and confidence this fine officer of the old school gave me on that and on many other occasions, nor shall I ever forget the man himself.

Mr. Richard (Dick) Haller

One of the men to whom I was tremendously indebted for advice, comfort, and general support was Mr. Richard Haller, the senior correspondent for the International News Service in the Pacific area. This man was not only an exceptionally gifted newspaperman but a guardian angel as well. Our friendship began one morning somewhere between midnight and dawn. "Dick," as he was called by everyone, was one of those newspapermen who do their best work in the wee hours of the morning and relax after filing their "story" for the day. On this occasion, Dick had filed his story at the telegraph office, for transmission to the Mainland office of the syndicate he represented. I was still struggling with my many burdens and had reached a point where I felt that I was "going stale" and that I would be improving my time by going home and getting caught up on some sleep. I had seen Dick Haller before and knew that he was considered the dean of the correspondents who were assembled in Hawaii. My prior experience with newspaper people was limited, and what little it was left me with a feeling of awe concerning them. It was indeed fortunate for me that Dick Haller decided to pay me a call. It was the first of many which followed rather regularly. On the first occasion we simply talked on general subjects, each attempting to explore the views of the other. Dick was an inveterate pipe smoker who used the expulsion of puffs of smoke to emphasize what he was saying. He was very deliberate and mild in his speech and his whole manner was such as quickly convinced

people of his sincerity and trustworthiness. At this first meeting, I was impressed with his accurate understanding, not only of the military picture in the Pacific generally, but also his awareness of the principal problems in the local picture which were a matter of current and future worry to me. After a while we took a walk outside of my office on the veranda which partially surrounded the building. We talked on and on and daylight was breaking before I started home for what remained of my night of sleep. Somehow, I felt that I had a clearer concept of my problems and ways to solve them. Dick Haller had that effect upon everyone with whom he came into contact.

As time passed, Dick Haller became a frequent caller at my office after he had "sent in his story for the day." True to the ethics of his profession he never revealed his sources of information, but he constantly astonished me with his intimate knowledge of the military situation and not infrequently upon matters which were presumably of a highly secret category. He had several local clients to whom he acted as a publicity advisor, for which service he doubtless was well rewarded. Solely on the basis of friendship and a desire to be of public service, he began rendering similar advice to me. He had an uncanny ability to predict public reaction and his advice on the method of appealing to the public for support of any desired measure was invariably sound. His methods were somewhat unique, but they appealed to me. He would sit smoking his pipe contentedly and discuss the pros and cons of an urgent subject in an abstract sort of way. He would

recite the advantages of a project or a method and then proceed to tear them apart to learn what the defects were. This corresponded with my own method of determining proper action, but I am frank to say that frequently he was far ahead of me in his thinking. He rarely voiced any firm convictions, not that he lacked them, but in the problems that faced me there were no precedents and it was primarily a matter of "cut and try." In many instances, there was more than one avenue of approach. Habitually, I tried out all on Dick Haller as a sounding board of public opinion. I soon learned that his advice on any subject was good but on the matter of public reaction to any project it was just about infallible.

Dick was a master of formulating humorous questions which drove home his point. Professionally and privately he was good humored. In press conferences held by General Emmons, having an insight as to what was sought to be accomplished, he always went far to be helpful. Frequently his questions to General Emmons, at the press conferences, brought to light material which was of interest to other correspondents. He was a masterful judge of character and was quickly able to divine what people were thinking, irrespective of what they said. I was always scrupulously honest with him and it was reciprocated. The number of local people who presumed that they had outsmarted or fooled him were legion, but he rarely took the trouble to correctly inform such people of their error and thoroughly enjoyed permitting them to go on thinking that they had thrown him off the track. He never attempted to intrude into confidential conversations between General Emmons and myself, and he never took an improper advantage of the confidence I gave him.

One night, I "took the day off" by going home at eight P.M. About nine P.M. I received a telephone call from Dick Haller in which he said he wished to see me on a matter of importance. It concerned Attorney General Hodgson who wanted to come with Haller for a conference. They arrived promptly and their mission proved to be unique. With his uncanny ability to get news, Dick Haller had learned a top secret fact that one of the Infantry Divisions at Schofield Barracks was about to be dispatched into the South Pacific. "Joe" Hodgson wanted to go along as its Judge Advocate, and Dick Haller was there to add his approval to the idea.

Over a considerable period, Mr. Hodgson had repeatedly suggested to me that he be accepted as a Judge Advocate and be put on active duty. He was fully qualified professionally, being one of the outstanding lawyers in the Territory. However, I had been informed that he had suffered a serious injury to his back in an automobile accident and, accordingly, I had some misgivings about his ability to survive full combat duty. He was over the draft age and because of his injury and his profession, he led a somewhat sedentary life. As Attorney General, he held the top legal position in the Territory. Nevertheless, here he was, urging, even insisting, that I assist him in getting into the roughest kind of combat, and bringing along a mutual friend to help him plead his cause. Here, if ever, was an unusual case. I pointed out all of the rigors of the suggested assignment, but it made no impression whatever on my two friends. After exhausting my efforts to dissuade Mr. Hodgson, I decided that the only recourse open was to

help him get what he wanted, even though I thought it would be against his best interest.

I knew General "Joe" Collins who was commanding the Division which was about to move. He had come to Hawaii after the Blitz with General Emmons and was Chief of Staff of the Hawaiian Department for a time. He relinquished that office to take command of a division. His Judge Advocate was a young first lieutenant named Baughn, who I did not know at the time. I did know that the Division was entitled to an experienced lawyer in the grade of lieutenant colonel and that Hodgson could meet all the professional requirements for that office. My callers pressed me hard and at last I called General Collins, explained the situation to him, and offered the services of Hodgson. General Collins thought it over and then decided that since Baughn had been training with the Division for the preceding three months, he should not be supplanted just before sailing time, and that in fairness he was entitled to a chance to make good even though he was a junior officer. No one could gainsay the justice of that point of view. It made sense to me and to Haller and Hodgson as well, and although they were disappointed they accepted it with the grace that was natural to both of them. In passing I may say that Lieutenant Baughn went through all of the Pacific campaign with the Division and must have acquitted himself extremely well because General Collins promoted him three times and anyone who knows "Lightning Joe" Collins, knows that any promotion given by him is fully earned.

Although Joe Hodgson was disappointed in this instance, he never ceased his efforts to get into the war. He persisted until he got into the Judge Advocate General's Corps, where he rose to the grade of colonel. In Washington, he did a masterful job in the field of international law. Subsequently, he was appointed American Representative with the International War Crimes Commission and was sent to London, where he represented the United States with such distinction as to merit being awarded the Distinguished Service Medal. I had nothing to do with awarding that medal, but it was a distinct pleasure to pin it on the tunic of that very deserving man.

Dick Haller served out the war in the Pacific and rendered yeoman service to me as long as I stayed in that area. After the close of the war, in the process of a relatively minor operation, Dick Haller died. With his death the world lost a truly great newspaperman and a great American. Joe Hodgson and I lost a firm and valued friend.

Admiral Frank J. Lowry

During World War II our Navy produced some of the most brilliant combat officers the world has ever known. In the top group of these was Admiral Frank Lowry. I knew him extremely well and followed his career throughout the war.

I first met Admiral Lowry at the Niunalu Hotel in Honolulu where we were both residing. Although he had been a sailor all of his adult life, he never forgot the saddle horse he left in Iowa when he departed for the U. S. Naval Academy in Annapolis, Maryland. I think our mutual love of horses may have been the thing that originally brought us together, but it developed into a firm friendship which lasted as long as Admiral Lowry lived. When I became well acquainted with him I accused him of believing, for his first six months at Annapolis, that he thought he was attending West Point and was wondering when the equitation classes would start. He always took it in good part and countered with equally fantastic accusations about me. He would offer to settle our exchange of pleasantries by challenging me to perform rope tricks in which he excelled. As a form of exercise he had practiced such tricks all during his many years at sea. By this long practice he was professional in all forms of rope maneuvers which he loved to perform.

On the day of the Pearl Harbor disaster, Admiral Lowry was in command of the cruiser Minneapolis which was at sea on patrol duty in the Pacific, at a considerable distance from Pearl Harbor. When the news of the attack was flashed to him, he asked for and was promptly granted permission to seek out the Japanese Fleet. On that occasion,

his ambition was not realized, but when his ship finally did catch up with the Japanese Navy at a later date it "did itself proud." For the first part of the war Admiral Lowry was stationed in the Pacific Theater where his ship took part in innumerable engagements against the enemy. About October 1942, he was relieved after two years in command of the Minneapolis and, after a short respite, he was assigned to the European Theater where he was engaged in substantially every landing operation made in that theater.

When he left the Minneapolis, the transfer of command was made at sea. On that occasion, his Chief Boatswain asked permission to speak to him, this in the tradition of the Navy. Permission being granted, the entire crew was assembled and when the Admiral arrived in front of them, the Chief Boatswain formally addressed the Admiral, saying that the crew had garnered every cent of cash there was on the ship, that it was in a canvas sack which the Boatswain held in his hand, that he, the Boatswain, knew it was in violation of the regulations of the Navy but they, the crew, wanted him, "the best damn captain in the Navy to have the best damn automobile money could buy when he hit the beach, and that they, the crew, were contributing all they had toward it." With that, the Boatswain handed the Admiral a canvas sack containing a sizable sum. During his life time Admiral Lowry had received his share of commendations but none compared to this unusual and unorthodox evidence of the respect of his shipmates. When Admiral Lowry reached Pearl Harbor on his way to the Mainland, the Navy Relief Society became the recipient of a donation of funds which were inclosed in a canvas sack which the Boatswain had given him.

The cruiser Minneapolis returned to Pearl Harbor for replenishment of supplies and ammunition about once a month. On these occasions Admiral Lowry and I got together. We talked endlessly of our hopes, our fears, and our problems, and each of us felt better for our exchange of confidences. On each of these occasions, Admiral Lowry looked more worn and weary. His face showed the effects of constant strain caused by tedious hours on watch and his eyes seemed dreadfully tired. Nevertheless, he was always anxious to put to sea again and resume his tireless hunt for Japs. His ship seemed able to seek out the enemy and inflict severe damage while it escaped with only superficial injury. Some of the escapes were so narrow that the crew came to feel that the ship and its captain bore a charmed life.

We had the maximum of time together while his ship was in port. On one occasion he invited me to take lunch with him aboard his beloved Minneapolis. He explained that he wished me to meet Captain Walker, the Port Captain of Pearl Harbor who was in charge of raising and rehabilitating the capital ships which had been sunk on December 7, 1941. I accepted and arrived in my official car, driven by my driver, Corporal Jones. Corporal Jones, who had been my driver for a considerable time, was a very unusual soldier. He was exceptionally husky, quiet, and possessed remarkable eyesight under blackout conditions which was enhanced by long hours of night driving in the treacherous hills of Honolulu. He was not in the least quarrelsome, but anyone who taxed him too far usually lived to regret it. He seemed without any sense of fear, regardless of the fact that the odds might be

heavily weighed against him. He was no braggart. He simply knew his capabilities.

When Jones drove my car up to the Pearl Harbor gate we were met by Admiral Lowry, whose driver appeared to be a counterpart of my man, Jones. He was a Boatswain Mate and looked every inch his rating. Admiral Lowry and I exchanged greetings and then introduced our drivers. These two glared at each other and exchanged growls which passed for greetings. The Admiral explained that we would make a tour of the Base in his car and then adjourn to his ship for lunch. Jones and the Boatswain exchanged unfriendly glances and then promptly lined up for the privilege of opening the door of the Admiral's car for their respective chiefs. That completed, Jones climbed into the front seat beside the Boatswain. Rapid glimpses of mutual disgust were exchanged and we started on our tour. If looks could kill, the Armed Services would have lost a fine Boatswain and an equally competent corporal. As we rolled along, the Admiral leaned over to me and said, "They are a pair, but they will shake down as the cruise goes along."

I had been at Pearl Harbor many times before, including the fateful morning of December 7th. It was interesting to observe the great strides the Navy had made to restore the Base to complete usable condition. The Port Captain, Captain Walker, joined us and explained the technique of righting some of the ships. Where practical, the normal methods of salvage were employed, but in some cases great engineering techniques were devised. It will be remembered that as a result of the attack some of the ships were resting on their sides while others were

completely turned over. The Oklahoma was one in the latter condition. The ensuing tidal action had caused this ship to be firmly imbedded in the mud and no known tackle would have sufficed to right this ship in one action. By an ingenious scheme there was devised a method which was succeeding admirably. It consisted of a series of pulleys attached to the ship along its entire side about two feet apart. On the shore were corresponding pulleys. Uprights were placed at right angles to the side of the ship. A series of cables were strung through pulleys on the ship and those on the shore. By means of electric motors on the shore each cable was gradually tightened. When all was in readiness the affair resembled a giant harp. By steady increase in the tension on the cables a tremendous force was applied to overcome the suction of the mud. At long last the ship rolled over and came to rest in an upright position. Thereafter, the hull was pumped out and made watertight by conventional methods. By this and other precarious methods all of the capital ships, save only the Arizona, were eventually righted, repaired and were able to fight again. The Arizona alone was so badly damaged that it was decided to make that ship a shrine. She rests today where she fell, a memorial to the gallant men who lost their lives on December 7, 1941.

After viewing the progress being made in the restitution process our party repaired to the dock where the Minneapolis was berthed. The boarding formalities having been completed, the Admiral, the Port Captain, and I went to the Admiral's cabin. Jones and the Boatswain disappeared together into the bowels of the ship. I was struck by the lack of the

luxuries usually found in the quarters of the master of a great ship. There was an iron bunk, a table and three iron chairs, all having been scraped down to the bare metal. The inside of the room was likewise free of decoration. On noting my surprise, the Admiral said "fire hazard" and that settled the matter. The luncheon which followed was simple, but every formality in Navy tradition was followed. Behind each of the three chairs stood a sailor in a sparkling white uniform. As the luncheon proceeded, it became inescapably obvious that every sailor on board, from the Admiral on down, believed that the Minneapolis was the finest ship afloat and that they were proud to be privileged to be members of her crew.

Luncheon having been finished, the Port Captain took his leave amid formalities and thereafter I was invited to inspect the ship. I accepted, perhaps somewhat out of curiosity to learn whether the esprit demonstrated by the galley crew was present elsewhere. As is customary in every inspection, the sailors stood at rigid attention when the Admiral approached, but in this instance there was something additional. The eyes of every sailor seemed to light up in obvious admiration for the commander who had brought them through so much with so little damage. I recall going into the pharmacy, where an off-duty sailor was stretched out asleep on the examination table. Our presence awakened him. With what seemed to be one movement, he was on his feet, at attention, and, also, fully alert.

Preceded by the Chief Boatswain, we went into a turret and a steel door clanged shut behind us. I noted heavy lumps of steel on the outside

of the turrets and was informed that they were "blisters," which were provided to give the turrets additional protection from enemy gunfire. I inquired why they should not be made movable so as to provide a means of escape for the gunners in the turret if it became necessary. The cold reply of the Admiral impressed me and it will never be forgotten. It was, "On this ship we all win or we all lose. Think of the men in the engine room." I saw his point.

By the time I returned to my car I was even more than ever impressed with the invincibility of our Navy. Corporal Jones must have shared my views because as we drove out of the gate amid the formalities Jones waved ever so slightly to the Boatswain and he received a knowing wink in return.

Note: Vice Admiral Lowry served throughout the war. His death was hastened by his war service. He requested that his ashes be deposited in the middle of the Pacific Ocean. The Navy complied with his wishes.

THE HOTELS

During the existence of martial law in Hawaii, the hotels played an important part in the life of the people and mention of the service rendered by a few of them may serve to illustrate the contribution made by the hotel industry.

The Royal Hawaiian Hotel

I suppose the Royal Hawaiian Hotel in Honolulu was one of the most widely known hostelries in the world, and justly so, because nothing in the way of modern improvements for comfortable and gracious living had been spared in making the hotel worthy of the extensive advertising slogans concerning "Beautiful Days in the Exotic Hawaiian Islands."

With the soft Hawaiian music being played while one sits on the terrace watching the moon over the white breakers rolling into the Waikiki Beach, or while strolling in the gardens of the hotel, breathing in the fragrance of a million flowers, one feels the urge, even if fleeting, to stay on forever. It requires a considerable sum to stay at the Royal Hawaiian Hotel, but no one ever regrets the cost because the pleasure and memory of a pleasant stay remains on and on.

Prior to the war, while the management reserved the right to refuse service to any patron, few if any who came with a well filled purse were ever turned away. Since the war, the popularity of that hotel has soared and now it would be imprudent to plan on staying at the "Royal" without a reservation, made long in advance. However, there was a time

when neither a previous reservation nor an unlimited charge account would not be sufficient to permit one to pass the hotel. That was during the war when the entire premises were commandeered as a rest area for Navy personnel. That was a time when the elite of the United States were guests of this fabulous hotel and the only credential was that the guest be in the uniform of the United States Navy. The rates were never subject to complaint. Officers were charged a pittance a day for their room, plus a moderate stipend for food. Enlisted men got a real bargain. The charge for them was merely a token per day for the best room in the house, with meals, unlimited coffees and endless snacks thrown in. Needless to say, in those brave days, the hotel flourished as never before or since. There was constant entertainment, and no effort was spared to assist sailors to reduce some of the extreme tensions incident to their arduous and dangerous duties at sea. Most of the guests were from ships which were in port for only twenty four hours and few of the guests failed to make the best of their short stay.

Before the war, I was an infrequent guest at the Royal Hawaiian Hotel for a meal. Although it was not perhaps unduly expensive, it nevertheless was still stiff for my budget. I saw people of affluence lolling about and enjoying life. In those instances, far from being envious, I was delighted to see the holiday spirit in full sway. Everyone seemed to be getting a tremendous amount of pleasure out of being alive. When the Royal Hawaiian Hotel was under Navy auspices, on many occasions, I saw the same beach, the same moonlight, flowers and heard the same enchanting music. The male dancers and those lolling

about were in military garb. Sailors who were dancing with lady partners looked natural enough, but the sailors who, for want of lady partners, were dancing with each other looked a little pathetic and strange, especially when each of the dancing pairs were bearded submariners. How I pitied the sailors of the "silent service." They alone were permitted to wear beards of any style of their own choosing and a more weird selection had never been seen. Most of these men had been at sea for three months or more in constantly dangerous conditions. Frequently, they did not see the light of day from the time they left Pearl Harbor until they returned. They were submerged during the daytime and surfaced at night only long enough to charge the storage batteries of the submarine. At the "Royal," they were on "liberty" for twenty four hours and as they danced away with their zest for life they tried to put out of their minds the knowledge that by day's end or possibly the next night, at most, they would be in their "pig boat" far out at sea. The older rated men did no dancing. They sat around in groups, sipping their beer silently and watching with approval the antics of their younger comrades. I could not help wondering whether, if at any time in its long and colorful history, the "Royal" ever was the scene of more real, downright pleasure and enjoyment. Of course, many of the niceties for which the "Royal" is justly famous were curtailed by the Navy, but the hotel will always remain in my mind as a sailor's paradise.

Prior to the war one of the chefs of the "Royal" was a large and pompous German national who was a perfectionist in his profession. Once, prior to the war, when I attended a barbecue luncheon this chef presided over the head serving table. He preempted for himself the honor of serving the roast beef which he cut off with the dignity usual to a great surgeon. One of two large cuts of beef before this professional was well done and the other rare. I noted that when a patron selected the rare beef the chef beamed with pleasure, but if the well done piece was the choice, the chef looked down his nose in a manner to indicate his low opinion of anyone who preferred well done beef to rare beef. When I chose a well done portion, he looked at me disapprovingly and gesticulated with his hands clearly indicating hopelessness. Observing my height, however, he seemed to relent and increased the normal portion of the cut. As he put it upon my plate, he smiled and said "Is goot anyway, No? Thank you," and I passed along.

Early in the war there was established a combination internment and prisoner of war camp on Sand Island, which was a small island near the City of Honolulu. It was operated under the direction of the Military Police and was under the command of Major E. E. Walker, I had overall supervision of this operation and had learned early in my military service that any operation wherein persons are under the control of others must be inspected carefully and frequently. Accordingly, I showed up on Sand Island unannounced one day to inspect. One way to inspect meals is to stay and partake of one. I stayed for lunch

and stepped into the cafeteria line along with the commandant of the camp. The line was long and when I arrived at the source of supply, there, presiding over the meat course, was the assistant chef who had served me at the Royal Hawaiian Hotel. He had been one of the first to be interned as he was a German national. When I approached he gave me a snappy German army salute flourishing his carving knife after the fashion of a saber. As he placed a generous serving of meat on my plate, he remarked, "Is all well done, but is goot anyway. No? Thank you."

I was informed that this man was one of the most cooperative internees and that he took great pride in simulating the Royal Hawaiian excellence with Army rations. This was no easy job because many of the internees and all the prisoners of war were Japanese whose principal diet was rice and fish. They had some difficulty in assimilating German and American cooking. When the problem was explained to the chef he arose to the occasion and soon arranged a diet which would meet the needs of the Japanese. This man cheerfully contributed to the well being of the camp. To his credit, he had decided to endure, pleasantly, that which he could not avoid.

The Niumalu Hotel

This was one of the best known hotels in Hawaii since a large number of the people one met in Hawaii had been a guest of that hotel at one time or another. It was a residential hotel, the like of which I have never seen anywhere else. Anything could and most everything

did happen at this hostelry. Its management was casual to say the least but yet it seemed to operate pleasantly and to the general satisfaction of all of the guests. It was owned by one of the downtown banks whose charter, so the rumor went, was not authorized to operate a hotel. At any rate, the bank was reputed to be anxious to rid itself of the property but like most everything else in the hotel the action of the bank was very deliberate in its speed. The nominal manager was a vice president of the bank which owned the property. His principal action as manager consisted in taking up residence in the hotel.

The hotel property consisted of a main dining room and a social hall and perhaps thirty detached single and double termite infested cottages which were artistically situated in exceptionally well kept tropical surroundings. The housekeeper was extraordinarily expert in her duties but apparently took no part in the management. A casual ineffective caucasian hostess held forth in the front office. All remaining employees were orientals. How any establishment could operate with such smoothness and efficiency was a mystery until one noted a plump Chinaman in the rear of the front office. This factotum could and did, when the occasion demanded it, listen to complaints with the most sympathetic air--and did nothing about them. On other occasions, when it suited his purpose, he gave a most perfect imitation of one who understood no English and ^{did} not comprehend any other language. It was this man, if anyone, who operated the hotel and by some mysterious means, he did it well.

At meal time, and particularly in the evening, all of the guests appeared in a friendly family type atmosphere. The white coated waiters were Filipinos of various tribes. Ours was Carrido, a Moro who was distinguished by bearing a conspicuous scar which ran down one side of his face and across his chin. His teeth were gleaming white, and when he smiled, which was seldom, he gave the appearance of being about to murder someone. The Moro tribe was the most fearsome of all the tribes in the Philippines. This was evident from the manner in which this man dominated the other waiters. A growl or a scowl from Carrido and the way was cleared for him. Although fearsome in appearance, he was intelligent and efficient in his job. He soon learned my preferences and catered to them unfailingly. One of my favorite meals was ham and eggs and I also had a leaning toward papaya juice. Whenever Carrido did not approve of the specialties on the menu, I found it out by having ham and eggs put before me. To interrupt a busy chef with a special order would ordinarily bring grief to a waiter but not so with Carrido. The Chinese chef had heard about Moros and jumped to accede to even the slightest request by Carrido.

Shortly after we were ensconced in the Niimalu Hotel, there came as guests Lieutenant Cummings of the Navy, his attractive wife, and a captivating small son named Damon. They came under the protective care of Carrido and sat at a table next to ours. From the first moment Carrido saw Damon he came under the boy's spell. That was not hard to do because Damon was one of the most charming youngsters I have ever seen.

It was not long before Carrido developed a deep affection for the child and he spent a great portion of his off hours with him. Child-like, Damon took advantage of the adoration of the Filipino, and shortly Carrido was like a slave who could deny his master nothing. The Cummings were excellent disciplinarians, but it took all their patience to correct the faults of their son and to prevent him from becoming spoiled. No matter what mischief Damon concocted, the otherwise short tempered Carrido smiled his approval. Each night, Carrido went to tuck his small pal in bed and soon no one could induce Damon to go to sleep until Carrido came to tuck him in. Whenever these two were together the world was right with them both.

When war came all of the patrons of the Niunalu Hotel scattered to their various assignments and duties. The easy going pleasant attitude of the hotel disappeared, never to return. Early in the war, Lieutenant Cummings was killed in action aboard his ship. His widow who was about to give birth to another child was flown to the Mainland. Carrido disappeared immediately thereafter. My wife, having been evacuated to the Mainland, I continued to live at the Niunalu Hotel in my original quarters. One night, I was busy at the dinner table, going over some papers while waiting to be served. I heard someone say, "More better you take ham and eggs and large papaya juice." There was Carrido in the place where I had seen him so often. He was smiling and showing his impressive teeth. He informed me that he was so grief stricken "when my boy Damon go to Mainland," he signed on a steamer as a steward and had just that evening returned to Honolulu and that he was

leaving that night with his ship for Australia. I asked him how he was able to persuade my regular waiter to permit him to serve as a substitute. Carrido shrugged his shoulders and said that it was no problem, that he simply took the waiter's coat and told him to get out of the way, "if he did not wish to be dead." Apparently the waiter had no such desire and found somewhere else to go. Carrido eventually got around to the purpose of his visit. The conversation ran something like this:

"You have seen my boy Damon?"

"No. Not since he left with his mother, right after the beginning of the war."

"You have hear writing from him? Yes?"

"Yes. We have heard from Mrs. Cummings. She has another child now."

"Good, but Damon is my boy. You think sometime my ship go to San Francisco I see my boy Damon? Yes?"

"Damon is not in San Francisco, Carrido. He is living in New England near Boston, which is on the other side of the country and very far from San Francisco. It is on the Atlantic Ocean and San Francisco is on the Pacific Ocean."

"O.K., then ship maybe go to Boston and I see Damon there. You think yes? O.K."

"I hope so."

What could one say to this heartbroken Filipino seeking his idol, but "I hope so." Periodically, Carrido would appear at the Niumalu

Hotel unannounced to serve as my waiter or he would shoulder his way into my office whenever his ship reached Honolulu. Whenever he was granted shore leave, he appeared, and even when he was not given leave he simply jumped ship long enough to talk to me. The subject of his conversation was always the same. "My boy Damon. Is he all right? Maybe Boston some day to see my Damon. Yes? Goodbye."

I was never informed whether Carrido ever saw Damon again, but I am satisfied that no matter where he goes or whatever happens to him, uppermost in Carrido's mind will be the well being of "my boy Damon."

The Niunalu Hotel is no more and gone are the easy going ways that made it so attractive. In its place, and on its site, is the famous Hilton multi-story hotel.

The Halekalani Hotel

This was a fine type residential hotel on Waikiki Beach which was operated by the Kimball family for a long period. It catered to carefully selected guests and was situated in an exquisite setting with meticulously cared for grounds. It was here that the famous Charlie Chan stories were written. Along with other hotels, it had very hard sledding in the war years, but under the able management of young Mr. Kimball it managed to maintain its place in the sun and was then and is now one of the best of the smaller hotels in Honolulu.

The Moana Hotel

The Moana Hotel on Waikiki Beach is a delightful menage with a long history. Its Banyan tree is famous the world over since it was

the scene of the radio program "Hawaii Calls." Usually that radio program was broadcast to the Mainland at about sundown. The announcer always described the beautiful sunset including the words, "and now the beautiful sun is a ball of fire, sinking, sinking, ever so slowly over the edge of the ocean--there it goes." The sinking of the sun in this setting was actually a captivating sight which will be remembered by thousands of visitors. Millions of radio listeners on the Mainland had a mental picture of this well advertised event. On occasion the Banyon Court was bare of visitors since they had taken refuge in the shelter of a neighboring tavern, out of a pouring rain. However, "the show had to go on" and when the time arrived for the radio program, the show went on and the sun was set in the prescribed fashion, despite the fact that actually the sky was black and the sun had long since set for that day.

The Moana Hotel was owned by Metson, the stock of which was controlled by Castle and Cook Company. Its appointments and service were second only to those of the Royal Hawaiian Hotel which was also controlled by the same company. With the advent of the blackout and curfew restrictions, the management of the Moana Hotel completely blacked out the premises to the satisfaction of the security people and it became the major night spot in the City of Honolulu. Dining and dancing was a nightly affair, but in view of the curfew regulation requiring everyone to be off the streets at 9:00 P.M. it became necessary for patrons of the Moana who intended to stay later than that hour to engage sleeping reservations, since to venture abroad after 9:00 P.M. would subject one to arrest. As a result, nearly every room in the Moana was engaged

nightly. Many patrons who were unable to obtain rooms occupied space on the floor, in the halls, the chairs, and almost anywhere. There were some who elected to make a run for it after a night of frolic and there were always a few who successfully eluded the watchful police. Some even regarded it as a game of hide and seek. In very short order, soldiers, sailors, and civilians from all walks of life enjoyed the hospitality of the Moana Hotel. With the restrictive regulations which the military believed to be necessary being strictly enforced, it was only natural for the public to seek some relaxation. The Moana Hotel offered it and did it well. In this respect the hotel made a fine contribution to the war effort.

The Moana Hotel was one of my nightly check points which I visited. I felt that it gave me an insight into the morale of the people. It was policed jointly by members of the police departments of the Army, the Navy, and the City of Honolulu. It was very rare when any police action was necessary, however. The patrons were intent on relaxation from their cares and the carnival spirit was the rule. A first class Hawaiian band furnished the music. In this band was an enormous Hawaiian whose name I have forgotten, but whom I knew quite well at the time. Somehow, he learned that my favorite Hawaiian song was the Hawaiian War Chant. I think he learned this when he applied to me to volunteer as my bodyguard. In that instance, I informed him that I appreciated his courtesy but I needed no bodyguard. Nevertheless, he persisted in his request and repeated it at every opportunity. Having failed to obtain the job, that lovable giant took to playing the

Hawaiian War Chant every time I appeared where his orchestra was playing. This had a grave disadvantage at times. Whenever I inspected the Moana Hotel, I attempted to slip in unnoticed in order to get a true picture of what was going on. As soon as my friend in the band spotted me, the band swung into the War Chant which gave notice to all that the Executive for Military Government was present. Upon thus being discovered, I always saluted the band and left. After this had gone on for some time it was adopted elsewhere. It was embarrassing to me but the public considered it a game which they enjoyed very much. It became so noticeable that when the War Chant was played by any band it served a warning to everyone that officials from the Office of the Military Governor were on the prowl.

On week day nights the hotel was pleasantly crowded but on weekends it was jammed to overflowing. I can still remember the relaxed and happy faces of hundreds of people who were temporarily free from the tensions incident to the war situation.

The operation of the Moana Hotel under blackout conditions was not without its amusing incidents. On one occasion an intelligence officer from an outlying district spent an evening at the hotel. He was "intelligence conscious" even when not on duty. He noticed an attractive young woman who made a practice of dancing with servicemen. He noted also that she would frequently sit at a table with a Navy captain who was in uniform and whose guest she seemed to be. At that period, the military authorities were interested in discouraging servicemen from discussing their experiences with strangers. This,

of course, was a security matter. The more this amateur detective studied the activities of the lady in question, the more certain he was that he had discovered a Mata Hari. On a succeeding night he came to the hotel in civilian clothes, which was not authorized. In true story book fashion, he had cut off all identifying marks which an officer usually carries and he was ready to take the risk necessary to trap this spy, for he was sure in so doing, he would be placing a feather in his cap. He was in luck. The lady was there. He had no difficulty in obtaining a dance with her and indeed she played right into his hands by asking him questions about himself. He gave her a long tale of his troubles as a civilian seaman. He danced with her several times and noticed that she always returned to the table where the Navy captain was seated. The captain seemed bored and drowsy, and our hero was now certain that he had run into big game. To him, it was all clear. The Navy captain was a fake and this woman was his accomplice and was pumping servicemen and reporting the results to her companion.

At about eleven o'clock, the Naval officer and his companion made ready to leave and our hero decided that it was time for action. He rushed to the door and barred their way and at the same time shouted to a Military Police sergeant, "I am Major Dokes of the Military Intelligence, and I want these two arrested as spies." The military policeman looked at Major Dokes in amazement. Turning to the captain, he said "Good night, sir. I will handle it." He then turned to the lady and said, "Good night, Mam." Turning back to Major Dokes, the

policeman said, "And now, sir, your pass please." Dokes protested, but when he saw the lady and her escort leave in a car marked "U.S. Navy," it began to dawn on him that there was a mistake somewhere. Too late, he realized that not only had he removed the labels from his clothes but had left his credentials, including his identification card at his barracks. The sergeant listened patiently and then called another MP and ordered the would-be sleuth taken to the local jail.

When the amateur sleuth arrived at the police station, he explained the whole matter to the sergeant in charge and to clinch the matter he said that he knew Colonel Steer, the Provost Marshal, who could identify him. The desk sergeant listened patiently and when the whole story had been told, he informed our hero that Colonel Steer would be in his office at seven the next morning and would look into the matter, but in the meantime it would be necessary to confine him in a cell which already seemed overfull. After a sleepless night Major Dokes was brought before Colonel Steer who recognized him and directed his release, but not before warning him to confine his sleuthing to his own district. Perhaps on his way back to his station Major Dokes was smart enough to figure out that the Navy captain and his lady were intelligence operators who were engaged in sampling the amount of information which could be wheedled out of service personnel at public functions.

The Palace Guard

When I moved into the office of the Territorial Attorney General for a temporary stay, I brought with me from my office in Fort Shafter my Chief Clerk, Warrant Officer Clark, and two enlisted men, Privates Ball and Cook who were clerks in my office. Having need for further assistance, I had the good fortune to be able to borrow from my good friend, Colonel (later General) "Bill" McCulloch, Commander of the 27th Infantry, four highly skilled combat soldiers. The 27th Infantry was known as "The Wolfhounds" and these soldiers lived up to the reputation of their regiment. I had a Chevrolet automobile assigned to me and I managed to obtain a driver for it on loan from a friendly transport officer. When I asked for this driver I was somewhat surprised at the speed with which the request was granted. It later developed that there was a Corporal Jones who was no longer essential to a prime mover outfit which handled heavy guns. The reason he was available to me was that after reasonable trials he was found unsuitable for the duty to which assigned because he insisted in driving prime movers as if they were Chevrolets--and so Corporal Jones joined up with me. In sum, my private Army consisted of two officers, one warrant officer, and seven enlisted men. What this group lacked in size, it made up for in courage, intelligence, and endurance. These men worked by day as office workers, clerks, messengers, guards, and mess attendants, and any other duty that might be required. At night most of them were assigned as drivers or guards on vehicles which went on night patrols. Those latter jobs were comparatively easy because they were frequently

able to catch an hour or two sleep between assignments. If I had to do it over again and had to form a division and could turn back the clock, I would select these same two officers and seven enlisted men as the first unit.

My driver, Corporal Jones, was a stolid West Virginian who could see in the nighttime better than any individual I have ever known. He drove my car night and day and frequently the only sleep he got was when he was able to doze while waiting for me or some other person who was in charge of the car. The hills of Honolulu are slick and bending. They are dangerous at night, even when lighted, but in blackout they were really a hazard. The first few nights of driving those hills had me worried because Jones insisted on driving at what I considered a reckless speed. I could see nothing in the darkness and I had the idea that he could not see any better. I made him slow down time after time, but before long he would be at speed again. At last I decided that I probably would be killed one way or another, so there was not much use worrying which way it happened. I therefore relaxed and let Jones drive as he wished. I got accustomed to his speedy driving, but every time I had passengers at night they seemed greatly relieved when the ride was finished. In justice to Jones, I must say that in all the miles he drove for me, he never so much as scratched a fender.

Among my many peculiarities is the fact that when I become tense a haircut sometimes seems to help relieve the strain and tension. About four days after the Blitz, I was under a terrific strain and felt the urgent need for a haircut. At that time, most of the barbers in

Hawaii were Japanese women. There were very few shops operated by men and since the women barbers were so short and I was so tall, the trials and tribulations of getting a haircut were so many and varied that I went out of my way to find men barbers. This seemed universal with tall men. On this particular day, I summoned Corporal Jones and we went in search of a male barber. We found a Japanese man and I went into the shop while Jones waited outside. The barber seemed efficient and all went well until he began to strop his razor. At that moment, I heard a click, which from long experience I recognized as the sound of a shell being sent home in an automatic pistol. I turned my head and there stood Corporal Jones in the doorway, automatic in hand, and pointing it at the Japanese barber. My vulnerability suddenly dawned upon me and although I tried to be nonchalant about it, I fear my acting was not too convincing. Obviously, the barber could have finished me off but there stood Jones whose cold eye watched every move of the barber. After a pause, which seemed long but probably was not, I directed Corporal Jones to holster his gun and go outside. He complied to the extent of putting away the gun and going outside and standing at the window where he could observe the situation. It seemed clear that he was not fully convinced of the honest intention of the barber. I asked the barber to continue which he did, but in doing so the poor man's hand was shaking so badly he had difficulty in avoiding cutting me accidentally.

Undoubtedly, there were never any evil intentions on the part of the barber and I probably never was in any danger. However, when I

paid my bill, I noticed that my uniform shirt was entirely sweat through. Apparently, trying to reassure me, Corporal Jones volunteered, "Sir, I thought that black Jap was going to cut your throat," and as if further reassurance was necessary he added, "If he did, that would be the last throat he would cut."

I replied, "Thank you, Corporal, but this is the only throat I have and I would like to keep it intact."

"Yes, sir. I guess you have a point there," said the Corporal as we pulled away from the curb.

Corporal Jones was one of the most honest and reliable soldiers I have known and when it came to ruggedness and endurance I have never seen his equal.

Privates Ball and Cook, the two enlisted men I brought from my office at Fort Shafter, were outstanding young men. Both came to me the previous year requesting assignment to my office. As a prerequisite to that assignment, they agreed to take courses in stenography and typing at their own expense. They became expert in both and since they were men of high intelligence they were able to render yeoman service in the early days of martial law. These men were not mere typists. They had the capacity to operate on their own initiative and although they were young men they had wisdom far beyond their years. The time came when I felt that they should be sent away to school to become officers. I realized that they would be extremely hard to replace, but I believed they would make good officers and that they had earned their

chance for promotion. It was with reluctance that I parted with these young men but I wished them all the luck in the world and sent them off to the Mainland to Officers' Candidate School and to conquer new horizons. Both lived up to my fondest hopes. Ball, the older, went to the European Theater after being commissioned. There he advanced to the grade of captain. He was assigned to a combat organization and conducted himself with distinction and was well decorated for gallantry in battle. He had the misfortune to be captured and served some time in a prison camp. However, an opportunity presented itself and Ball escaped. He filtered through the German lines and lost no time rejoining his own organization, with which he finished out the war. After graduation from the Officers' Training Camp, the younger soldier, Cook, was commissioned and sent to an Infantry unit in the Pacific. He distinguished himself in the Philippines and was awarded a silver star for gallantry in action. He was so pleased that he wrote me a letter inclosing a copy of the citation upon which he had written the notation "Even you would have approved my conduct." The citation recited conduct of an extremely courageous nature. I replied promptly to the young officer's letter, saying that I did indeed approve his conduct for which he was cited and that I would always follow his career with interest. These two young men typified the best America can produce.

The four "Wolfhounds," which I borrowed from the 27th Infantry, were extraordinarily fine combat soldiers. Their military bearing and neatness impressed everyone who saw them and they were as efficient as they appeared to be. One of them was always on duty at the door of the

Office of the Military Governor as a sort of symbol of military authority. The very presence of these excellent soldiers was reassuring to the local population. They were always courteous, efficient, and reliable. They rode in the inspection cars on night patrols and slept whenever the opportunity presented itself. They made friends wherever they went and at the same time they did their duty impartially and promptly.

Governor Poindexter was the most important civilian in the Territory and it occurred to me that if anything happened to him it would give the enemy considerable comfort. Accordingly, I suggested to him that I lend him one of my Wolfhounds to stand guard at his door and otherwise look out for his safety. The Governor was brave as well as astute, but I convinced him that he owed it to the Territory to take safety measures. However, he said that to avoid any possible criticism, he would call on the Territorial Guard to furnish his soldiers. The National Guard of the Territory, a very efficient unit, had long since been called into Federal service, and at that time the Territorial Guard was composed of untrained and newly recruited volunteers. In due time, the Governor's new guards arrived. They promptly demonstrated their lack of training by finding chairs, sitting in them, and going to sleep, letting their rifles rest wherever they fell. There were six such guards, mostly of Hawaiian origin. When evening came, they all went over to the Governor's house and made themselves comfortable and prepared for

the night. In due time all six were asleep. One night, one of these guards suddenly awoke and saw a shadow cast by a bust on a pedestal in the Governor's house. He gently stirred his companions and in very short order a volley rang out and the Governor's favorite bust was no longer there. After that incident, the Governor decided to dispense with his guards, either at his office or at his home. I knew that he was far too proud to accept one of my men after his experience with his own men, but from that time on the soldier at my office door kept an eye on the Governor's door as well, and without his knowledge the civilian police took over guarding the Governor's house.

I had made an arrangement with the Commanding Officer of the Wolfhounds, General McCulloch, whereby he would telephone me when his regiment was leaving for the South Pacific and so inform me by a prearranged code. In due time, the call came and General McCulloch said that I could retain the four men of his regiment if they were indispensable. I thanked him and told him that I would regret losing these valuable men, but that if I were in their places I would forever hate anyone who prevented me from joining my unit when it was moving into a fight and that since I wished to retain the respect of these men, they would be returned to their units before morning. General McCulloch understood and agreed. The movement of the Wolfhound regiment was a top secret matter and it posed a problem for me in sending these soldiers back to their regiment without disclosing to them the reason therefor. To permit them time to say goodbye to their friends was out of the question for security reasons. I hit on a plan, the execution of which would make

me feel like a worm but I saw no other way out. I finally took a firm grip on myself and called in the four men who had served me so well. I put on the very best act I could as I upbraided them one and all for imaginary derelictions and informed them that I had decided to replace them with men from another regiment. The look on the men's faces indicated astonishment. The sergeant asked if he might ask a question and I shouted "no" in the most convincing manner I could muster. I informed them that they would pack immediately and would be delivered to their regiment at once. They looked at me in wonderment but saluted and marched off to pack. At once they were driven, under command of an officer and without stops, to their regiment where they learned the true reason for their relief. I am sure that they realized that I had done them a great favor. All four of these soldiers fought through the entire Pacific operation where their regiment was constantly in the thick of the fighting. All conducted themselves gloriously. Some were wounded and one was invalided home, but all survived. I received letters from them periodically, informing me of their progress and well being. One such letter written from the Philippines by the sergeant said, "We always said that you were going to be Military Governor of Tokyo. We will be there soon, so you had better get your bag packed. We will have the place in good order when you get there." No better soldiers ever lived.

Majors Hanley and Morrison and the seven enlisted men alluded to above were often referred to as my "private Army" or "The Palace Guard" by persons who were out of sympathy with martial law. This never hurt

my feelings in the least because any officer would be proud and fortunate to have under his command such an outstanding group of officers and men. Much of our early success was due to the untiring and intelligent effort of this small group.

CHAPTER XVI

Law and Order

Prior to the middle 1930's the police department in Honolulu was a very casual affair. Typical of the system was traffic control wherein traffic officers sat in easy chairs at street corners where they were shaded by umbrellas while they leisurely performed their duties in whatever manner it pleased them to do so. The police force was always available to entertain as hula dancers or play music at any private or public function. The tempo of the police force was generally in keeping with the leisurely attitude in which all public business was transacted. It was truly a manana land. Hawaii was said to be a "melting pot" of the various races, and, in theory at least, it was so. All races respected the others and Hawaii lived up to the slogan of being the "friendly land of Aloha."

The whole easy going temperament of Honolulu came to an abrupt stop and an upheaval of major proportions ensued because of the so-called "Fortesque Case." The wife of one, Lieutenant Massie, a Naval officer, was assaulted by a number of Hawaiian thugs in the vicinity of Waikiki. The incident caused an uproar. The processing of the case was slow and in the belief that the local authorities would permit the matter to drag until it was forgotten, Mrs. Fortesque, the mother of the victim, decided to take matters into her own hands. Mrs. Fortesque was the daughter of Alexander Graham Bell and a Washington socialite. With the assistance of two sailors she abducted two suspects and took

them to the Massie residence intending to wring from them confessions. The methods employed were so severe that one of the suspects succumbed.

In the vicinity of Diamond Head is a celebrated tourist attraction called the "Blow Hole." This consists of a large opening in the lava rock which projects into the ocean. The waves constantly dash shoreward, forcing the water and the spray up through the hole in the lava which results in an unusual sight similar to that of a geyser. The area is shark infested, and a person dropped through the hole would be dashed to pieces if not devoured by sharks. The conspirators decided to dispose of the victim by dropping him into the "Blow Hole." In their haste to accomplish their mission the conspirators exceeded the speed limit. Their automobile was stopped by a police officer and the whole bizarre affair was exposed. As a result of the ensuing local and Mainland publicity concerning the matter, public indignation was whipped up to a white heat and as is usual in such circumstances, demand arose for reforms in every area.

About that time, but possibly not as a direct result of the Fortesque case, the city fathers of Honolulu decided that the Police Department needed overhauling. They engaged William A. Gabrielson to do the job. "Gabe" as he became known was a highly trained and efficient California police official. Overnight, the umbrellas disappeared from the traffic directors' stands and it was not long before the multi-racial police force was moulded into a cohesive and efficient unit which was the equal of any similar police force on the Mainland. The policemen still danced the Hula and played musical instruments for public enjoyment, but it was done in their off duty time. No one could possibly

discipline music and dancing out of the soul of an Hawaiian and Gabe never tried. While on duty, these policemen were correct in dress, as well as being highly efficient. There is no denying that Gabe was a strict and hard disciplinarian and in consequence the weaklings and inefficient members of his force soon sought other employment. By 1941, Gabe had about 200 police officers of first quality and the esprit of his department was superior. Since the members of the department included many of oriental origin and mixed races, it required administrative capacity which only a qualified leader could bring about. Gabe did this remarkably well, and so far as I know, there never was any racial difficulty in the department.

In 1940 and 1941 when international strained relations began to evidence itself, Gabe sought to enlarge his force by organizing an auxiliary force of local volunteers. He was able to attract a group of about 1,500 young businessmen. They were physically fit and enthusiastic about completing the severe training which was prescribed. At the beginning of the war, therefore, the civil police included a highly skilled professional police force and also a well trained auxiliary force. Both conducted themselves with great credit and especially at the outset of the war when brave deeds were sorely needed.

About the middle of 1941, Mr. E. D. Bourland, an energetic businessman in Honolulu, organized a semi-military unit which he called the Business Men's Training Corps. This unit comprised about 500 men who by reason of age or disabilities were unsuitable for the strenuous activity required for auxiliary policemen, but who desired to volunteer

for limited service. Mr. Bourland was elected "Colonel" of the group. Though over age, these men made a creditable showing at military drill after training by Colonel Craig, the Provost Marshal. As they became more proficient, their numbers increased and they presented an effective guard corps. The organization attracted business men and public figures such as Edgar Rice Burroughs, the author of the Tarzan stories, "Davy" Thompson, vice president of one of the local banks, Anton Rost, the famous and colorful dog expert, and many other similarly prominent men. Most of them had reached the age where one thickens in the middle. This was so noticeable that one day Frank Locry, the Director of Civil Defense, was prompted to dub them the "Opu Guard." Now, the word "Opu" in the Hawaiian language means stomach or rather belly. The nickname stuck with this group and while it never was appreciated by the men themselves, it in no way detracted from their usefulness and effectiveness. They did an exceptionally fine job at the early part of the war and as long as they were needed.

There was another semi-military group who called themselves the Hawaiian Volunteers. These men were primarily of Hawaiian ancestry. Although relatively small in number, they trained hard and were effective and efficient when called upon to perform public service. There were numerous other smaller groups which banded together for emergency action such as the "Kamaaina Guard." The word "Kamaaina" means "Old Timer" in the Hawaiian language.

Another organization which accomplished much was the Varsity Victory Volunteers. These were University of Hawaii students of Japanese origin, about 155 in number, who banded together for the purpose of demonstrating

their loyalty as American citizens by volunteering their services without compensation for any job to which the Military Governor might assign them. They were led by Mr. Ralph Yempuku who was an instructor in physical education at the University. Their offer was accepted and they were assigned to various projects which they performed cheerfully and efficiently. More important than the work they performed was the example which they set for others similarly situated.

Among the non-military units were the Red Cross volunteers, the Red Cross Driving Corps, the Air Raid Warden Corps, the Volunteer Hospital Units, and innumerable other volunteer groups which rendered emergency and regular service all during the war. The Red Cross Driving Corps was composed entirely of women. Not only did they give their services but most of them furnished their own transportation on a round the clock basis.

In 1941, the Military Police Corps in Hawaii was probably the finest body of troops in the military service of the United States. They were about 300 in number and were headed up by Colonel Melvin Craig. His second in command was Colonel Frank Steer. Both of these men were exceptional officers. The disciplinary requirements of this command were severe and violations of duty resulted in expulsion from the Corps. The organization had been built up over a period of years by the selection of individual soldiers who were specially qualified for the duty. Whenever recruits arrived in the Islands, Colonel Craig was allowed to select, without regard to numbers, whatever men he thought might be suitable for his unit. He applied that recruiting process with great

care, and as a result his unit was outstanding in esprit and efficiency. At the time of the Blitz the very presence of these striking men was a tremendous morale factor for the civilian populace. Eventually, Colonel Craig went to the Mainland for another assignment and his subordinate, Colonel Steer, succeeded to the command of the unit. This officer developed into the finest war time Military Police Officer I have ever known at any place or at any time. He was a "natural" for the duty. He was as brave as a lion and had the faculty of sensing and averting trouble before it had an opportunity to get started. He got along well with the civil officials who respected his efficiency, his skill, and especially his incorruptibility. He was unusually strict with his men and so firmly impressed them with the necessity of complete honesty that not one single case of improper conduct involving integrity ever arose.

The Shore Patrol of the Navy was much smaller than the Military Police but was equally effective. It was augmented from time to time to meet special requirements. Both the Military Police and the Shore Patrol had quarters assigned to them in the local police station in Honolulu. The relations of these two units and the local police were always cordial and effective and they supplemented each other whenever the need arose.

When the Blitz came, all of the above-mentioned units were immediately placed on full duty. In addition, a battalion of the 27th Infantry moved into Honolulu from Schofield Barracks. However effective sabotage could have been in the face of this formidable law enforcement force I am

unable to guess. Suffice it to say that there was precious little sabotage. The very presence of this strong, well trained force was a deterrent to violence of every kind and it was one of the most assuring factors in the whole set-up. Nothing inspires more public confidence than a trained man or unit which obviously knows its business and goes about it, unafraid. There was considerable hysteria but unquestionably the very presence of these trained people, regulars and volunteers alike, soon alleviated much of it. Without such a force, I still shudder at the thought of what might have happened.

The Courts

The civil courts of Hawaii were organized in substantially the same manner as those anywhere on the Mainland and likewise geared to normal peacetime operation. The ordinary procedure was and is time-consuming. The limitation of punishments was set as low as deemed consistent with acting as a probable deterrent. Probably as many as 90 per cent of the cases in peacetime Hawaii were tried without a jury and most of the cases were tried in courts resembling the usual magistrate courts. The sentences were normally light and despite overcrowded dockets many formalities and dilatory matters were observed which contributed to delay. The jurisdiction of Hawaiian courts, as elsewhere, was limited to that prescribed by statute. It goes without saying that the courts would be without any jurisdiction concerning offenses involving blackout regulations, curfew violations, and purely security orders which were highly important to the emergency military

situation. In peacetime, all rights of accused persons should be carefully observed even though the process results in ludicrous delays and useless waste of time. It is our heritage and I would not have it otherwise. In time of war, in an urgent military situation, where the continued existence of our country may be at stake, it seems to me that public necessity should require curtailment of such individual privileges as may be essential for the public good. That surely was the case in Hawaii. Clearly, the peacetime judicial system was neither equipped nor adequate to meet the exigencies of war. Hawaii was a bastion and we were besieged. We had a situation where more than one-third of our population was of uncertain loyalty. Beyond question, it was essential that a system of jurisprudence be set up which would insure rapid functioning and severity of sentences to whatever extent it was necessary to obtain prompt obedience and deterrence. The Provost Court was the only answer.

For the reasons set forth above, I drafted a form of an order, later issued as General Order # 4. It contemplated two forms of military courts, namely, Provost Courts for the minor offenses and Military Commissions for the more serious ones. It set a maximum penalty for the Provost Court at \$5,000 fine and five years confinement with or without hard labor. Any offenses requiring a greater penalty would be sent to the Military Commission which was limited in sentence only to what might be necessary. The Provost Court was a single judge while the Military Commission was composed of a number of judges and would be provided with a defense counsel and a prosecutor. At the time of

drafting General Order # 4, it was my thought that the Provost Court would operate in substantially the same manner as the Summary Court-Martial in the Army, and the Military Commission would follow the practice of the Special Court-Martial. In practice, the latter did not work out and the Military Commission trials had a complete stenographic record and operated substantially as does a General Court-Martial in the Army.

Since Provost Courts were historically expected to be summary in nature and their sentences sufficiently severe to insure immediate compliance, they were bound to be unpopular and for that reason it was felt that local attorneys should not be asked to sit as Provost Courts. Actually, I am now fully convinced that had the local justices and lawyers been asked to sit as Provost Judges, they would have accepted, believing that it was their public duty to do so. In point of fact, it was common practice for local judges to sit with the Provost Courts in an advisory capacity. In this manner the civil judges lent their assistance. Many, if not all of the judges, would have been willing to accept appointments as Provost Courts. However, we believed that it would be unfair to ask them to assume the responsibility that goes with the office of Provost Court. Provost Courts were not intended to act as so-called "drum head courts-martial" nor did they ever act as such. Though strict and at times severe, they were invariably honest and impartial, and the rights of accused persons were observed.

Normal jury trials were out of the question, not only because they were time-consuming but also of more importance it would have

been impossible to have a fair jury drawn after the Blitz. On the basis of population at that time, it would have been essential that a fair jury be composed of four Japanese, two Chinese, two Filipinos, one part-Hawaiian, one part-Oriental, and two Caucasians. After the Blitz, it would have been unsafe to enclose such a company in an acre lot, much less in a locked jury room. Even if it were possible to prevent the Filipinos from killing the Japanese, a secret vote in a locked jury room would doubtless result in mayhem. The problem was just as simple as that. To assert that a fair jury could have been empaneled under the existing circumstances made no sense. At best it would have been wishful thinking.

By General Orders # 3, dated December 7th, the first two Provost Courts appointed Lieutenant Colonel Neal D. Franklin at Honolulu and Major Henry Du Pree at Schofield Barracks. Both of these men were well known to me. Colonel Franklin, a Quaker, was a Maryland lawyer and an experienced Army judge advocate. Major Du Pree, though not a lawyer, was a field officer of long experience in the Army and extensive practice as Summary Court Officer for the trial of military offenders. Subsequently, it became necessary to appoint additional Provost Courts in Honolulu and on each of the other islands of the Hawaiian group and also one each at the Pearl Harbor Navy Yard and Palmira Island. Every man selected for these important posts was a person of intelligence and high character. Some were lawyers and some were judges in civil life. In the main, they were chosen because of their extensive experience in handling men and in dispensing military justice.

In the early stages, it was believed imperative that trials be speedy and that sentences be sufficiently severe to insure immediate compliance with directives. As time went on, the severity of the sentences was reduced because the first impression on the public was such that the need for severity largely had disappeared. However, even from the very beginning a direct appeal could be made to the Military Governor by the simple means of asking for it. Many took advantage of this right. In this respect, it was intended to approximate the Army system wherein every single trial by court-martial had an automatic appeal which needs no application on the part of the accused. We were unable to follow that system completely, but we approximated it as far as normal civil procedure would permit. Since labor was at a premium the penalties in the vast majority of cases were in the form of fines rather than restriction or confinement.

Prior to the battle of Midway, there was very little criticism of the Provost Court system except as to the severity of the sentences. After that event, there began to be complaints, largely from lawyers whose clientel were frequenters of the police courts. Their business was still flourishing, but it was somewhat harder to deal with the Provost Courts because of the peculiarity of military procedure. Under it, the court represents the accused as well as the Government. This system has always been an enigma to civilian lawyers when they have appeared before courts-martial. The complaints were various, but most of them were because of questions posed by the courts. In civil courts this happens occasionally but not to the extent usual in military courts

where the right to ask questions has always been the prerogative of the court.

There grew up a practice in Provost Courts of permitting a person who had been fined to obtain a credit against it by donating blood. The rule was to give 15 days' credit against a sentence involving confinement and a \$30 credit against a fine. There was no compulsion in any case. It was simply a method of obtaining credit against a sentence by donating blood. It helped to fill the blood bank which was sorely needed. I do not know who originated this practice, but I was aware of it and saw no objection to it in the beginning. However, no matter how dire the situation may be, Hawaiians must have their joke, and when the public jokingly began to refer to this practice as being "fined a bucket of blood" I felt that it might be considered as a compulsory affair and not a voluntary one. The practice was, therefore, discontinued, this over the objection of the operators of the blood bank and a good proportion of those receiving sentences. Another practice which started out innocently enough began to be the subject of complaints. It was that of giving credit against any fine, the amount of any United States defense bond purchased. Basically, I saw no objection to that idea since it was perhaps borrowed from a practice used in the "Old Army" which involved the sentencing offender to "deposit" a certain amount of money to his account with the Treasury. The amount would be paid back to him, with interest, upon his separation from the service, but it had the effect of presently depriving him of the use of the amount so "deposited." It was frequently used as a deterrent

in offenses involving drinking. As it was applied in the Provost Courts, it simply permitted a person to buy a defense bond and have the amount of the purchase price deducted from any fine imposed. It was an inducement to buy bonds which was to the advantage of the person sentenced, as well as increasing the sale of bonds. Here again, the Hawaiian sense of humor came to the fore and people began to refer to such purchases as buying "offense bonds." Eventually, upon advice of slick legal counsel, persons sentenced to a fine began to buy bonds to the full amount of such fine and immediately it was credited against the sentence, they would sell the bonds and the basic purpose would thus be defeated. To discourage this practice, the Provost Courts countered by placing an indorsement on the back of the defense bonds so purchased to the effect that they were not to be cashed until the end of hostilities. That wound up the matter for the time being. However, local attorneys then appealed to the Treasury Department on the basis that the practice was illegal. We believed the indorsement entirely legal, but to avoid controversy the practice was discontinued. It will be seen that some of the legal fraternity who practiced principally in the police courts, under the guise of protecting the rights of their clients, actually deprived them of two privileges which, at least to some clients, were considered advantageous.

There were some complaints that the Provost Courts were too summary and that sufficient opportunity was not given to examine witnesses. Some of this criticism was undoubtedly justified in the early days, but on the other hand there were cases where the Provost

Court leaned over backwards to permit repetitious examination of innumerable witnesses by lawyers, each corroborating the other. Such a waste of time could well be avoided even in peacetime and, in practice, many of our outstanding civilian judges will not tolerate it. Most of the appeals which reached me were honest and not frivolous. I respect every lawyer who asserts every legal right his client may have and anything less than that leaves the lawyer in the position of having failed in his sworn duty.

Generally, the lawyers in Hawaii were of high type and usually when they appealed they had at least an arguable case. Occasionally, however, an appeal was taken in which there seemed little justification. One such case involved a group of Filipinos who were "caught red handed" in a crap game by the police. The lawyer who represented them complained that the Provost Court overstepped his prerogative. The complaint was against a Provost Court who was an old time line officer and who, while perhaps a little short on legal training, made up for it in his experience with human nature. It appeared that the Provost Court objected to the lawyer pleading all of his ten clients guilty as charged, this on the ground that ten men could not engage in a crap game at one time and that those who were not actually engaged in the play were only "lookers on." At the trial, the attorney asserted that he was in charge of the pleadings and the Provost Court retaliated by saying that he was responsible that justice be done. The lawyer argued his point of view. The court then asked the lawyer what fee he charged the men. The lawyer understandably declined to answer and the court then directed his

inquiry to the prisoners, who said that each accused had paid the lawyer \$50. Thereupon, the court admonished the lawyer for "taking \$500 from these men and then not attempting to defend them." He then turned to the accused men and said, "You will all plead not guilty and we will see who is guilty and who is not." An objection by the attorney was overruled and the court proceeded to interrogate the ten Filipinos. He concluded that four were guilty and six were "lookers on." He then sentenced the four and discharged the others. As an after thought he inquired where the money was which was in play at the time of the arrest. The arresting officer stated that by long standing custom that money went to the Police Fund. Thereupon, the court retorted, "Not any more, it doesn't. You pay it over to the clerk. That money goes into the public treasury."

In his appeal to me, the lawyer argued that the Provost Court had violated his rights and those of his clients and that he interfered with local police customs. The Provost Court was an experienced Army officer who was following the procedure of a Summary Court which contemplated that the court has the duty to safeguard the rights of the accused as well as to punish offenders, while I conceded that the procedure of the Provost Court in this case was somewhat summary. However, I asserted that I had known many civilian judges who would approve of the action taken by the Provost Court. Furthermore, it seemed to me that substantial justice had been done and that the attorney was in a very poor position to complain.

In another case a local lawyer appealed to me, without success, at least four times and on each occasion seemed to consider me unreasonable. The circumstances were substantially as follows. Six men were tried and convicted upon charges involving homosexuality. The attorney who made the appeal represented two of them. The guilt of his clients was never in issue. The lawyer's proposition to me was that if I would release his two clients, he would see to it that they would be placed on a ship bound for the Mainland. His reasoning was that the Territory would be rid of his two clients and that it would not injure the other four. Both he and I knew that the riddance would only be temporary and that the ship which took his clients from the Territory would bring them back on the return trip. To rid the Territory of all six of these men would be desirable, but to release two for a round trip to the Mainland would be manifestly unfair, discriminatory, and plainly not justice. I declined to be a party to such a proposition, and the lawyer seemed firmly convinced that I was uncooperative and unduly severe.

Like any other court, Provost Courts were not infallible. There were many appeals which I heard personally, and whenever corrective action was appropriate it was taken promptly. Every single case was subjected to an automatic appeal under substantially the same procedure as is in effect in the Army. Corrective action was taken in every case where it was deemed justified. All Military Commission cases were subjected to a written review by qualified lawyers on a board of review and followed the practice in the Army in general court-martial cases.

In order to satisfy myself that justice was being dispensed fairly, I made frequent inspections of Provost Courts. I personally reviewed every record of trial by ^{the} Military Commission. I took random samples of Provost Court cases and spot checked them. These actions were in addition to the normal review of other persons whose duty it was to specialize in that work. After the first few months, I concluded that Provost Court sentences sometimes were unnecessarily severe. I, therefore, directed the Provost Courts to scale down sentences to the point where they would be the minimum necessary to insure compliance with the law. In order to implement this directive and to make sure it was followed, I required each Provost Court to furnish me with a personal memorandum setting forth reasons therefor in every case where a heavy sentence was adjudged. This directive accomplished the purpose sought.

While Provost Courts were summary and perhaps severe, especially in the early days, there never was a complaint involving the honesty or integrity of the courts, nor was there ever any complaint alleging unfair discrimination. On the contrary, the impartial manner in which justice was dispensed materially raised the level of personal conduct in business and private relations between individuals in the Islands. One incident will suffice to make my point in that regard. One Sunday a boxing match was held between a Filipino and a Chinese. Both were important in the fight world. It was held in a local stadium and the followers of both contestants turned out in large numbers. Apparently, and perhaps typical of the fight game at that time, practically everyone, except the Filipino contestant and hundreds of his followers, had

been confidentially informed that it was the day for the Chinese to win. It appeared to me that the Filipino clearly deserved the decision, but the judges promptly decided otherwise and awarded the contest to the Chinese. In my mind, it was a rank miscarriage of justice, but I kept my thoughts to myself as I did not profess to be an expert on boxing. There was a considerable protest on the part of the Filipinos who were present, and except for timely intervention by the Military Police a riot might have ensued. The Boxing Commission, in attendance, agreed to investigate the matter. That night, a delegation of about 50 Filipinos called at my cottage at the hotel where I lived. When the spokesmen, about 10 in number, had been agreed upon, they stated that the delegation had come to protest the decision of the boxing match. They made two points. First, they wished me to direct that a rematch be held on the next Sunday and, second, to insure that the deal would be fair they wanted me to detail three Provost Court judges as boxing judges for the match. The unusual request was out of my province and I told them so. They were very unhappy at my decision. These/Filipinos probably were before the Provost Courts more than any other group and their request in this instance was clear proof to me that they respected the integrity of those courts.

The Provost Courts conducted themselves with dignity and all rendered decisions as they saw their duty. They operated openly and above board and without the slightest breath of scandal. In my opinion, their exemplary conduct and attention to duty materially contributed to the security of the Islands and to the confidence of the general public.

During the first six months after the attack, nearly 19,000 cases were tried by the Provost Courts of Honolulu alone. Traffic violations and violations of blackout regulations accounted for most of the cases. During the first year the fines adjudged by the Provost Courts amounted to \$660,000. In addition to the fines and forfeitures there was collected by the Office of the Military Governor from liquor control more than \$300,000. As stated elsewhere in this saga, all of this money was placed in a special fund until determination could be made by Washington authorities as to what disposition should be made of it. This and other monies collected eventually totaled nearly two and one-half million dollars. Very early in the operation, we recognized that questions might arise as to the legal ownership of funds which came into the hands of the Military Governor and that disputes were certain to arise as to expenditures from such funds. If we set up our own dispersing office, we would be on the defensive to explain expenditures and the possibilities were that the claimants and indeed the tribunal making the determination might be hostile. We solved our problem admirably by turning over to the Finance Officer of the Army every penny collected. This was done only with the sympathetic cooperation of Colonel Ely, the Department Finance Officer. Historically, no one has ever impugned the honesty or indeed the accuracy of the Army Finance Department. To make the matter even more secure we drafted Watson Ballyntine, a skilled finance man who was vice president of a local bank. Major Ballyntine was appointed Finance Officer of the whole Military Government operation.

One of his many duties, which he performed in a superior manner, was to insure that every penny collected by the Military Government was deposited in the proper depository.

The arrangement was a stroke of genius as it made us immune from attacks from every quarter and insured that the funds we collected would be distributed wherever higher authority decided and relieved us of the burden of making a decision in the matter which would have displeased everyone. It had the further advantage of relieving General Emmons and me from any personal responsibility concerning the distribution.

Human nature being what it is, when the fund passed the million mark the claimants increased both in number as did the intensity of their demands. The Chief Justice of the Supreme Court of Hawaii, Judge Kemp, entered a claim for a large portion of it on the basis that the local law provided that fines and forfeitures of the local courts were made available to support the operation of the courts. Although the amount we collected was far greater than ever before, he justified his claim on the basis that it was the law. The system was vicious because it tended to temper justice with the court needs for new facilities and better salaries, but it was the local law and the Chief Justice firmly asserted his rights under the law. Governor Stainback demanded both the court fines and the liquor control monies be paid to him, even though the Territory never had anything in the nature of the liquor control we operated. Mr. Thoron, Special Representative of Mr. Ickes, Secretary of Interior, demanded all the monies for distribution by the Department

of Interior. When he arrived from Washington to enter his claim, he seemed convinced that much of the fund had been already spirited away by the Big Five or the Military. Some of the officials of local cities and counties asserted that they were entitled to a share of the monies. Their claims seemed reasonable, but we made no payment to any claimant.

We had very carefully placed ourselves in the fortunate position of being unable to entertain any of the claims. I believe it was one of the smartest things we did in the whole operation. There were two avenues left open to us. We could ask the Finance Department to turn all of the monies over to the Treasury Department for administration of all claims or we could let the matter remain in status quo until higher authority made the determination. We chose the latter course. General Emmons sent a request to the War Department for a decision on the subject of distribution and during the long negotiations between the Interior Department, the War Department, and the Department of Justice, the fund built up to about two and one-half million dollars. At long last, it was decided by the Secretaries of the Departments concerned and the proposed settlement was forwarded to the President for approval. The Territorial Government got the lion's share, but through our insistence the cities and counties received a portion.

The Surrender of Consul General Kita

For a long period prior to the war, the matter of Japanese cultural schools or so-called "language schools" was the subject of considerable discussion by both the civil authorities and the Armed Services. These schools were attended by the vast majority of the youth of Japanese ancestry. They were ostensibly for the purpose of perpetuating the culture of Japan. The teachers in these schools were for the most part Americans of Japanese ancestry, some of whom had received their education in Japan. It was customary for all students attending the public schools in Hawaii to dress informally, including the wearing of the so-called Aloha shirt which was a loose fitting shirt, open at the neck, and habitually worn outside of the trousers. Many students, including those of Japanese ancestry, were accustomed to go barefoot from choice. Most of them attended the local schools in bare feet. When they attended the Japanese language schools in the afternoon, they wore shoes and jackets, and, in general, were at their presentable best.

All sorts of rumors were abroad concerning the activities in the Japanese language schools including the general accusation that students were being instructed in the art of spying. The FBI and the intelligence services claimed to have no jurisdiction to look into the matter on the basis of the freedom in religious and educational matters guaranteed to all citizens under our Federal Constitution. As a result of there being no accurate facts concerning the activities of these schools, rumors were spread which had the effect of creating a general distrust of all such schools. I had no personal knowledge of

the matter but from my observation these schools were conducted in a law abiding manner. I was impressed by the fact that the juvenile delinquency among the young Japanese was not a problem and I took pleasure in seeing these "snapped up" youngsters going to and from their Japanese schools in the afternoon.

One instance occurred which caused me to give consideration to the matter of the character of the instruction being given in these schools. In 1941 the draft began to be effective. Among those receiving the "greetings" letter was an instructor in a Japanese language school. He was undergoing training in the recruit center at Schofield Barracks and was found to be an unsatisfactory candidate for the military service because of his inability to read or comprehend English. There was a provision in the Army Regulations popularly known as "Section VIII" which permitted the discharge of undesirable enlisted men after a hearing before a board of officers. The regulation provided that the recommendation of the board be sent to the staff judge advocate for his consideration and recommendation to the Chief of Staff. The board in this instance recommended that the soldier be discharged because of his inability to speak or understand sufficient English to make him a satisfactory soldier. This soldier was born in Honolulu, educated in the grade schools there, and had received his higher education in Japan. He returned to Honolulu after having completed his education and had been a teacher in the local Japanese language school system for several years. I disapproved of his discharge from the Army, and in the second paragraph of the recommendation I suggested that the

solution was to "teach him." This instance may have been unusual and probably was, but it shed a little light on the character of the education being given at language schools. On the other hand, I have never had any reason to believe that these schools were teaching anything of a subversive nature, and although they were closed promptly after the declaration of martial law as a security measure I do not recall a single case in which there was any proof of improper conduct on the part of these schools.

There was a very active Japanese consulate operating in Honolulu and for a number of years an unusually large number of consular agents were assigned to it. Ostensibly, they were interested in promoting trade and business relations with the United States and particularly with Hawaii. For years the number of such consular officers, which was said to be 200, had been a matter of irritation of the local community, and in 1940 a reduction of such personnel was forced by the urgent insistence of the local government. The number of registered consular agents was reduced to a Consul General and one or two assistants. These Consular officers were, of course, interested in promoting the interests of their country but at the same time they were acting as legitimate spies in precisely the same manner as consuls of all other nations.

For some time prior to 1941, information was being sent to Japan from the Japanese Consulate concerning the United States Fleet which was based at Pearl Harbor. With the decline on relations between the United States and Japan the number of such reports were stepped up.

By November 1941 the Japanese Government was kept in daily touch with the detailed positions of the ships of the United States Fleet at Pearl Harbor, together with the daily movements of the ships. The messages were sent in code by the Consul General and were transmitted over the facilities of the McKay Radio Company or the Radio Corporation of America. These messages later became known as the "Bomb Plot" messages because they pointed directly at Pearl Harbor. The local Navy authorities made an effort to obtain the files of these companies to ascertain the type of messages being dispatched but were unsuccessful because the Communications Act of 1934 contained a legal prohibition against the disclosure of the contents of private messages turned over to a transmission company for dispatch. The local representative of the FBI considered himself bound by the Communications Act and since both the Army and the Navy was bound by agreement that such investigations were in the field of the FBI, the result was that neither the FBI, nor the Army or the Navy, were cognizant of the fact that messages were being sent by the Consul General of Japan to his government or had any idea of the vital content of those messages.

These messages being transmitted by the Consul General to Japan did not escape detection, however. They were being intercepted in various parts of the world and were being sent to Washington by various means of transmission where they were decoded by the Army and the Navy authorities. Appropriate copies were made and furnished to various interested services in Washington, including the British representatives. Although these messages were of vital importance to the Hawaiian

Commanders, they were kept in the dark as to the contents of such messages and the fact that such messages were being sent and monitored. The local military commanders were relegated substantially to what little information could be gleaned through telephone taps which was meager indeed.

Some idea of the type and importance of the information being transmitted by the Consul General may be gleaned from the following message which was sent on 5 December 1941:

"From Honolulu
To Tokyo
5 December 1941 (Translated by Navy, 10 December 1941)
252

(1) During Friday morning the 5th, the three battleships mentioned in my message # 239 arrived here. They had been at sea for eight days.

(2) The Lexington and five heavy cruisers left port on the same day.

(3) The following ships were in port on the afternoon of the 5th:

8 Battleships
3 Light cruisers
16 Destroyers

Four ships of Honolulu class were in dock."

On December 6th, the day before the Blitz, the last important message was sent which read as follows:

"Vessels moored in harbor: nine battleships; three Class B cruisers; three seaplane tenders; seventeen destroyers. Entering harbor are four Class B cruisers; three destroyers. All aircraft carriers have departed harbor. No indication of any changes in U. S. Fleet. Enterprise and Lexington have sailed from Pearl Harbor."

Just prior to the Blitz the Japanese consulate was in charge of Consul General Nagao Kita, a soft civil servant. His assistant was Takeo Yashkawa, who for reasons unknown to me masqueraded under the name of Morumota. This man was a definite military type and obviously a planted spy. There were doubtless other civilian spies, but the need for them was slight as Hawaii, and especially Pearl Harbor, was an open book for all to read. In fact, visitors were welcomed at Pearl Harbor and many of the civil employees there were orientals. However, Kita and his assistant made systematic examination of the military posts on Oahu including airplane flights and swimming expeditions which were conducted by Yashkawa. The results of these forays were communicated to Japan by coded messages sent over public communications systems.

Although the Consul General was subject to the prohibitions contained in the Communications Act as well as were our American intelligence people, he circumvented the law by infiltrating those agencies so that our communications sent by these facilities were made available to him. The information gained from that source was also forwarded to their superiors in Tokyo. Why our representatives did not emulate the enterprise of the Consul General I do not know, but my information is that we did not do so. In listening to the reports of our intelligence officials at weekly staff meetings I gained the impression that considerable care was being exercised to prevent the occurrence of "an incident" in connection with surveillance of the local consular officials.

The attack on December 7th constituted an overt act of war by the Japanese and the local authorities were at last permitted to spring into action. They did so immediately by taking into custody the Consul General, his assistant, and all consular employees. All were turned over to the local police for safekeeping. Both Kita and Morumota were badly shaken and both promptly asserted their official capacity, which entitled them to certain rights. In view of the deception practiced by their government and the damage wrought on local civilians, any number of Hawaiians would have been delighted to have strangled these two officials, one in each hand. Kita insisted upon being brought before the Commanding General at once. At that moment, that officer was completely engaged in other and more pressing duties. The police officer who had Kita in charge chose me as a substitute for the Commanding General, since Kita insisted on surrendering to someone. The police officer was Captain Van Kuran who was known to me. Van Kuran arrived at my office with Kita in tow. Van Kuran was a six-foot Hawaiian and Kita was a very small Jap. I could not escape the thought that if Kita decided to run for it, that big Hawaiian would change that decision very fast. Kita was no neophyte. At first he spoke English very haltingly, but when what he was saying was misinterpreted, he dropped that artifice and spoke English without difficulty. He said that he wished to surrender and seemed very concerned as to what his fate was going to be, there being some question whether Consular Officers were entitled to diplomatic immunity.

In a plaintive voice Kita denied any knowledge that the war was starting when he heard the bombs exploding. He said that he was about

to put his golf clubs in his car for a round of golf when he was taken into custody and that it was all a complete surprise to him. He asserted that he was not harmed in any way but that the attack was as much of a shock to him as it was to us. He admitted that his staff were burning papers in the backyard of the Consulate on the day before the attack but that they always burned papers on Saturday. He complained that when the bombs began to fall the police rushed in and started to examine all his personal and official files and that he desired to enter a protest because the police had no right to do such things. At that moment it seemed to me that Kita was in a very poor position to insist on rights to official or personal privacy under the circumstances, but I said nothing on that score as it would not have helped the situation. Kita went on to say that when he heard the shooting he thought it was target practice and that it interfered with his golf game. He wound up his complaint by asking me to take his surrender. I would and I did.

Then followed a series of questions by Kita whose English had by this time improved considerably. He repeatedly asked what was going to become of him. I answered truthfully that I did not know but that he would be informed in good time, but that in the meantime no harm would come to him. This was a great relief to him, and at the same time it was a rather large promise on my part since the local feeling against Kita and his Vice Consul was very high. I knew at the time that his Vice Consul was an experienced naval officer and that Kita knew the answers to the questions he was asking. As an actor, he

put on an excellent show and although I thought at the time that he deserved strangling, I accorded him the courtesy that the situation deserved.

We sat at a large round table made of Koa wood which was said to have been King Kalakowa's gambling table in its day. It was about seven feet in diameter and in the center was a circular inlay of somewhat lighter colored wood. The table was slightly unsteady because of the activity of termites. On the wall there were two photostats showing air views of the Hawaiian Islands. Both the photostats and the table were a part of the furniture of Attorney General Hodgson, whose office I was temporarily occupying. While talking, Kita repeatedly stole glances at the photostats. As our meeting was about to close, Kita began to feel secure in his person and volunteered the information that "Your table reminds me of the Japanese flag because it has a circle in the center." I replied, "Yes, Mr. Kita, I agree that it does, but please notice that it is wapper-jawed and is full of termites. Now as to those photostats you have been studying so carefully, they are a number of years old and more modern ones can be bought anywhere in Tokyo."

Lieutenant Kita had played his assigned part to perfection. He was sent to the Mainland and eventually returned to Japan, but I never saw him again.

Case of Julious Otto Kuehn

There was but one spy case which came to trial in the Hawaiian Islands during World War II. That case involved Bernard Julious Otto Kuehn who was better known as Otto Kuehn. This man, a German national, was on the FBI list and was taken into custody on December 8th as an enemy alien. He had long been under surveillance by the FBI, and although suspected of being an enemy agent for a long period prior to the war there was not concrete evidence against him. All German nationals who were taken into custody were subjected to a routine examination by the Military Police. In this instance, the Military Police were unaware of the fact that the FBI had a file on Kuehn, but Kuehn mistakenly believed that he had been picked up because of espionage rather than because he was an enemy alien. During the questioning of Kuehn, the Military Police became suspicious that Kuehn might have been engaged in espionage and promptly called in the FBI who speedily broke the case and showed conclusively that Kuehn had been in the employ of Japanese Consul General Kita in Honolulu and that a few days prior to the attack he had furnished information to his employer concerning the strength and disposition of the United States Fleet. It developed also that Kuehn was prepared to give similar information to Japanese submarines by the use of blankets and sheets as panels which were hung on clothes lines or placed upon the ground in the vicinity of his residence adjacent to the ocean.

Kuehn was charged with three violations of a Federal statute denouncing espionage and was brought to trial before a Military Commission in Honolulu on January 28, 1942. The trial lasted three days. Kuehn pleaded "not guilty." There was introduced in evidence his confession and other confirming evidence which clearly established his guilt. The Military Commission found him guilty as charged and sentenced him to be executed. The record of trial was reviewed by a board of review of lawyers in the Office of the Military Governor in accordance with the procedure prescribed for the review of records of trial by general court-martial. The board of review found the record of trial legally sufficient and recommended that the sentence be carried out. Thereafter, I personally reviewed the record of trial and every legal question raised during the trial. I concluded that the record of trial was legally sufficient. I may say that I have long doubted the value of the death penalty as a deterrent primarily because of long delay which generally exists between the date of the offense and the date in which the sentence is carried into execution.

Bearing in mind that more than 2,000 men, women, and children were shot down on December 7th by the Japanese without warning, much less a declaration of war, I had little compunction in recommending approval of the sentence of death which had been adjudged against Kuehn because he was instrumental in bringing about this tragedy. However, it occurred to me that the probabilities were that the Germans and the Japanese had many of our people in their custody and that since we had only one spy in captivity, the State Department and the War Department

should be asked whether the execution of our prisoner would adversely affect our citizens who were in the hands of the enemy. Accordingly, I recommended that we approve the sentence but delay execution of it until the views of the War Department and the State Department could be made known. General Emmons accepted my recommendation and the record of trial was sent to the War Department, together with a copy of my review of the record of trial. It was requested that the Commanding General be advised whether the execution of Kuehn would adversely affect the status of any of our citizens who were in enemy hands.

There the matter rested for a long period. What actually happened in Washington was that The Judge Advocate General went into the matter and rendered an opinion which went over my review in detail. This second review recited that prior to the war the United States had proposed to Germany that persons committing sabotage prior to the war should be treated as prisoners of war but that Germany had not seen fit to reply to the suggestion, that the execution of the death sentence in the case of Kuehn would not violate the Geneva Convention, that, therefore, the Military Commission in Hawaii had authority to adjudge the death sentence in the Kuehn case even as to offenses for which Congress had imposed a lesser penalty, that the Kuehn case need not be reviewed by The Judge Advocate General in Washington before execution of the sentence, and that the sentence need not be confirmed by the President before execution, as was required by court-martial cases. All of these questions had been passed upon by us in Hawaii before we recommended

the execution of the sentence. It was quite flattering to have The Judge Advocate General concur in our views, but we were interested in finding out only whether the execution of Kuehn would have an adverse effect upon our nationals in the hands of the enemy. On that question there was nary an opinion of any kind. What the views of the Secretaries of War and State were on the question we submitted, I never found out.

In August of 1942, about seven months after the trial of Kuehn and the submission of the all important question to Washington, I arrived in the War Department to tussle/with the Interior Department on the martial law matter. Up to that time, we had heard nothing concerning our request in the matter of the Kuehn trial. I put the matter on my agenda and in my spare time I followed up the papers. Eventually I located them in the Department of Justice where two dilettante lawyers "had been looking over the matter." I went to see these gentlemen and asked for a decision one way or the other. Instead, I got an educational dissertation on various theoretical questions which might be involved in the case, but no decision. After two conferences, I concluded that these two theorists would be "looking into the matter" from now on, and that so much time had already passed the deterrent effect of the execution of Kuehn was already lost. I decided that a lesser punishment would suffice. After a few more conferences, these lawyers conceded that there could be no question whatever under any theory that a maximum sentence of fifty years' confinement would be legal in the Kuehn case. This would satisfy

our requirements and it would at least get the case returned to us for disposal. They agreed to make that recommendation to the War Department and I settled on that basis. In due time, the papers came back to Hawaii, some nine months after the conviction. The sentence was promptly commuted to fifty years' confinement and Kuehn was transferred to the United States Penitentiary at Fort Leavenworth, Kansas. Thus, a lurid spy escaped the extreme penalty.

Clearly, the delay incident to final disposition in this case is one further reason why civil courts and procedures would not have been adequate in the administration of martial law in Hawaii.

CHAPTER XVII

Evacuation of the Japanese

The problem of evacuating the Japanese, or perhaps more correctly stated the problem of preventing the wholesale deportation from Hawaii of all persons of Japanese ancestry under the so-called "West Coast Plan," was a most important and difficult matter. The so-called "West Coast Plan" contemplated that all persons of Japanese ancestry be removed from their homes and placed in what were termed Relocation Centers, which in many respects resembled detention camps. The plan was operated under the auspices of the Department of Justice. It was effectively operated on the West Coast. There was a concentrated effort on the part of the Interior Department to force that plan on Hawaii and it had much support in certain political circles in Hawaii. General Emmons was convinced that insofar as concerned Hawaii the plan was illegal, uneconomic, and unjust, and that it should be resisted at all costs. We were on the defensive all the way, but in the face of tremendous odds we succeeded in a major degree in preventing the unwarranted, unjust, and uneconomical plan of ruthlessly tearing all the Japanese of whatever origin or station from their homes and placing them in detention camps.

The decision of resisting the plain desires of those in high places in Washington concerning the matter rested upon the broad shoulders of General Emmons. The tactics for carrying out his desires were primarily my responsibility. The action we took in this regard was in the nature of what is known in cavalry parlance as a rear guard

action and it was executed in this instance in the best tradition of that service. Luck which is always an important factor seems to have been with us in large quantities, but as I look back upon the matter in retrospect, brazenness, considerable courage, and some little skill played a measurable part, to the end that a bare minimum of Japanese were evacuated from Hawaii, and even in those few cases it was upon the conclusion of the FBI that they were dangerous to the security of the Islands.

As I have stated elsewhere, the evacuation of those of Japanese origin as a method of meeting possible problems of sabotage and espionage had been considered as an easy means of accomplishing that objective. In the fall of 1940, when I began to formulate plans, the evacuation of the Japanese was one of the first considerations, mainly because it was such a simple obvious solution to a vexing problem. There were two possibilities. First, evacuate all of the Japanese from Oahu to some other island, let us say, Kauaii. Second, evacuate all of the Japanese to the Mainland. It seemed simple. However, a primary objection common to both plans was that the evacuation of 170,000 people to any place would require the extensive use of water transportation which, in a war, would be almost prohibitive. Even if the transportation problem could be surmounted, the evacuation of 118,000 Japanese from Oahu to Kauaii would entail housing, furnishing guards, and feeding the evacuees. It would have the additional drawback of requiring a defense against liberation. Of a certainty, it would result in the loss of loyalty of those of American citizenship

who might otherwise be sympathetic to the American point of view.

The evacuation of all or any part of the local Japanese would increase the problem of local security and would make for bad relations with those who remained.

I next considered the problem from an economic point of view. The Japanese, both aliens and citizens, constituted a major source of labor in the Islands. They were the middle class people who were essential to the operation of local business and constituted the springs which made the plantations function. They were not the cane cutters in the fields. They were the supervisory group and the highly skilled artisans. They operated the docks, the transportation facilities, and the communication systems. There were many doctors and lawyers and other professional men among them. They were policemen and firemen and were the artisans who were essential to a large portion of the military establishments. In short, they were the main cogs in the economic wheel without which the economy could not function. Even a moment's consideration would be sufficient to cast grave doubts on any plan contemplating wholesale evacuation of this group.

One further matter came in for careful study, namely, the legality of a general evacuation. Aside from the injustice of such a plan, I had grave doubts whether even a war emergency would give legal justification for the forceable removal of an entire group of Japanese-Americans from their homes without a showing at least of group disloyalty or some other equally cogent reason. As to the aliens, there would be no problem because in the event of war they would be subject

to being interned or placed under rather complete military control. But as to their children who were born in Hawaii, even though Japan claimed them as citizens, under our law they would be entitled to all rights and privileges of American citizens. Included in those rights is the right not to be illegally interfered with in one's person or his property.

The basic purpose of any war plan is to subdue the enemy in the shortest possible time with the least damage to our forces. It is a cold proposition based upon military effectiveness and efficiency. Even so, in drafting such a plan and arriving at a conclusion upon which the plan is based, one cannot escape a consideration of the humanities involved and the character of the people being dealt with. Having been in Hawaii only since August 1940, I was hardly a proficient judge of the character and temperament of the local Japanese. The major question involved was where their loyalties would be in a war emergency. Inquiries on that score elicited many answers and yet it went to the heart of the whole problem. As I continued to inquire of representative persons, I began to find that there was no unanimity of opinion, in fact, there was not even a majority of any persuasion.

There were certain factors which even a novice like myself could hardly overlook. The local Japanese had very strong ties for the homeland of their fathers in customs, teaching, religion, and most important because they had been set apart from most of the other races in Hawaii. However, all of these factors might be fully consistent with complete loyalty to the United States, the land of their birth. I had been

impressed with the fine family life of the Japanese. The respect of the children for their parents and elders was particularly noticeable. On Sundays, many Japanese families went picnicing at the ocean side. I can always remember the family groups jammed into ancient cars, not a few of the Model T Ford vintage, chugging along, the head of the house or his oldest son at the wheel. In the rear were the mother and the other ladies of the family. Sticking out everywhere were long bamboo fishing poles. When they arrived at their destination, the men went fishing and the ladies of the household prepared for the feast because the Japanese are among the most skillful fishermen in the world. In passing such individual family groups at the water's edge, I was struck by the apparent cohesion of the family and their enjoyment of the outdoors.

Near the hotel at which I resided there was a "geisha house" or restaurant whose patrons were exclusively Japanese. On Saturday nights, stag parties of a considerable number of men were held. After the dinners were well under way and considerable saki had been served, the sound of group singing to the accompaniment of a squeaky fiddle type instrument was wafted across the bay. As the evening progressed, the singing became more discordant and the music of the one stringed fiddle was lost in the volume of voices. The noise gave every evidence that a good time was being had by all present. Promptly at eleven o'clock, the music stopped and all the singers, after polite bows and friendly adieus, repaired to their cars and made an orderly departure to their homes. During the eighteen months preceding the

war, this was a regular performance and never was there a disturbance of any kind. The orderliness of such entertainment made a distinct impression on me.

There was no juvenile delinquency among the young Japanese, and so far as the newspaper information was concerned there seemed to be very little crime. I have been told that the Japanese frequently disciplined their own people without going to the authorities, and if this was so they did a mighty fine job of it. Japanese of all ages were extremely courteous and the formality of their manners was striking. Young ladies were graceful and very attractively attired. Although the old country dress was on its way out and the occidental dress was favored, the gracefulness of the wearers was not lost. The young Japanese ladies were not pruders, nor were they always sedate. One of the first sights I saw in Honolulu was a young Japanese boy on a motor scooter with a Japanese girl as passenger behind him. The Aloha shirt of the driver was flying in the wind and the girl was tickling his bare ribs. Both were laughing wildly at the extraordinary path the scooter was taking. All pedestrians who observed the pair gave them the right of way and enjoyed the lark.

The diet of the orientals and especially the Japanese was largely fish and rice. All of oriental origin, as well as many Caucasians, in Hawaii found raw fish a delicacy. Prior to the war, one of the most common sports of the young Japanese men was spear fishing at night. They had an ingenious arrangement consisting of a tin can containing some fuel, such as kerosine or gasoline, to which was affixed a stick,

carrying a wick. The whole affair was carried on their backs and when ignited it cast a strong light in front of the person carrying it. Armed with homemade spears and carrying these lighting devices, groups of young men would travel over the areas adjacent to the shore, spearing fish as they went. As a fish was caught, its disposal was determined by its size. If it was small, it was eaten at once or shared with a companion. If it were of some size, it was placed in a burlap bag which hung around the neck of the hunter and trailed behind him in the water. These fishing expeditions were of a social nature but at the same time served to enhance the family larder. The flares of these young men fishing in the moonlight is a sight that no one who sees it ever seems to forget.

It will be seen that there were innumerable factors to be considered in determining the question of evacuation. After a careful consideration of the entire matter, I came to the firm conviction that our best policy would be to control all of Japanese ancestry very strictly but to incarcerate only those who committed acts of disloyalty or subversion. I felt that in the interest of internal security this policy should include both citizens and aliens. I was prepared to go so far as to arrest citizens whom the FBI had reason to believe were disloyal. I believed that as a further step all of Japanese ancestry should be encouraged to comply strictly with military regulations and to promise them that if they did so, the military would see to it that neither they nor their families would be molested in their persons or their property. The policy thus formulated in the spring of 1941 eventually was incorporated in General Orders 5.

In the early fall of 1941, General Gullion, The Judge Advocate General, sent one of his officers to Hawaii to acquaint us with the "West Coast Plan" for the evacuation of the Japanese in the event of war with Japan. When he reported to General Short, I was called for the conference. The "West Coast Plan" contemplated the removal of all of Japanese ancestry from their homes on the West Coast and restricting them in detention centers. The emissary recommended that the plan be paralleled in Hawaii. When my turn came to express my views, I made strong objection to the suggestion, stating that I was fully familiar with the suggested plan, that I had considered it and had rejected it as not being applicable to Hawaii. I asserted that I questioned the justice, effectiveness, and the legality of it as applied to Hawaii. This was months before the war and I could see no reason or justification for treating this large segment of Hawaii as anything but American citizens at least until there was some disloyal action to justify it. The discussion engendered some heat and I wound up by taking the position that the wholesale evacuation of the Japanese-Americans, merely on the basis of their national origin, would be wholly unjustified and completely illegal unless or until a considerable number of them should demonstrate disloyalty. General Short saw it as I did and at that time made the command decision not to apply the West Coast Evacuation Plan in Hawaii, except as a last resort. This incident served to fix the policy which, though frequently challenged locally as well as in Washington, was never altered during the war. Although aliens could legally have been incarcerated immediately, the same policy was applied to that group.

When the Blitz struck, the matter of the treatment of the Japanese was no longer an academic question. One hundred and seventy thousand persons of unknown sympathies, many of whom were living in the immediate proximity of our most important installations, presented a problem of serious proportions when martial law was declared. We put my proposed plan into effect and General Orders # 5 was issued as the first step. The matter of evacuation of any or all of the Japanese was momentarily immaterial by reason of the fact that there was no shipping available for any purpose. The character of the attack and the seriousness of it whipped up public opinion against the local Japanese and their loyalty became the burning question of the day. All those on the FBI list were immediately picked up and interrogated. Strict control of the local population of all races was instituted at once and summary judgments of the Provost Courts were given wide publicity. Strict enforcement of blackout regulations and other rules of personal conduct served to bring order and at the same time make violations of loyalty a dangerous occupation.

The policy of General Short was fully in effect from the outset. When General Emmons arrived ten days later, he continued that policy. The Mainland authorities were so shocked at the Blitz that for a short time thereafter our policies as to the local Japanese went unnoticed. Those persons who appeared on the FBI list, whatever their origin, were promptly taken into custody and detained at the Immigration Station in Honolulu. Immediately there was begun a screening process by civilian hearing boards. Where the evidence against an individual by

an agent of the FBI was such as seemed to merit his retention, he was temporarily held pending a careful review at the Office of the Military Governor. In other cases where the evidence was considered insufficient, the individual was released at once. The only evidence against some of these people was circumstantial, but the FBI was fully justified in taking no chances. At the hearings, these persons were easily able to refute improper implications. I recall being present at one of the earliest hearing board proceedings. I went to assure myself that these people were being dealt with fairly. Before the board was the wife of a Navy petty officer who was on duty on the Navy carrier, "Enterprise." This lady was born in Germany and immigrated to the United States with her parents when she was a very small child. All her life she had assumed that she was an American citizen and had never taken any steps to perfect her citizenship. Technically, therefore, she was a German citizen. She had been married for a number of years to a Navy petty officer, and like every other Navy wife had moved all over the United States, wherever her husband's ship came to port.

The Enterprise was lately based at Pearl Harbor and in due course it made frequent trips to sea. This lady, as well as other Navy wives whose husbands were members of the crew of the Enterprise, received mail from their respective husbands via passing submarines, aircraft carriers, aircraft, as well as by regular mail and by other means customarily used by sailors. This lady being the wife of a petty officer, as well as being a very intelligent person, would compare the information being transmitted to the various wives by their husbands,

this in the interest of estimating when their husbands would return to port. The women began to meet at this lady's house or elsewhere, where they could compare notes and make an educated guess as to when the "Big E" would return to Pearl Harbor. The FBI learned of these meetings and construed them as possibly having some ulterior motive.

One look at this lady and her tearful explanation was sufficient to convince the board that her only interest was to guess when her husband would return so that she might be waiting on the dock. She was promptly released. I took occasion to ask her how accurate her guesses were. She replied that they were invariably "right on the nose," in view of which answer I could readily understand the concern of the FBI in the matter, because such information and the plan could have been applied by persons whose interest was other than wifely.

There were many instances in which the detention was fully justified and essential to our security. By February 1, 1942, there had been detained 485 persons, including 402 Japanese, Germans, and Italians. Only 29 of the Japanese were Japanese-Americans. Some were subsequently released but the remainder were detained on the recommendation of the FBI.

Early in 1942, pressure from Washington began to be applied on the Commanding General looking to the evacuation of a major portion of the local Japanese. Secretary of the Navy Knox had made an inspection trip to Hawaii shortly after the Blitz and apparently was convinced that evacuation of the Japanese was essential. On January 10, 1942, General Emmons received an inquiry from the War Department as to

the practicality of evacuating the Japanese from Oahu to some other island. That inquiry brought up the entire question. In my mind such action would be impractical and extremely dangerous. General Emmons saw it as I did and the reply he sent was in that vein. He pointed out that there were more than 100,000 Japanese living on Oahu and that they constituted the source of supply of labor, both skilled and unskilled, and that in his mind they were indispensable to the war effort. He added that if they must be evacuated, it be to the Mainland. This latter suggestion was thrown in because the Mainland was at that time up in arms over the Japanese on the West Coast. This was the start of a policy which took about all the skill we had to sustain our point of view.

About this time publicity on the Roberts Report concerning the Pearl Harbor attack was released/^{and} on the Mainland the public became even more apprehensive concerning the danger of the Hawaiian-Japanese being permitted to remain in Hawaii. As a result of this anxiety, the War Department asked General Emmons how many Japanese he would recommend for evacuation. He countered with a statement that the first to be evacuated should be about 3,000 dependents of service people and other local civilians, this in anticipation that the Japanese troops would return to attempt a landing. Included in the reply, which I drafted, was a statement that in case the Japanese forces returned before we got the civilians evacuated, we would "neutralize the local Japanese." When he came to that phrase, General Emmons asked me how I proposed to do it. I replied that I did not know but that it "sounded impressive." General Emmons, whose sense of humor

never deserted him, chuckled and let it go. After this suggestion had been approved, we evacuated about 13,000 women and children to the Mainland, most of whom were dependents of service personnel. About this time I had private information from confidential sources which led me to believe that the War Department would probably do what it could to support whatever General Emmons thought best, this despite very strong political and other pressures demanding evacuation or other punitive action against the local Japanese. This reassured me, but it was a delicate situation which had to be handled with great care.

On February 9, 1942, the President issued Executive Order 9066 which authorized the Secretary of War to designate certain military commanders to prescribe military areas from which any and all persons could be excluded. On the following day the Commanding General, Western Defense Command, began issuing proclamations authorized under Executive Order 9066 and other orders. There followed numerous directives by that command concerning curfew, registration, and evacuation. The eventual uprooting and evacuation of a large number of families of Japanese ancestry to detention camps in the desert area of Arizona and elsewhere is a matter of history. These precautions were caused by the presence of about 117,000 persons of Japanese background who were scattered over the entire West Coast and from the northern border of the State of Oregon to lower California. The vast majority of these persons were citizens.

In Hawaii we believed our situation was even more precarious than that on the West Coast in that the number of our Japanese was greater and the concentration of them was much more dense. Nevertheless, we

held to our policy. Of course, we had martial law in Hawaii which gave us wide powers and our restrictions on all the inhabitants were strictly enforced. Our people took the news in stride when we reassured them that we had no present intention of attempting mass evacuation. The situation was not without its humorous side. When the evacuation order of the West Coast became available to us one of my staff noting that it applied only to those of Japanese ancestry explained that if those of German and Italian ancestry were included it would result in all of the rich brewers and bankers on the West Coast being hustled off to detention camps. While this was an attempt at humor it served to point out that there was no more sound reason for such action against those of Japanese ancestry than there was to take the same action against the Germans and the Italians since we were then at war with both Germany and Italy.

The method employed by the West Coast to meet its evacuation problem met with the general approval of public on the Mainland, and it was not without its adherents in Hawaii. In fact, numerous persons in high official circles in the Hawaiian Government constantly baited us for "being soft" on our treatment of the local Japanese. Some of the people may have been motivated by political reasons and perhaps some were simply frightened. This attitude was doubtless emphasized by blackout conditions and other necessary restrictions. However, the tension was real and pressing, but there was no mass hysteria. We received innumerable complaints alleging that the Japanese were occupying important positions in the Red Cross and other

volunteer organizations. Other complaints were more serious. Typical of the attitude of some local residents was a group which called on me "to discuss the Japanese situation" and offered the suggestion that all alien Japanese "be forced to inform the public that they were aliens" by placing a sign in front of their homes stating that they were aliens and stating where they were employed. This, said the committee, "would permit citizens to better check up on aliens." I informed the committee that I was confident that the FBI had the situation well in hand but that I would take the suggestion under consideration. At that time I could not escape wondering what chance a Japanese would have in a court matter with such prejudiced citizens sitting on the jury.

In another instance, a complaint was made involving a volunteer ambulance dispatcher named Murakimi. His discharge was demanded upon a suspicion of a remote nature which had its basis solely on the fact that he was of Japanese ancestry. It came to the attention of Dr. Arnold who was the head of the volunteer service involved. Dr. Arnold was not a man to become angry easily, but in this instance he was seriously worked up and did not stop until he had completely refuted the unjust charges against his subordinate. This incident and numerous others of like character convinced me that there was a feeling of insecurity as to the attitude of the local Japanese. I must confess that it was not without grave concern to me but it seemed to me that in fairness and justice we had no choice but to continue our policy.

Having failed to sway me, some local civilian pressure was switched to the local General Staff. This was evidenced by a visit from a member of that unit. He offered a suggestion that he said was given him by a prominent downtown citizen whose name he declined to disclose. As a means of relieving local pressure, it was proposed that evacuation of the local Japanese be accomplished on a voluntary basis. I declined to go along with any such program, pointing out that it was a snare and a delusion because once the program was instituted, pressure would be built up to compel the Japanese to "volunteer"; we would find ourselves in the position of the West Coast. Obviously, any voluntary evacuation of this sort would be volunteering for the detention camp on the Mainland. The staff officer saw the light and the suggestion was discarded for the time being. However, it was a fine sounding theory and so plausible that we recalled it and successfully employed it later as a pawn in negotiations with Washington authorities for the purpose of buying time.

The constant pressure both from the Mainland and locally made me apprehensive as to whether my views were completely realistic. I leaned heavily on the intelligence reports given me by members of our Morale Section which was composed largely of orientals who were in close touch with large segments of the oriental population. This group assured me that the local Japanese were trying their level best to cooperate fully with the Office of the Military Governor and that they were cognizant of the difficulties we were having in sustaining our position in treating them fairly. The problem had some political

aspects which served to further complicate the matter. For example, there was considerable concern in some quarters as to how the Japanese population would vote in the period after the war had ended. General Emmons was not a man who could be easily swayed by pressure; in fact, once he had made up his mind, it took cogent reasons for him to change his decision. The pressure upon him in this matter was terrific, far greater than upon me, but in spite of everything he stood his ground and we carried on.

To meet the recurring pressure from Washington sources on the evacuation question, we backed and filled as the occasion demanded but never actually retreated from the position that our best interests lay in the evacuation of only those who demonstrated subversive tendencies. With the presence of a battalion of well disciplined troops in downtown Honolulu and the ready availability of such additional troops as might be needed, coupled with a fine police force and effective reserves, we asserted that we felt confident that we had sufficient force to meet any resistance which might be organized. Another, and perhaps a more potent, force for compelling cooperation by the local Japanese was the presence of 40,000 Filipinos, many of whom were machete armed. Of much greater concern to me than any possible mass uprising or resistance by the local Japanese was the ever present danger that the Filipinos might take it into their heads to start a private war against the 170,000 unarmed Japanese. These two factors were not conducive to sound sleep for those holding the responsibility.

Mr. McCloy, the Assistant Secretary of War, came to the Islands late in March 1942. At a conference in my office General Emmons convinced him of the correctness of our view on evacuation. At that conference also General Emmons passed on to Mr. McCloy the suggestion that a provisional battalion comprising the remainder of the 298th and 299th National Guard Regiments be consolidated and sent to Europe. General Emmons explained that these troops consisted almost entirely of local Japanese-Americans, that they could not be used against the troops of the Emperor for obvious reasons, but that if reinforced, he believed that they would give a good account of themselves against the Germans or the Italians. He pointed out that such action would give these soldiers a chance to demonstrate their loyalty and that at the same time it would give their friends and relatives in Hawaii an opportunity to show where their loyalties were. There was another important reason for the adoption of the suggestion. For some time the drafting of local Japanese-Americans had been suspended and enlistments were not accepted because all existing vacancies had been filled. The Caucasians objected to this in that they felt that they were being drafted out of proportion to their numbers. The local Americans of Japanese ancestry felt slighted at being denied an opportunity to serve in the Armed Services in time of war. The formation of the suggested provisional battalion would satisfy both objections. Mr. McCloy was as impressed with the idea as we were and agreed to take up the matter in Washington when he returned there. This conference with Mr. McCloy was a momentous one. On the following day the local newspapers quoted Mr. McCloy as

saying that mass evacuation of persons of Japanese ancestry was not practical and that it was not contemplated. This was very reassuring to all concerned and gave the local Japanese morale a badly needed boost. Perhaps of even more importance, this conference had the effect of convincing Mr. McCloy of the correctness of our policy concerning evacuation of the Japanese and enlisted his aid in our long and tedious efforts to employ our Japanese-American Provisional Battalion in combat in Europe.

The idea of sending our Japanese-American unit to Europe subsequently proved to be a masterful one. It eventuated in the activation of the 100th Infantry Battalion which became the basis for the 442d Regimental Combat Team. This unit covered itself with glory in the European Theater and was one of the most decorated units of the United States Forces. The tremendous success of this fighting unit put the Japanese-Americans in a new and favorable light. It offered an opportunity for the Japanese-Americans to assert their loyalties and they acquitted themselves exceedingly well. When Mr. McCloy returned to Washington after his conference with General Emmons in my office, he promptly submitted to the General Staff the suggestion of forming a provisional battalion of Japanese-Americans.

Subsequent to the termination of the war there was speculation as to who first conceived the plan to send our Japanese-American troops to fight in Europe. I recall that I urged it strongly but have no present recollection as to the originator of the idea and have no records which might be helpful in determining the matter. I have been

informed by Colonel Clarence E. Fronk, a prominent Honolulu physician, that he first conveyed it to me. I distinctly recall that Colonel Fronk came to us frequently with ideas and suggestions, as did many other public spirited citizens. In view of Colonel Fronk's statement I am happy to credit him with the origination of this important plan. The matter was in turn submitted to the European Theater for recommendation. Our hopes were dashed when word was received that General Eisenhower's headquarters would have none of it. That stopped the forward movement of the project temporarily, but as a compromise, orders were received to transfer the so-called "Japanese Battalion" to the Mainland. This was a step in the right direction and encouraged us to continue our efforts to find some way in which drafting of local Japanese could begin again and some method for using them after they had been enrolled in the military service.

The "Japanese Battalion" was promptly dispatched to the Mainland but soon there came back to the Islands stories of harsh treatment of the members of this unit by the local population in the vicinity of their Mainland stations. By this time, wholesale evacuation of all of Japanese ancestry was in full force on the West Coast. They were being herded into "relocation camps" and their plight was something less than pleasant. Our "Japanese Battalion" came in for singularly bad treatment, but to their everlasting credit they withstood it well.

Mr. McCloy subsequently by letter informed General Emmons that he was not having much success in convincing Washington authorities that

our idea of evacuating only undesirable Japanese was sound. As a consequence, he suggested that General Emmons had better be getting up some plan for partial evacuation in order to satisfy the Washington authorities and he suggested the number 15,000 as an appropriate minimum. This put the problem right back where it was in the beginning. In June 1942 we came up with a suggestion which we thought might stave off the evil day when we might have to capitulate to the Mainland "Jap haters." We resorted to the proposal that evacuation be made on a voluntary basis. The suggestion was buttered with the suggestion that volunteers "be selected from those in the low income brackets." This followed the suggestion made to us previously by an officer of the local general staff which we refused to consider because of the obvious danger of local Japanese being pressured into "volunteering." We were still of the opinion that it was an impractical proposition. Our idea was that it might serve as a stop gap which would serve to gain time. Our hope was that the suggestion would cause so much administrative examination that the proposition might be forgotten before the decision had been determined. To our consternation the Mainland authorities took the bait promptly and arranged for the relocation of 15,000 Hawaiian-Japanese. We countered by suggesting that the number be reduced to 1,500, and immediately turned our attention to finding some other solution of a less drastic nature.

About this stage of the game, I was called to Washington for consultation. Among my more important errands was to attempt to

satisfy the General Staff of the correctness of our stand on the matter of the evacuation of the local Japanese. I found no difficulty whatever and was gratified to learn that the staff was fully cognizant of our ideas as well as our delaying tactics and that, furthermore, it was in sympathy with us and stood ready to support General Emmons in the matter as far as it safely could do so. I was informed that such was not an easy road because Secretary of the Interior Ickes was determined to enforce evacuation of an appreciable number of Hawaiian-Japanese and had reached the ear of the President. This viewpoint was in line with that of the Department of Justice which was in active charge of the West Coast evacuation operations. Furthermore, it appeared that Secretary of the Navy Knox seemed to be obsessed with the idea that the evacuation of the Japanese from Oahu to one of the other islands was not only feasible but that it was essential that it be done immediately. As a matter of further bad news, it was understood that Mr. Knox was dissatisfied with the low progress being made by the Army in Hawaii in this regard, and that he had reported his views to the President.

In my discussions with some of the Interior Department personnel on that trip, they urged that we emulate the West Coast policy. They asserted that Governor Stainback and Attorney General Anthony understood the local situation better than the military and that both favored major evacuation of the Hawaiian-Japanese. When I explained to them that in my view it would be unfair, unjust, and impractical, they countered by accusing me of being in cahoots with the "Big Five."

It would have been news indeed to the so-called "Big Five" to learn that they had me as a partner. On one occasion I was asked how many shares of sugar stock I owned. Actually, I owned not a single share of sugar stock or any other Hawaiian enterprise. My interest was purely military. However, I refused to answer the inquiry as I felt that it was impertinent. My refusal to answer was a mistake as it seemed to be taken as an admission that I had a personal interest. To be sure, the Big Five would have been adversely affected by the evacuation of the Japanese, but that would be equally true of every other business in Hawaii. Of more concern than the interest of the Big Five or any other business was the fact that it would be illegal and would adversely affect the war effort. Furthermore, from a humanitarian point of view, the ruthless uprooting of the West Coast Japanese and sending them to relocation centers was with little justification, and I was unalterably opposed to any such action in Hawaii, especially in view of the exemplary conduct of the local Japanese.

While on the Mainland on this occasion, I sensed a growing feeling that there might be legal complications if Hawaiian-Japanese citizens were shipped to the Mainland, especially in the San Francisco area. For my part I was satisfied that the detention of citizens on the Mainland would be clearly illegal. No such problem could arise in Hawaii where the writ of habeas corpus was suspended. I also noted that the feeling against the importation to the Mainland of Japanese from Hawaii was rapidly increasing. Both of these views, if correct, would work to our advantage and it seemed to me that if the evacuation

problem in Hawaii could be delayed a bit longer, the pressure would largely disappear. Accordingly, when I reported back to General Emmons we took a new attack on the controversy by suggesting that we evacuate to the Mainland "all persons who are a drain on the resources of Hawaii." That proved to be a bomb shell. It had the effect of causing local pro evacuation advocates to examine their own interests. It was intended primarily to confuse the issue and cause delay and it had these effects. As Colonel Morrison expressed it, "it scared hell out of everybody." By it, we managed to stall things until General Emmons and I were summarily summoned to Washington.

We found that the Washington view on evacuation had not materially changed. At a conference on the subject, when pressed, General Emmons declared that he had no objection to the evacuation of those Japanese who were considered dangerous by the FBI but even as to those, however, he objected to having them repatriated to Japan or exchanged because this would permit them to communicate information concerning our defenses. He also insisted that any of our Japanese who were evacuated to the Mainland be segregated for the same reason. This interposed a new element into the already confused subject. The bureaucrats swallowed the bait and after a considerable discussion took the matter under advisement, and nothing definite was settled before General Emmons departed.

These included Germans, Italians, and Japanese, some of whom were American citizens. Upon reaching the Mainland some of these evacuees

began to discuss the advisability of seeking their release by means of a writ of habeas corpus. Before any such proceedings could be instituted, Mainland authorities hastily shipped the citizens back to us without notice. From that time on the matter of evacuation ceased to be a burning question and discussion began to fade away.

About March 1943, General Emmons was instructed by the War Department not to evacuate any further citizens and to evacuate only such aliens as he did not desire to retain in the Islands. Thus ended the struggle of the military commander in Hawaii to prevent the wholesale evacuation and detention of all of Japanese descent in Hawaii. In accomplishing this result, it was necessary for him to out-maneuver certain powerful Washington bureaucrats as well as some influential people in Hawaii. General Emmons took the action which he was convinced was for the best interest of the war effort, the liberties of the loyal local inhabitants and the future economy of the Islands. It was accomplished only by dogged persistence and courage and it was not without major personal risk.

At this time of prosperity in Hawaii, it would take very little imagination to visualize the disastrous effect major evacuation of the local Japanese would have had upon the present economy. Resistance to major evacuation could only have been successful under martial law, and in my judgment it was one of the major accomplishments of the military in Hawaii during that trying period.

CHAPTER XVIII

Evacuation of Women and Children

In addition to the evacuation problem involving the Japanese, there was another and very different evacuation matter which seems worthy of note. It was the evacuation of the dependents of service personnel and the wives and children of citizens of Hawaii. Military personnel of all ranks and civilians were fully aware of the possibility of the return of a Japanese raiding force or an attempted landing on the Islands. The treatment of invading Japanese troops afforded to people in a defeated territory was well known to all. The military was expecting a last ditch fight and not a few of the military personnel looked forward to it with anticipated satisfaction. All agreed that every possible woman and child should be evacuated from the area. Accordingly, when the military announced its policy to evacuate all women and children the plan met with enthusiastic public approval. The only complaint came from a few Navy wives who explained that they had spent their lives trying to catch up with their husbands and now that they knew where they were going to be based for a short while, at least, they disliked to be evacuated. However, as always, they shrugged off their disappointment by saying, "Well, this is the Navy again," and went about preparing for evacuation.

The first group to be selected were taken on a space available and voluntary basis. Supply ships began to come into port at Honolulu in small numbers during the latter part of December 1941. When they

departed, they took with them as many dependents as possible. Since these ships were mostly freighters the number of evacuees was small. By the end of February 1942, the project was well organized and the number of evacuees had materially increased. Ships were now coming in from the Mainland in larger numbers and none went back empty. One of the larger convoys which carried my wife was typical of the system used. That convoy began to get organized in the inner harbor at Honolulu on February 19th. The first group consisted of six transports of various sizes accompanied by a destroyer escort. From lists prepared beforehand, prospective passengers were notified to repair to the dock when the ship was ready. When each successive ship was loaded it pulled out into the harbor and made ready to sail on short notice. In this convoy there were more than 3,000 evacuees and once aboard the ships, there was no turning back for any reason, and no visitors were permitted. Loading 3,000 women and children is a tedious matter for all concerned, but all made the best of it. The accommodations were crowded to the maximum. The evacuees were none too pleased at leaving their loved ones, and few looked forward with pleasure to the voyage ahead. The ships lay in the harbor for two days, which did not increase the morale of anyone. This enforced wait was due to the fact that the S. S. Aquitania was coming from Australia with the first group of American wounded. During the second night the Aquitania slipped into the harbor unannounced and all was ready. There was a patrolling of destroyers, submarines, and aircraft, preliminary to the departure of the convoy. At five o'clock on the afternoon of the 21st, the time of

departure had arrived. It was planned so as to pass the dangerous Molokai Channel at night because the area was known to be a rendezvous point for enemy submarines.

Suddenly, the Army transport, Grant the flagship, came to life and began to pull out. She was loaded with sick and wounded. The President Garfield swung into line behind the Grant. The Kitty Hawk, a former train boat which had plied between Cuba and Key West, came next. She was followed next in line by the luxury liner Lourline of the Hawaiian Steamship Line, carrying 2,000 evacuees. As the procession passed the beautiful Acquitania, she suddenly came to life and took her position. She towered over the others and gave the appearance of a mother hen shepherding her chickens to safety. The Navy transport Wharton came from Pearl Harbor to complete the convoy. As soon as they had cleared the harbor a hollow square was effected. This tight formation was maintained and they steamed ahead at about 300 yards apart. The whole armada was flanked by combat ships, and an uneven ziz zag course was adopted and maintained for the next twelve days until arrival in San Francisco.

That voyage was not only a perilous one for the evacuees, but it was also uncomfortable in the extreme. The crowded conditions and the constant alertness soon wore the nerves of the passengers thin. The evacuees were unhappy about the whole thing, but their loved ones who were left in the Islands were no less happy; in fact, all were gravely concerned until news of the safe arrival of the convoy was announced. While he said nothing to indicate his feelings,

the anxiety of General Emmons was evident. I shared his concern and a small portion of his responsibility. Had anything happened to that convoy I still shudder to think of the probable repercussions. Least of all would be the endless congressional investigations and the adverse public reaction. Nevertheless, it was calculated risk which had to be taken in what we considered the best interests of our country. From the time the ships left the harbor at Honolulu until their safe arrival in San Francisco, the major responsibility was on the Navy. That the Navy acquitted itself well may be gleaned from the fact that we evacuated more than 13,000 women and children from Hawaii without the loss of a single ship. That the Japanese were capable of torpedoing our ships was demonstrated by the fact that the Army Transport S. S. Frank was torpedoed at our very doorstep, and on occasions Japanese submarines rose to the surface to shell installations on the outer islands.

Strangely enough, many people suffer from claustrophobia in Hawaii, an unexplained and uncontrollable feeling of being confined. This tendency, when added to tensions caused by unusual restrictions such as blackout and other war requirements, took its toll on many who remained in Hawaii after the beginning of the war. The number of men who suffered from nervous tensions because of the absence of their families was astonishing. Lonesomeness or boredom or whatever you wish to call it is a terrible malady. When coupled with long dark solitary nights, those whose nerves are already at the cracking point become a real problem. The ailment has no connection with the size and indeed the

courage of the individual. Occasionally, some big strong, able-bodied man, who should be competent to withstand almost anything, would appear in my office with tears streaming down his face and plead for permission to be placed upon the evacuation list. Such cases were indeed hard to deal with because it was impossible for me to distinguish between those who had simply lost their grip temporarily and those who were base cowards, whose usefulness to the war effort in Hawaii was over.

I can recall the case of an important figure in Hawaiian business life who appeared in my office and pleaded with me on his knees, asking to be sent to the Mainland. I simply could not believe that this man was a coward, in view of his unusual muscular development. I concluded that he had simply broken down under extreme pressure and that to permit him to be evacuated would have the effect of permanently destroying his self respect. Though hard pressed with other business at the time, I took time out and encouraged this man to talk out his troubles. They were relatively minor and when he had unburdened his very soul, he suddenly felt better and sat up and began to talk about business problems in which we had a mutual interest. He finally got hold of himself and had figured out for himself that his position was untenable. He smiled and got up and thanked me for my patience. We shook hands and he departed. If that man was ever troubled again, he never came to see me about it and also he never again asked for evacuation.

In another case, a man in his early thirties came to see me at night and pleaded with me to remove his wife from the sailing list upon the ground that her character was so bad that she did not deserve favorable treatment. He proceeded to give me a detailed run-down on the failings of his wife and the accusations were anything but mild. At last his true motive slipped out unintentionally. He wished his wife taken off the sailing list and replace her, himself. What to do with a man like that? Obviously, he was a craven coward. He was a competent engineer and skills of that character were badly needed in the Islands. This man was not sick. He was a coward and never would be of any value to us. Nevertheless, I could not see my way clear to ship him out because to do so would mean that some dependent wife would have to be taken off the shipping list. I tried to calm him down but to no avail. I then turned down his request. He left unceremoniously, screaming as he went, "I've got to get on that ship." Very late on a night shortly thereafter, I was inspecting a convoy before sailing. A man edged up to me and said, "You see. I made it." I recognized the coward who had called on me a few nights before. I was too angry to answer him and restrained an impulse to toss him overboard. I could have him removed from the ship but decided against it because he was too far gone to be of any value to us and would probably be a liability. Furthermore, at that hour, it was impractical to fill his vacancy on the ship. I contented myself in making sure that the man's wife had not been removed to make room for him. He sailed with the ship, but the next morning before the Evacuee Assignment Office was hardly open I presented myself and

conducted a searching investigation to determine how that man was able to get on the passenger list. Not a single clerk recalled having assigned the man to the list, and furthermore an examination of the list itself failed to show his name. By this time the ship was several hours at sea. The incident had one value. It pointed up the fact that some persons wished to leave so badly that they were stowing away to do so. We took steps to prevent any further departures by that means.

One of my duties was the inspection of evacuation ships before sailing time to assure myself that all safety measures were being taken. The convoying safety of ships was the responsibility of the Navy, but the internal security and safety of the ships themselves rested upon General Emmons. It had been reported to me that certain affluent passengers had been given preferred treatment as to the assignment of space. There was no place for that sort of thing and I covered that point in future inspections. These inspections were usually made late at night or very early in the morning when the press of other business had slackened. On one such occasion, I came aboard an evacuation ship and, as usual, summoned the military officer in charge. When he appeared we made the rounds together. He answered my questions and I checked him up. I started at the lower deck and inspected the cleanliness of the food and the equipment, I visited the ship's hospital and looked over the sick, the insane being transported home for treatment and the prisoners, if any. These inspections were carried on with the aid of a flash light since the exterior of the

ships were completely blacked out and only sickly blue lights were permitted in the interior. On the occasion in question, the complaints concerning irregular assignments of space were fresh in my memory. When we came to the first class cabins I stopped in front of the bridal suite and directed the officer accompanying me to open the door. He protested that the occupants were doubtless asleep. I then felt sure that his reluctance meant that he was hiding something so I ordered him to open the door without further delay. He obeyed and I moved boldly into the darkened cabin, prepared to apologize should it be necessary. I flashed my light around the cabin and what I saw made me want to get out as fast as possible, for there tucked into each of seven beds in the room were fourteen children, one at the head and another at the foot of each bed. One woman was asleep in the eighth bed. I snapped out my light and tiptoed out as noiselessly as I could.

Sometimes I found that some of the assignments were highly irregular. On occasion I found that space on the priority list had been changed so that a mother and several children were crowded into small quarters while another person might have rather extensive quarters. Whenever that was found to exist a change was ordered on the spot and the next morning the Evacuee Assignment Office either had a good explanation or some one got another job. Human nature being what it is and always has been, only constant inspection insured a fair deal for those without influence or friends.

The expert on classification was Mrs. Clorinda Lowe Lucas who was an experienced social worker. She was the daughter of Ebon Lowe,

a patrician of the Hawaiian hierarchy. She was a Smith College graduate and a charming but exceedingly firm lady. She was a martinet in preventing unfair preference to evacuees on the basis of social standing or other improper standard. On the other hand, when she had determined that an applicant should be given priority for a good and sufficient reason, it was sometimes easier to accede to her recommendations than resist. She never was unreasonable but on occasion could be very firm. For example, one morning a ship came in from the Mainland carrying 4,200 soldiers. We tried to get such ships "turned around" within 24 hours and started back to the Mainland. I called Mrs. Lucas and having informed her that 4,200 soldiers had come in, I directed that she alert 4,200 women and children to be evacuated within 24 hours. She protested that 4,200 women and children could not go into the available space and suggested a figure of 400 to 600. She urged me to meet her at the ship and she would show me her reasons. I met her as requested. We found that the sleeping quarters consisted of bunk beds, four tiers high. She inquired whether I could visualize a fat woman climbing up into the bunk with only a foot clearance from the next lower one. I could see at a glance that the older women could not travel in the limited space which young soldiers took as a matter of course. Mrs. Lucas intimated that if I shipped 4,200 women and children on that ship that it would result in mayhem, murder and perhaps worse before the twelve days to the Mainland had been completed. By the time she got through pointing out the deficiencies in the cooking, eating and

toilet facilities I was happy to settle for 800 women and children evacuees.

By the time we had succeeded in evacuating 13,000 women and children safely to the Mainland, we began having trouble keeping them there. Every subterfuge known to man or woman was employed. Wives attempted to return as nurses, in which classification we were in short supply. The Navy needed clerks and imported some lady clerks only to find that an appreciable number were Navy wives who had been unceremoniously evacuated. Some women stowed away and jumped ship upon arrival. Others signed on as a part of the crew and disappeared as soon as the ship docked. We did our best to prevent the return of any dependents because of the very definite reason that we expected the Japs to return to fight. There were some real hardship cases wherein special permission to return was granted. For example, an Hawaiian woman evacuee with two children arrived in Buffalo, New York, in the middle of winter to wait out the war at the home of her mother-in-law. The latter, who was an Italian, though sympathetic, could not understand Hawaiian ways. The Hawaiian woman could not enjoy running around in her bare feet in the deep snow, and both she and her children fared badly on spiced Italian dishes. They were accustomed to fish and poi which, to the Italians, was barbaric. The mother-in-law was distraught at the manners and customs of her daughter-in-law and the children. Murder seemed in the offing. The Red Cross intervened. Could there be an exception made permitting these people to return?

As Mrs. Lucas put it, "bombing would be simple beside the life they were living." An exception could be and was made. There were other exceptions, but in view of the problems involved there were remarkably few.

As may be expected, the project of evacuation of dependents was fraught with difficulties at every stage of the operation. Its extraordinary success was in a large part due to the efficient action of experienced civilian personnel of public agencies in Hawaii and the discipline and cooperativeness of the wives of the service personnel which constituted a considerable portion of those evacuated.

CHAPTER XIX

Food Control

Shortly after the Blitz occurred my small force made a quiet and quick check to estimate the food stocks which were available to civilian Hawaii. It brought the startling result that reserve stocks of rice and other foodstuffs were alarmingly low. It should be explained that rice is a necessity in the diet of orientals. They cannot readily substitute other starches for rice without severe physical discomfort. The food situation which existed on December 7th was completely normal for Hawaii. Comparatively little food was raised in the Islands. Considerable beef was produced on the Parker Ranch, on the Island of Hawaii, but although this ranch was one of the largest in the United States it could supply only a small portion of the meat needed. A meager percentage of the required vegetables was raised on the Island of Maui. Mangoes, bananas, papaya, and avocados were grown in considerable quantities on all of the Islands. There were fish to be caught in the sea if the Japanese submarines would permit fishing. However, the main source of supply of food was the weekly trips of the Matson steamships from the Mainland. In normal times, food storage facilities were not needed and, therefore, when the emergency came there was no appreciable amount of stored foods available. With the source of supply cut off, the problem of feeding one-half million civilians became a major one, and with such a meager quantity on hand the situation was desperate.

Prior to December 7th, the Civil Affairs Section of the General Staff of the Hawaiian Department had considered the problem of supplying

food to the civil population in the event of a cutoff from the Mainland sources of supply. It had made adequate plans, but there was no food stored because there had been no appropriation with which to buy it. Immediately after the passage of the M Day Bill, the Food Committee of Honolulu under Mr. Winne had begun to function, but so little time was available that it was only able to get organized by the time the need was pressing. When the Blitz struck, the committee stepped up its stride and began to operate under the M Day Bill on a major scale. However, as in all emergencies, we fell back upon the Army and the Navy who, being forces in being, can operate under dire circumstances. Experts from the University and from local business came rushing in to proffer their help and it was not long before a fine basic group was organized and on its way to contend with the situation.

The target for the local food administration was to obtain and maintain a six-month supply of staple foods, after the fashion of the Army and the Navy. Even with shipping available, the competition for available food on the Mainland was a major task, because the Army, the Navy, our military allies, and all other civilian suppliers on the Mainland were competing for food, and many of these were operating without restriction as to price. It was decided that all purchases would be made through the Military Governor. This did not mean that that official would buy and store the food. It merely meant that he would use his good offices to assist the local merchants to do so. Individually, they would be hopelessly buried by competition, without official assistance. One of the outstanding accomplishments of the

Military Governor was to persuade the Federal Surplus Commodity Control to come to Hawaii and set up an office in the Office of the Military Governor. I do not recall who accomplished this important step. Perhaps it was the joint effort of all of us. In any event, it was a most important step forward. Mr. A. W. McDonald came to Hawaii as a representative of Mr. Clevenger, the head of the FSCC, and we convinced Mr. McDonald of the need of staying on to help us. Through his good offices it was not long before we were on the FSCC list for the supply of 25 staple articles of essential food. This food was made available to the merchants of Hawaii in such amounts as were authorized by the Director of Food Control in the Office of the Military Governor. This was a master stroke and a great relief to everyone charged with feeding the public and to the local merchants, as well, because it meant that they would remain in business. From that time forward, the food situation improved rapidly. By careful planning and operation, there was a safe margin in reserve food by June 1942. By that date we had licked the problem of supply, but the matter of storage and care of stored food was a matter of further education and planning.

The storage and maintenance of food supplies is a study in itself which is completely beyond the experience of most people, including me. I had the idea that all that was necessary was to get the food and store it until it could be issued out. There is much more involved. For example, we had a large supply of rice to take care of the needs

of the oriental population. It was stored in a warehouse of the Hawaiian Pineapple Company. Inspection of the rice by an expert disclosed that it was full of "weevils" and the fumigation of the rice was in order. It came to my personal attention because urgent airplane transportation was requested to bring an expert fumigator from the Mainland for the job. In order to reduce the number of "urgent" trips, I required that all such trips have my personal approval. I approved the request in this case, but the Director of Food Control apparently thought I did so reluctantly and to prove that his request was actually urgent, he brought to me a glass jar of dead "weevils," resulting from the fumigation process. It was a sample of those eradicated from the rice. It was indeed a realistic demonstration and since that time my appetite for rice seems to have lessened materially. This was merely one of many hundreds of problems which were successfully met by those skilled in the business of warehousing foodstuffs.

The Office of Director of Food Control was not only difficult but was also extremely sensitive in that it dealt with the public and particularly with the housewives. Apparently, it was the most wearing control of all, if the number of replacements may be taken as a criterion. Mr. Winne, the original Director, was succeeded by General William R. White, who in turn was succeeded by Mr. H. A. Walker. General White was an outstanding officer of the Quartermaster Corps of the Army, and Mr. Walker was President of American Factors Limited, one of the foremost business houses in the Territory. All

three men were eminently fitted for the very sensitive position. Mr. Walker had been with the U. S. Red Cross Food Relief in Siberia during World War I. The other two were similarly well qualified. All three of these men were outstanding administrators and their accomplishments under myriads of difficulties must have been very satisfying to them.

The basic staff of the Food Administration was recruited from the Civil Affairs Section of the General Staff under Colonel Casey Hayes, a competent and experienced administrator. He was an excellent organizer and brought with him friendly relations with the Army and Navy supply officers, whose prompt assistance in the early days was a life saver. There were recruited also a number of experts from the University of Hawaii who contributed much. Dr. Warner was such a man. He was a mainstay throughout the most difficult times. Another was a local food expert named Penhallow who was a quiet and exceptionally effective worker. Mistakes were made in this endeavor, as well as in all of the others, but the number of them was small and they were minor in character. One incident which occurred under General White's regime will suffice to make the point. The food matter was a sensitive one because it was of major concern to the women of the households. In Hawaii, as in many other jurisdictions, it was customary for people to address letters to the newspapers airing views concerning various subjects. Sometimes there were replies raising controversies which were enjoyed by all. On the occasion in question, there appeared in a local newspaper a letter written by a lady which was doubtless

intended as a helpful suggestion for the more efficient operation of the Food Administration. It was mildly critical of certain matters. General White read the letter and, in the belief that the lady and possibly others did not fully understand some of the problems, sent a reply to the newspaper which, in turn, was published. The result was a deluge of replies to the newspaper and to the General which completely routed the latter. At that point he came to see me for advice. It struck me as being funny and I laughed. That was a vital mistake and it took all the persuasive power I had to keep General White from punching me and to dissuade him from sending a further reply to the newspaper. The reply he had prepared, if published, might have brought on a buyer's strike or something worse. We both learned the power of a woman, especially when she has a pen in her hand. It was simply one of those cases where you just cannot win.

The successive Directors of Food Control worked out a rather remarkable system which avoided the necessity for general rationing of foods such as was in effect on the Mainland. It was built upon public confidence in the Food Administration. Housewives and others would be informed by the various means of public information concerning what foods were plentiful and which were scarce. They would be urged to purchase those in large supply as far as they could, and avoid the purchase of more than their immediate needs of foods in short supply. Substitutes were stressed. On occasion, I checked a food store immediately following such an announcement and noted that

there was a substantial attempt to comply with the suggestions made. Most of the buyers had lists upon which had been written the recommendations of the Food Administration.

One of the things I insisted upon at the outbreak of the war was that there be imported sufficient seeds for growing food in the event the existing cutoff situation became permanent. I ordered the seeds flown in and placed in storage for future use. Apparently, my persistence and repeated checking up on this important matter caused some duplication. My authority for this statement is that when inventory was taken some months later, the ingenious Doctor Warner of the University of Hawaii estimated that we had on hand sufficient carrot seeds to plant a field one mile wide which would extend from Iolani Palace in Honolulu to the White House Lawn in Washington. My worthy assistants thought this joke was so good that it lingered for some time in the inner circles. Eventually, however, a newspaper man picked it up and soon the entire Territory was enjoying a laugh at my expense. I had a hard time living it down. I saw the humor of it and laughed along with the rest, but in the back of my mind I had the assurance that we had plenty of seeds.

As a matter of safety, we urged householders to build bomb shelters in their yards for the security of their families. There was an immediate compliance and it was universal. On an inspection trip, I noted that the bare earth showed the location of the shelters, and as soon as I returned to my office I began pounding out a newspaper release requesting that all householders plant vegetables on top of their shelters to prevent them being noted from the air. We called

this the Victory Garden Program. Again, the response was immediate, and in a brief time there were some 15,000 appreciable food-producing home gardens on bomb shelters and elsewhere. In order to liven the interest, it was announced that I would inspect each Sunday and announce to the press the better gardens. Anyone who has seen gardens tended by Japanese will realize the headache involved in selecting the best of thousands of superior gardens. My staff let me in for a real chore that time, but it was a fine idea because gardens continued to be a noticeable source of food supply as well as concealing the location of bomb shelters.

For many years, there had been a discussion as to whether, in an emergency, the Islands could produce enough food to permit the inhabitants to survive. Opinions on the point varied. Certain of the Islands, Maui for example, raised some food and probably could be made to produce more. Experts disagreed on the subject. Some said that because of the elevation, the soil conditions, and the climate, the raising of vegetables was impractical. Other experts scoffed at the idea and said that it could be done if the plantations could be persuaded to release some of their better land and could be persuaded also to undertake the project of growing food. Rice was one of our most desired products. I had seen it grown on Kauai, but the operation was very limited and primitive. It was only successful in growing one per cent of the rice requirements of the Islands. This could be readily understood when one was familiar with the operation.

On Kauai the rice production was largely by individual Chinese families and was accomplished in about the same manner as was the custom for a thousand years in the old country. The farmer would flood his area and plant the rice shoots by hand. When the rice began to appear above the water, rice birds by the thousands would appear to harvest the crops. To meet their onslaught, the farmer would build a small shed in the center of the patch and would extend strings from the shed to the extremities of the patch where stakes were driven into the ground. The strings were attached to the stakes. Spaced along these strings were tin cans in which stones had been placed. During the daylight hours the wife of the farmer and the children would take turns walking around the rickety veranda of the shed, plucking successively the strings. This would disturb the stones in the tin cans making a noise which would frighten off the birds. Soon the birds became accustomed to the disturbance and the more brave of their number would remain. To meet this attack, the farmer would walk around the patch armed with a shot gun and would fire it at the birds in the patch on rare occasions, killing sufficient of them for food. To supplement the noise of the gun and to maintain the expense at a small figure, the farmer carried a whip such as a mule skinner uses. At intervals, and to terrify the birds, he would crack the whip loudly to make the birds believe they were being shot at. This went on every day for weeks until the rice was ripe. Two harvesting methods were in use. Sometimes the old-fashioned flail was used, and at other times the bare feet of the women and

children of the family separated the rice from the chaff. I recall inquiring at the time as to the American methods, and was informed that most of the American supply of rice is grown in California and that it is sown by airplanes and the whole operation is likewise largely mechanized. I felt at the time that it would be a real task to convert these primitive farmers to mechanization.

Our situation made it imperative that we make a start to determine whether any appreciable amount of food could be produced in the Islands. We made a real start by persuading the plantations to undertake to cultivate 2,700 acres. Of this acreage about 1,000 acres were on the Island of Oahu. There was produced on that acreage a fair crop of lima beans, carrots, peanuts, sweet potatoes, and corn. There were five million pounds of Irish potatoes grown. Some of the vegetables were not up to Mainland standards for marketing, but they were fully edible. The plantation people were not enthusiastic about the proposition, and naturally so. The experiment was made after the first worrisome period had passed and they knew it was only an experimental matter. They were experts in growing sugar and pineapples and had no interest in any other product. What was more important, they were already using marginal land to attain their sugar and pineapple quotas. Basically, the plantation people felt that they should produce what they could produce well and that other needed commodities should be imported from wherever it was produced most efficiently. There is much to be said for that point of view whenever importation is possible.

Subsequently, the appointment of Mr. Dillingham as food production chief gave the food production by plantations a material impetus which indicated to me, at least, that a large variety of foods could be grown. When Governor Stainback became Governor, the project seemed to fade away for lack of sufficient aggressive interest in it and without sufficient progress having been made to justify a firm opinion whether Hawaii could be self sustaining in an emergency. As a matter of economics, I am inclined to agree with the view of the plantations to the effect that they should stick with the agriculture in which they are expert and that other requirements be supplied by importation. However, the time may come when the production of sugar and pineapples in Hawaii may be unprofitable and there may be a need to turn to other agricultural products. Furthermore, since the Hawaiian Islands are separated from the Mainland by some 2,500 miles it is not beyond the realm of possibility that an emergency situation may again arise where the Islands are cut off from their normal source of supply. In either of these eventualities, our spade work in local agriculture will not have been in vain.

CHAPTER XX

Public Health

The matter of public health is always a matter of prime importance to the military. It comes under the Medical Corps which is ever sensitive to it. In Hawaii, the possibility of sabotage for the purpose of damaging public health came under scrutiny from the first. The major dangers could come from infected water, milk, ice cream, bottled beverages, and the like. There was also for consideration the danger which might result from a breakdown of the sewerage system. The problems involved and the safety measures taken are worthy of a short summary.

In Hawaii, the major source of water was from artesian wells, although there were many other sources in the outlying districts. I assigned a local engineer to investigate the matter from a security angle. The engineer, Colonel Larrison, a reserve officer, was a most intelligent, careful, and thorough individual. He reported that it would be difficult, but not impossible, to sabotage even the artesian wells' system. I called Colonel King, the surgeon, and as a result of an investigation, he recommended that the water supply be chlorinated and that since it would be necessary to import machinery for the operation from the Mainland, that a continual chemical check be made by the Army pathologist. An ingenious method was devised by the head of that department, Colonel Philip Green, MC. He simply hooked up an aquarium to the water system. The idea was that any tampering with the water supply would have an immediate effect upon the fish which could be noted before serious damage could be accomplished.

The recommendations for chlorination by the surgeon were carried out. Governor Stainback offered critical resistance to it, saying that there was no more than one chance in a hundred that the water supply could be infected. The sneak attack on Pearl Harbor had taught me that in national defense, even those avenues regarded as extremely unlikely, should be blocked off. Stainback's resistance to the chlorination engendered much heat and much argument with the Interior Department, but the chlorination was installed because it was a matter of public health and the responsibility of the Military Governor as well as the Civil Governor. I felt that if the water supply was tampered with, great damage might result to civilians and soldiers alike. In that event a stubborn man in the Governor's office would be proven wrong, but that would be precious little consolation to those whose health was affected.

When it came to safeguarding the milk supply, we went ahead and took safety measures at once. General King, the surgeon, sent his assistant, Colonel Jesse Derrick, VC, to take care of the matter. That officer had already noted the problem and had taken advance precautions. His arrangement was simple but effective. Periodically, samples of milk were taken when it was being bottled, and these samples were immediately fed to numerous animals which were at the quarantine station. The effect upon the animals was carefully noted and reported. Any adverse effect upon the animals would be reported before any of the milk was distributed for human consumption. As a further precaution, none of the milk was used for human consumption until it had been

examined by the Army pathologist, Colonel Philip Green, MC, one of the Army's outstanding scientists. It should be pointed out that dried or powdered milk could have been substituted for the fresh milk, but the same problems would have existed in those cases. The tests were made with such frequency as to insure that the milk for human consumption had not been tampered with. I felt relieved when informed of the safety measures being employed, but my satisfaction was somewhat diminished when Colonel Derrick informed me that they had not discovered any simple tests which could be applied to ice cream, the universal favorite of servicemen and civilians alike. He informed^{me}/that the only really safe test was a chemical one employed by the pathologists of the Army, and that ice cream for local consumption was made from powdered milk, evaporated milk and ready mix, at innumerable locations. However, all sources of supply of ingredients were being checked regularly and often and that frequent samples were taken and analyzed. I felt better about it when assured that the Medical Corps was taking active steps, because that service is the world's best on the matter of public health.

To protect the sewerage disposal system, regular inspections were made to prevent any disruption of that service, since even a slight interruption of it might be a serious menace to public health. In the centers of population, these facilities were carrying burdens as many as ten times those for which they were built.

It will be remembered that with the coming of the war, the cities, and particularly the City of Honolulu, became seriously overpopulated

and the public facilities were taxed to their limit. For example, restaurants were overcrowded during the daylight hours. It took constant pressure on the part of the health personnel of the cities and the military to insure the maximum of protection. Some of the business people complained that the constant inspections were unnecessary and obnoxious. It is doubtless true that the restrictions and their enforcement were burdensome, but the proof of the wisdom of the action taken lies in the fact that not a single serious epidemic of any kind occurred in this tremendously overpopulated area.

CHAPTER XXI

The Morale Section

Probably the most difficult questions for us to determine were the reactions of those of Japanese and other oriental ancestry to the general situation in which they found themselves and their attitude toward the various measures imposed upon them by the Military Governor. There are those who profess to be able to penetrate that blank look which an oriental sometimes assumes when the occasion seems to demand it, but in my experience only another oriental has the capacity completely to pierce that shield. Heretofore, I have indicated that the views as to the loyalties of the local Japanese were so divergent as to be completely confusing. When war came it was imperative that we determine that factor as accurately as possible.

To meet this requirement, there was established on December 18, 1941, a small but extremely effective unit which we called the Morale Section. Originally, it was composed of a small group of representatives in Honolulu. Subsequently, similar subsections were organized on the various islands which were designated as committees. Similar committees were formed by representatives of Filipinos, Koreans, and Chinese. While each of these committees of specific racial backgrounds had their own organization, close cooperation existed between them and with the central Morale Section.

As of December 1942, the Morale Section consisted of a committee of twelve Japanese-Americans headed up by Mr. Masagi Morumoto as chairman. The group included professional men and civic leaders in the

community. Local subcommittees composed of representatives of the various oriental races were formed. The membership of these committees was of the same high order as was the basic committee. All of these men gave unstintingly of their time and energies. Their assistance to the various oriental races and to the successful prosecution of the war cannot be overestimated. This valiant group of far-seeing men dedicated themselves to convincing the various groups of oriental origin that come what might they must remain loyal to the United States. In this effort, they succeeded beyond expectations.

From time to time I met with groups of the Morale Section and most of the committees of the several islands. However, most of my dealings were with four local representatives of the Morale Section. These were Messrs. Loomis, Yoshida, Ching, and a Filipino whose name has slipped my memory. Charles Loomis seemed to be the leader of this group. I do not recall how this came to be so, but he was definitely the inspirational head of the entire movement. Loomis was a highly personable and diplomatic Caucasian. Yoshida was of Japanese extraction. He was a man of fine educational background and experience. He was a teacher by profession and was a clear thinker and a person of unusual intelligence. Ching was of Chinese origin. He had the ability to present a seemingly unperturbed countenance, regardless of adverse circumstances. His exceptionally keen mind matched his affability. These three men, together with their equally effective Filipino associate, formed a team whose intelligence would be difficult to match anywhere. Whenever they appeared as a group their ideas had been crystalized and they presented them

succinctly and accurately. They were extremely talented men, and the tremendous service they rendered could only have been accomplished by men of their high caliber.

Through the Morale Section we were able to have our intentions and desires transmitted to the oriental races accurately and quickly. This was especially desirable in the case of the aliens of which there was a large number. Of equal importance was to be informed of the reactions of those of oriental ancestry. In some few instances where we were uncertain of the public reaction of the orientals to certain matters we had in contemplation, we took occasion to consult the Morale Section. In some instances they took samplings of public opinion and in others they prepared the way in advance by consulting recognized leaders of the various groups or races. In their super-sensitive field, the endeavors of this fine group were characterized by discretion, intelligence, and cooperation on all sides. I have always believed that the operation of the Morale Section had much to do with the exceptional cooperation we received from all of those of oriental background.

Oriental are not given to loquaciousness, especially with occidentals, and the circumstances under which they lived in Hawaii were such that they became extremely clanish with people of their own racial background. The language of their ancestors was habitually used on conversation with their own people, and there grew up a custom of using a patois called "pigeon English" in conversations with "haoles" (white persons). This custom became almost universal and

was adopted to a great extent by the public generally on the basis that it was humorous and colorful. As time passed, this had the effect of more firmly than ever pressing the orientals into their own groups. The Morale Section recognized this weakness, and in an effort to bring it to an end put on a sustained "speak English" drive which largely eliminated the practice of patois and helped immeasurably in the acceptability of the orientals as Americans.

The Morale Section worked in cooperation with Captain Burns of the Honolulu Police Department who was a specialist in dealing with oriental affairs and was in charge of that activity for his department. They were also in touch with the military intelligence branches of both services, as well as the FBI. In this manner, all their efforts were coordinated. The activity had very little financial assistance from us and operated largely on contributions from their own people. Through their efforts all of oriental ancestry contributed heavily in the purchase of war bonds and donations of blood. A large portion of the volunteers in civil defense matters were of oriental ancestry. In fact, every public venture in support of the war effort was enthusiastically endorsed by this group.

Some idea of the effectiveness of the activity may be gleaned from the fact that on December 7, 1942, the first anniversary of the attack, a delegation of flower growers, mostly aliens, called upon the Morale Section requesting that they arrange for permission to donate the entire day's production to honor those who lost their lives in the attack and to show their appreciation for the fair treatment accorded

them by the United States, in spite of the fact that they were aliens. As a result of the representation by the Morale Section the offer was accepted. This was but one of many evidences that the Morale Section had obtained the respect and confidence of the various oriental races.

While the principal purpose of the Morale Section was in connection with oriental matters, it was equally effective in matters involving Caucasians. The section operated with little supervision from us for the reason that the activity was as much a representative of the peoples concerned as it was of ours. Basically, it acted as a go between and served its purpose mighty well. I met with individual members of the section or groups of the various committees periodically or whenever we or they had any matter of interest to discuss. I shall always recall with pleasure the innumerable meetings with Messrs. Loomis, Yoshida, Ching, and the others of their small group. All were on a first name basis and apparently were close personal friends. Each was an outstanding representative of his group and all were dedicated to furthering the war effort of their country, the United States.

Every single man engaged in this activity was operating on a voluntary basis. They did a wonderful job in sustaining morale of their people through very difficult times and at the same time making a significant contribution to their country. Like most units which are engaged in intelligence and other confidential matters of like nature, the Morale Section received no publicity whatever. Their anonymity was essential to the success of their undertaking. However, they seemed to feel amply repaid by the signal success of their activity.

The maintenance of a high state of public morale was always a matter of extreme importance and more especially since the population was composed of many ethnic groups. The dexterous fingers of the lei makers had been largely diverted to the making of camouflage nets, and as a result the general practice of wearing leis had all but disappeared. On occasion, however, and seemingly at the most bleak time, some Hawaiian would appear wearing a lei on his hat or around his neck which is the age old custom of telling the world that the wearer is happy. On such occasions the lei wearer was greeted with smiles and friendly greetings by all he met. Soon there would be a rush to obtain similar adornment. It was so contagious that soon there would be a rash of lei wearers and everyone felt reassured that everything was going to turn out all right. The activities of the Morale Section had much the same effect on the various ethnic groups. That section did a wonderful job.

CHAPTER XXII

Prohibition

One of the earliest actions of the Military Governor was to close all saloons and forbid the sale of intoxicating liquor of any kind. This was directed by General Orders # 2 on the first day of the war. The purpose was threefold: first, to prevent people from congregating in saloons; second, to prevent possible dissemination of security information; and, third, to safeguard the local population from violence stimulated by alcoholic beverages.

General Orders # 2 directed total prohibition. To issue an order directing total prohibition is a simple matter, but to enforce an order of this character is something else again. Everyone knows that the Volstead Act (the Federal Prohibition Law) was noted primarily for its violations rather than its enforcement. It is, and was, common knowledge that the Volstead Act was a reform measure, that it failed in its purpose to bring about prohibition or temperance, and that its failure was due to resistance by the public and the weakness of its enforcement. Our General Orders # 2 had only internal security for its objective, but the difficulties of enforcement were the same as those attending the Volstead Act. Human nature had not changed because of the war and I knew that we were undertaking a most difficult and probably hopeless task. However, I felt that it was imperative that a strong effort be made to attain temperance at least for a short period.

In Hawaii, as well as in every other civilized part of the world, the Christmas season is one for rejoicing with songs and toasts from brimming cups. There being no snow in Hawaii, some of the New England

customs were impracticable and so the people there subscribed to the universal oriental custom of shooting firecrackers and fireworks on Christmas and New Year's day.

From previous experience I had learned that on these holidays, the oriental population set up a continuous din, the like of which I have never experienced anywhere except on a firing line. In Hawaii, it was the custom to regard the whole holiday season as one for conviviality. During 1941, business in Hawaii had been good and the wholesalers in alcohol beverages, anticipating an extraordinary celebration in keeping with the good times, had stocked their warehouses to the brim with liquor. The dealers in fireworks had followed their example. This served to increase our problem.

The closing of all saloons was but one of many shocks that occurred on December 7th. Human nature being what it is, I realized that to enforce prohibition would be a most difficult assignment, but I felt that it must be enforced at all cost, because of its importance to security and the further reason that any weakening in this regard would react unfavorably to the enforcement of other orders which might be required. The test of our intentions and our fortitude was not long in coming. A few brash persons ignored the order and in an effort to test our real intentions and strength, openly sold liquor in violation of the order. They quickly learned the information they were seeking, because in each instance the offenders were summarily arrested, tried, and given heavy sentences. This prompt and severe action served as notice to all that the Military Governor meant business. It had an immediate effect, and

the enforcement began to be effective. The Christmas and New Year's holidays in Hawaii in 1941-1942 were very dry indeed.

As time passed, the pressure began to build up to relax prohibition. The pressures came from various sources. Naturally, the wholesale liquor dealers were unhappy with the warehouses full of unsold merchandise. Moderate drinkers missed their beverages. The greatest pressure came from representatives of the laboring people. Their interest in the matter was one which had never been impressed upon me before. They argued that the saloon was the "poor man's club" and that it was a place where they could congregate and enjoy their friends after the day's work was done. Under blackout conditions there was no place where the workers could go to relax. I sympathized with them, but still held off. Of course, there was always the desire of saloon keepers to get back into operation, since it was a licensed and legitimate business. The pressure increased, but the number of violations was held to a minimum. Wholesalers and labor leaders propagandized us to the maximum extent but to their credit and to that of the retailers they abided by our restraining order. Without that support we never would have been able to make prohibition stick. Full page newspaper advertisements urging relaxation of the restriction began to appear, but we held firm.

We discovered that certain doctors had attempted to get around the order by issuing prescriptions for liquor which were being honored by drug stores. While this practice was limited to a few doctors, it was eating away at enforcement. Some of the doctors had issued several

hundred prescriptions in a month and their patients had worn a rather impressive path to their doors, and from there to the doors of the druggists. The offending doctors were hailed before the Provost Courts and that avenue was rather summarily closed. Then came the surreptitious sale of substitutes, and then the home brew era began to make inroads. Pineapple juice was fermented and other fruits were experimented with in an effort to make some sort of beverage substitute. Eventually, as in the case of the Federal prohibition experiment, the point arrived where the substitutes were about to endanger the public health. More than two months had passed and we had attained our original purpose. In view of the danger to public health, we decided that the time had come to do something about relaxing the strict control.

Beyond question, prohibition came as a severe blow to the Hawaiian people but apparently nothing can dampen their sense of humor for any protracted period, as is evidenced from the following "poem" which was published in a local newspaper at a time when the controversy concerning the sale of liquor was at its height.

Thumbs Up
By Jass Belnap

Tin Pan Alley marches on.
General Rameses went to pieces, seven thousand years ago,
And made a law that Egypt must go dry.
He took the liquors from the slickers,
All the way to Jericho,
And you couldn't get a Collins on the sly.
The desert of Sahara flowed with honey, So they say
Til martial law came along and dried it up one day.

Sahara, Sahara, we sympathize with you,
Sahara, Honolulu will soon be dry like you.

I know why Cleopatra put that snake next to her skin,
She lost her mind completely,
When she lost her bitters and gin.

Omar Khayyam leaped into his caravan,
Grabbed a jug of wine and then he flew,
They laid poor Cleo on the table,
Underneath a chandelier,
Mark Anthony got thirsty,
When he looked upon her bier,
Oh Sahara, oh Sahara, we will soon be dry like you.

While the foregoing "poem" may never rank with the better works of Shakespeare, it gives an insight into the good natured way in which the Hawaiian people met and accepted deprivations which they believed to be unavoidable and well intentioned.

When the need came to take another look at the liquor control situation, it seemed clear that for a number of reasons some form of controls must be continued indefinitely. To unwrap the whole package and rescind the restrictive order would result in tremendous excesses and then a drought. Shipment of liquor from the Mainland would use up shipping space which was sorely needed for essential freight. If liquor could not be shipped in, the public would promptly exhaust the supply on hand and then go to substitutes, which, of course, would return us to the situation with which we were then faced. Another serious matter was the fact that a large proportion of the saloon keepers were of oriental ancestry, and for security purposes it would be advisable to prevent them from reopening. There were other vital factors which made the relaxing of the provisions of General Orders # 2 a most perplexing problem.

To meet the problem of not permitting those of Japanese ancestry to reopen saloons, we resorted to a device which, though unfair to those of Japanese ancestry, seemed necessary for security purposes. We required all saloon keepers to obtain new permits to reopen from the Office of the Military Governor, these in addition to the license required by the civilian authorities. We issued no permits to persons of Japanese ancestry and the problem was solved. As hereinbefore stated, the warehouses were bulging with stocks. To prevent dumping and in order to delay withdrawals as long as possible, we came up with a plan for rationing. Books of tickets were purchased by individuals, each ticket being a prerequisite for the purchase of one bottle of liquor, per person, during a given period. The theory behind this scheme was that liquor then being a scarce article, everyone would compete for it, even "teetotalers." We believed this would be advantageous, that the stocks would be widely distributed, and that it would encourage home consumption.

To operate the plan, Dr. Loper, a respected principal of a local high school, was appointed to be Director of Liquor Control. The selection of Dr. Loper was not because of his experience in liquor matters but because he was held in high esteem and it was desired that the public be assured the Control was being administered impartially. When all was in readiness, we announced the new plan. On the day set for issuing the books, we brought in a group of clerks for instruction in their duties. We insisted that they be instructed to be as inefficient as possible on the first day, this in order to

reduce the number of books issued. I always regarded this as the most effective operation we ever undertook. Almost every mobile person in town turned out. It was a gala day and people from all walks of life were in the line for books. The wife of a prominent clergyman took her place in the line, believing mistakenly that she was in a line formed for the renewal of automobile licenses. She saw so many people she knew that she did not realize that she was in the liquor permit line until she reached the clerk who was issuing liquor books. Grand lady that she was, she saw the humor of the situation, as did most of her husband's parishioners. She delighted in recounting her experience when she later made a trip to the Mainland.

We managed to scrape through the first day without serious trouble from the celebration resulting from the end of strict prohibition. A survey indicated that as much as 25 per cent of the liquor dispensed on the first day went to the closet shelves of persons who did not drink intoxicating liquor but who wished to get their fair share of a scarce article. We had guessed correctly, and the result suited our purpose of getting the liquor dispersed. The number of saloons was reduced. The rationing of bottled goods and the supplies to the saloons produced the effect we were after, namely, extending the distribution of available liquor and at the same time reducing the security risk. The success of the first day was due in part to the intelligent fumbling of our clerks and in a greater part to the good sense of the people of Hawaii who, even at this early date, were convinced that the Military Governor knew what he was doing and that he had a good reason for the restrictions.

Having succeeded in accomplishing a wide distribution of a large portion of the available liquor stocks, the problem arose of accommodating sailors from ships, soldiers from outpost duty, and defense workers in the local saloons. In order to stretch the liquor supplies as far as possible, we limited the hours in which saloons could remain open. The result was that the saloons were at times so crowded that some patrons were unable to get served. This, of course, brought complaints and trouble for the enforcement people since we found that the patrons who managed to get into a saloon during the regular hours would order what they thought they might need for the day and thereby corner the market, so to speak. We made an effort to stop that, but bar maids in Hawaii were no different than in any other place in the world and flush sailors, soldiers, and defense workers are the same all over. All three classes soon found a way around our regulations in that respect.

One day, inspection showed more patrons outside the saloons than inside and it was determined to do something about it. We attempted to alleviate that situation by requiring the Shore Patrol and the Military Police to clear all saloons once an hour and close up everything for five minutes hourly. The idea behind this was that maybe those who were waiting outside could have an even chance to get in when the doors opened after a five-minute closing. This had some bad effects as well as good. A sailor on shore for twenty-four hours from submarine duty, or others long deprived of a good time, would attempt to make up for lost time by ordering as many drinks as he could bribe

the bar maid to sell him in order to tide him over, knowing that he would be required to leave the saloon when the hour was up in order to make room for others. Some such persons over estimated their capacity and fortitude, but there was remarkably little difficulty from this course because the Shore Patrol and Military Police handled the situation intelligently and expertly.

Shipping space was still at a premium and the importation of liquor was so low on the priority list, none was being shipped in. Eventually, the wholesale stocks of liquor ran low and some were exhausted. We called a meeting of all of the wholesalers and suggested that those who had stocks share with those who did not. This was really a "poser." The proposal contemplated that the dealer of one brand sell another and that dealers in certain "name brands" share with a competitor. Such a proposal was unheard of and it was a distinct shock to rival dealers but before the conference was over, those who had stocks had agreed to share with those who did not. I have often wondered whether such a thing could happen anywhere except in Hawaii.

When the shipping problem eased to some extent and more shipping space became available, the importation of liquor was permitted, but it was limited to the minimum requirements. The rationing system, both to individuals and to saloons, continued, however, in order to maintain control. Eventually, the problems involved all but disappeared. When the importation of liquor was resumed, we thought that turn about was fair play, so we put into effect an unwritten rule that

when liquor was imported a similar quota of oranges would be brought in for the women, children, and "teetotalers." The people of Hawaii were quick to learn that when oranges appeared in the local markets, liquor would soon be available for rationing.

We felt that the many problems involved were worked out in the best manner possible, and due to the full public cooperation it was a huge success.

CHAPTER XXIII

Money

With the coming of the Blitz, it was presumed by all that the Japs would follow up their advantage and that they would soon be coming up the beaches in force. Our troops could be depended upon to give a good account of themselves and they were ready, willing, and even anxious to do so. However, since the size of the Japanese forces in the vicinity were unknown, the possibility of a partially successful landing could not be discounted. The fighting off and defeat of the Jap forces was the problem of the Army and Navy staffs, but the problem of preventing the invaders from getting anything of value, if they succeeded in landing, was mine. If the invaders were successful, their first move would have been to loot the banks and thereafter sweat out of the local citizenry, their funds, and their securities. It was my responsibility to see to it that should an invasion be successful, there would be nothing of value left which would be negotiable. My first plan contemplated that all money and securities would be destroyed at the first sign of imminent attack. This was how I proposed to do it. There was a long boulevard in Honolulu which followed the waterfront from the Aloha Tower at one end of the city to Waikiki Beach at the other extremity. Streets intersect this boulevard at right angles, substantially the entire length. The business houses were largely concentrated in the downtown area, and the residences were, for the most part, on the intersecting streets. I planned to call all employees of the Treasury Department into service and station one or more of them at each of the intersections. They would be provided with burlap bags to be furnished

by the Army Quartermaster Corps. All citizens would be called upon to tie up their paper money in bundles and prepare a receipt, in duplicate, stating their name, address, and the amount contained in each bundle. They would be directed to take this bundled money to the Treasury employee stationed at the intersecting streets at the boulevard where these employees would accept the money and sign and return one copy of the receipt. The Military Police would cruise the boulevard in trucks, picking up all of the burlap bags containing the money and deliver the bags to the city incinerator where they would be burned forthwith. As to the money in the banks, the Department engineer would be directed to transport all available drill presses and operators to the various banks where they would assist bank personnel in bundling the paper money deposited there and then drill holes in the stacks of bills. The bank was to be given a receipt for the currency by the engineer officer in charge, and if time permitted all of these bundles would be transported to the incinerator and burned. A similar procedure was contemplated for the destruction of securities.

Fortunately, it was not necessary to put this emergency plan into effect, but in the light of later directives by the Military Governor concerning the destruction of money and the prompt compliance therewith, I have every reason to believe that had there been an invasion, the contemplated plan would have been executed promptly and satisfactorily. Subsequently, when I was in Washington I called upon the Assistant Secretary of the Treasury and after explaining my plan for

the destruction of currency, he assured me that had it been carried out, the Treasury would have made reimbursement on the basis of the receipts issued.

The need for destroying currency was not fanciful. On the contrary, it was a matter of grave importance. For example, when the Japs caught the British at Singapore, they took over the entire British currency in the banks and upon the persons of the vanquished. Also, in Manila, the Filipinos were able to send out of the country one submarine load of gold. This was taken out by a U. S. submarine about the middle of March 1942. This submarine also carried to safety the U. S. High Commissioner, Francis B. Sayre. I talked extensively with him on the subject when he arrived in Honolulu on March 17, 1942. The remainder of the metal money and currency in Manila was dumped into the local harbor. When the Japs invaded, one of their first projects was to compel the Filipinos to dredge for that money. A considerable amount of this submerged money was recovered and used by the Japs to augment their war chest. The methods employed by the Japanese to compel the Filipinos to disclose the hiding places of their treasure and other information is well known.

In Hawaii, that we expected the worst may be gleaned from the fact that we excavated an area at Koko Head to accommodate 30,000 graves which we estimated we might need if the Japs returned. While the original plan for destruction of the local currency was never put into effect, the need for an orderly plan remained in my thoughts until I hit upon the idea of exchanging American currency for scrip or other

currency which could be outlawed in the event of an invasion. Obviously, such a scheme would take a lot of explaining to convince Washington authorities and the local population, because, although wasting money seems to be a unique American custom, none of us would look favorably on destroying it. Nevertheless, I persisted in the matter until we found a satisfactory solution which I shall describe later.

From the time of the Blitz, everyone realized the possibility of the return of the Japs and naturally gave consideration to the safety of their money. Those who had bank deposits began to worry about the security of their deposits and as a result many withdrew their savings and secreted them in various places considered safe. This worried the banks, but a more serious problem was occasioned by the cashing of drafts by Navy ships for paying the crews in cash and for other purposes and depositing drafts to cover the withdrawals. The money received by the ships, which was used to pay the sailors, was all too quickly spent in Hawaii, but the receivers of that money carefully withdrew a considerable portion of it from circulation and secreted in places best known to themselves. The result was that the banks were gradually running out of cash.

During the first week in January 1942 a group of bankers called on me to assist them in getting the Army and Navy to fly in money from the Mainland for them. They had plenty of credit, but their actual cash had shrunk to an alarming state. I had a great deal of sympathy for the bankers, but their plan had two very serious objections. First, neither the Military Governor nor anyone else in the military service

had a right to place the Government in the position of insuring private money. Second, the admirals and the generals were using every available airplane for military purposes and both were pleading for more. Both of these reasons forbade the use of military aircraft for the purpose, but it was clear that some remedial action had to be taken and promptly, since the situation was worsening rapidly.

The bankers informed me that there was plenty of cash in the Territory but that it was not in their banks. I agreed to think the matter over and late that night I came up with a plan which was a little frightening to me but it would work. When I informed the bankers of it the next day it not only frightened them but astonished them as well. The Military Governor would issue an order prohibiting the withdrawal of more than \$200 per month from a bank and forbidding the possession of more than \$200 in cash. Exceptions to the order included the Federal Government, the Territorial Government, banks, trust companies, finance companies, building and loan associations, etc. There was also a catch-all provision which permitted anyone to be exempted from the provisions of the order upon a showing of the necessity therefor. The bankers agreed that it might solve their problem, and I became more convinced than ever that some means must be found for substituting some form of legal tender for our present paper money.

The so-called "money order" was issued as General Orders # 51 and dated January 9, 1942. The effective date of the order was January 12th, three days after the issuance of it. The results were astonishing.

Before the effective date of the order, more than one and one-half million dollars had been deposited in the banks and on each of the following days there were ^{queues} of people waiting to deposit their money in the banks. Suddenly, the banks found themselves with more than twenty million dollars on deposit. Some of the money deposited was in the form of gold certificates long outmoded by the Treasury, and much of the money was moist and even wet, indicating that it had recently been excavated.

The public response to General Orders # 51 was instantaneous. Perhaps some of it was motivated by fear of punishment because the penalties prescribed were severe. However, I think the major factor in this, as well as in all other undertakings, was that the public trusted the integrity and intelligence of the Military Governor.

The problem of keeping the banks supplied with money having been solved for the moment, there still remained the greater problem of substituting something for that money. I was obsessed with the idea that something further must be done in the interest of security. I finally came up with the idea of exchanging United States currency for some other form of legal tender which, in the event of invasion, could be outlawed as legal tender and therefore defeat its use by an invader. I appreciated that any such plan would have to be approved by the United States Treasury. I began discussing the idea with my staff and decided upon a substitute paper money which would be red in color instead of green. I began calling it "Emmons money." I took up the matter with General Emmons who scoffed at the idea of calling

the substitute money "Emmons money" but he told me to go ahead. I then consulted Governor Poindexter who was the direct representative of the Treasury Department in the Territory. He heartily approved the idea and gave me advice as to how to proceed.

We were fortunate in having in Honolulu Alfred E. Tree, a Treasury agent who had an unusual knowledge of United States currency. He was an aggressive and brilliant young man who for some time had been donating his services to us in an advisory capacity and without any official connection with us. He was extremely helpful to us, and eventually he was named Alien Property Comptroller under Military Government, in which capacity he did a masterful job. He became our principal consultant in all matters involving finance. We gave him the task of convincing the Treasury Department of the necessity for our plan on substitution of money. It was not that the Treasury Department was expected to resist, but from my experience in the War Department I knew that one familiar with the procedures of a Department of the Government concerned can get fast action. Mr. Tree had whatever it took because the Treasury promptly approved the plan in principle and action to implement it started at once.

With a minimum of delay, Mr. Towson, a Treasury Department official, arrived from Washington, and with Mr. Tree they began to call on the local bankers to prepare the way for the project. The local bankers reacted in an explosive manner. In short order a delegation of bankers, including Messrs. Waterhouse and Carden, Presidents of the two largest banks, appeared at my office "to protest the grotesque idea of Mr. Tree about exchanging money for scrip. Hadn't they just succeeded in getting

sufficient money on deposit? Hadn't they agreed to destroy money if an invasion threatened? What more could they be compelled to do to risk their depositors' money? Mr. Tree's idea was a wild thought and something should be done about him and that mentally unbalanced associate of his before they created a run on the banks." When I told them that the Treasury had approved the plan and that we had decided on that method to break it to them gently without alarming the public, they were all but speechless.

I do not wish to belittle the local bankers in any way whatsoever. They were outstanding men in their field. I think their first reaction was that of any banker. They were patriotic men, every one of them. They had contributed their time, their money, and their services, and were willing to continue to do so and even make further personal sacrifices. But the very thought of burning money and especially their depositors' money and substituting it for scrip was a sacrilege and they would have none of it. Their attitude was that they would defend their depositors' money with their lives if need be and they would not burn money, orders of the Military Governor or any one else notwithstanding. If it were not such a serious and important matter their attitude would have been humorous, but none of them could see any humor in burning United States currency. I asked them to return with their lawyers and when we met again I found that the lawyers were as firmly convinced as their clients that the burning of currency and securities was an extreme measure which seemed to them unnecessary.

However, when I posed to the lawyers some of the legal problems involved in restoring to owners of currency and negotiable securities which had been wrested from them by force and violence and thereafter placed in the hands of others in due course and for valuable consideration, the lawyers promptly came over to my side. The bankers were still a bit skeptical but when they realized that the Treasury had approved the plan, they agreed to look over the idea and give it further consideration. There was still some doubt in the minds of the bankers when they left and it seemed to me that they were turning over in their minds the horrible thought of burning money.

Subsequently, I often have shuddered at the thought of what could have happened to the holders of currency and negotiable securities had the Japanese made a successful landing in Hawaii. Japanese troops had special procedures for compelling prisoners to disgorge their possessions. The people of the Philippines learned these procedures well and were fully apprised of the horrible tortures which could be employed when necessary.

Early in March 1942, a Treasury detail came to Hawaii from Washington to close the deal with us whereby regular currency would be exchanged for specially printed paper money. The agreement was consummated and some twenty million dollars on regular currency was exchanged for the special issue money. The old money was burned under the supervision of Treasury agents. When the new money arrived I was disappointed as I hoped that it would be red in color and have "Emmons" written all over it. The new bills were similar to the ordinary bank note except

that the seals and the numbers were printed in brown ink instead of green and the bills bore the word "Hawaii" overprinted in black on both sides. It was explained to me that the printing of red money would require prohibitive changes in normal Treasury practice and processes.

The new bills worked out well, in fact there was an immediate demand for the new currency and the transfer from the old to the new was made without incident. As the old bills came into banks they were exchanged for new bills and then bundled up and destroyed in the incinerators of mortuaries. All of this was done with the full cooperation of Governor Poindexter and was under careful scrutiny by a committee composed of a local banker, a Treasury representative, and a junior Army officer. Applications for the last named post were numerous and it was not until I learned of the practice of lighting cigarettes from bills of large denominations that I understood the desirability of such duty. This ritual was enjoyed, especially by young officers who had little prospect of handling, much less burning, bills of large denominations.

The objective of the plan was now complete. It placed the Treasury in the position of being able to declare our overprinted Hawaiian money not legal tender in the event that the Japs were able to take the Hawaiian Islands. The plan worked so well in Hawaii that the use of scrip was adopted all over the world wherever our troops served. While the need for "Emmons money" ceased with the termination

of hostilities with Japan, the money is still in use and I have personally received some of the bills in change in various parts of the United States.

One further step was taken in Hawaii in this connection which is worthy of mention. It had reference to the safeguarding of securities. Upon the recommendation of the Military Governor (General Orders # 123, 3 July 1942), the Governor of the Territory on the same date issued a regulation requiring all securities in the Territory be brought to local banks and there perforated by the symbol "H." This was accomplished in short order, and thereafter many holders of securities went a step further and had their securities microfilmed and when the microfilm was safely deposited on the Mainland, they destroyed the securities.

I am convinced that both the substitution of the money and the perforation of the securities were intelligent actions which would have met the problem of security in the event of invasion. I further believe that even now provision of law should be adopted which would permit similar action to be taken in time of war in States, Territories, and possessions of the United States which are separated from the Mainland of the United States.

CHAPTER XXIV

Labor

The fair and just treatment of labor consistent with the war effort was a major problem which plagued everyone prior to and immediately following the Blitz in Hawaii. It was solved by the Military Governor immediately after the war began, not with the stroke of a pen or a single action, but rather by painstaking consideration of the interests of employees and employers and with the enthusiastic support of both. Nowhere in history, that I know of, has there been such a serious labor problem solved so satisfactorily to all concerned. This was only possible by a recognition of the fact that in a war emergency, labor and their employers have the same desire to win the war, as do servicemen.

Prior to December 7, 1941, the labor situation in Hawaii was in a state of utter confusion due to the severe competition for the services of the available labor. The Army, its contractors, the Navy and its contractors, the local business people, and the plantations were all in keen competition for all labor, both skilled and unskilled. The Army and the Navy had imported more than 150,000 skilled and semi-skilled workers from the Mainland. This was insufficient for the needs of either of them, and there had already begun a serious epidemic of proselyting between the services and both were rapidly depleting the local source of skilled as well as unskilled labor. Prior to the outbreak of the war, there was a constant change in wage scales in an effort to outbid competitors. It had reached the stage where many

workers spent many man hours going from one job to another to obtain a higher rate of pay. Practically all contractors for both military services were working on a cost-plus basis and therefore had no incentive to hold costs down or keep them firm. On the other hand the plantations and the local business people had profits to make for their stockholders and were unable to compete in the competitive wage scale rises. The result was that they were losing what skilled labor they had to the services and contractors with the services.

Most of the contractors for the Government were engaged in construction work. As a rule, men engaged in this profession brook no interference from anyone. Their life is spent in gambling against odds and overcoming seemingly unconquerable obstacles. The Corps of Engineers of the Army and its opposite number in the Navy are dedicated men whose primary objective is the completion of assigned tasks without regard to obstacles. These service people, as well as civilian construction contractors, are accustomed to push aside movable resistance and then clear the way to blast out anything else that stands in the way of accomplishing their objective. Such experience becomes a part of the character of such people.

I was responsible for the selection of Mr. Bond for Director of Labor Control. I suggested him on the basis that the Eva Plantation, of which he was the manager, was an efficient organization and that the manager must be a fine labor man. I had never seen Mr. Bond, but had I known him it would have made no difference because he was a top flight plantation operator. At the first meeting of the newly appointed

directors of the various controls set up by the Military Governor, I urged Mr. Bond to have a meeting with the principal employers of labor immediately and to inform them of three requirements: first, that all proselyting of labor must cease; second, that all labor must be temporarily frozen to their present jobs; and, third, that the Military Governor would fix a uniform wage scale and hours for all employment.

Mr. Bond promptly called a meeting of representatives of all users of labor. It was held in the office of Colonel Theodore Wyman, the Army District Engineer, who had his headquarters at the Punahoa School properties in Honolulu. Colonel Wyman was a positive man, to say the least, and the remainder of those present were of the same stripe. Before Mr. Bond got well started, Colonel Wyman interrupted him and set out the views of the group. They were to the effect that he had a job to do and that no one was going to interfere with him in accomplishing his purpose. The others indicated agreement. How much further Mr. Bond got with his discussions I do not know, but it could not have been far because in less time than it takes to write it, he was at my office and reported that the contractors refused to have any part of my suggestion. The issue was thus joined and it was either move forward or give up.

I called Colonel Wyman on the telephone at once and directed him to schedule another meeting of the same people in his office that afternoon and told him that I would be there to talk to them. Colonel Wyman was a very forceful person and not easily diverted from his purpose.

However, he called the meeting. All who had been there in the morning session were present again, and it was plain that they had decided to have nothing to do with my scheme, whatever it was. They indicated that they had urgent business elsewhere and wanted to be on it. It was a group of rugged, but intelligent, men. Clearly they had made up their minds to do me the courtesy of listening to what I had to say, but they had no interest in the substance. I emphasized the fact that at the rate they were going, they would kill each other off and that while they might have no objection to doing that, it would not get them what they wanted, namely, to finish their contracts. I pointed out that a strong, independent labor authority which was fair to all was the only possible solution.

As was my habit in those nerve wracking days, I drove my points home by pounding the desk with my fist. I think it became evident to all that they were dealing with a will as tough as any of theirs and it gradually became apparent to me that they were listening and interested in the ideas I was expounding. I informed them that the details of the operation of this authority which I visualized had not been fully thought out, but that they could be worked out by agreement once the principal points were settled. I was convinced that it was the only solution and sincerely believed that if they all made up their minds to accept it, the details would fall into line.

I suddenly came to the end of my explanation and stopped. A momentous silence followed. Colonel Wyman was the first to speak. He asked a few questions indicating that he was somewhat impressed

but still wanted to be sure that he lost none of his rights. He shook his head a few times as if thinking over the points on which he wished to be sure. Finally, he looked around the room and to the apparent astonishment of most everyone, and to my great relief, he said, "I'm ready to give this 'authority business' a try. It makes sense to me and we are certainly not getting anywhere at present." Captain Thomas, who was in charge of construction for the Navy, evidenced his willingness to go along and after that there was nothing left for the contractors and downtown businessmen to do but follow suit. Thus, the labor control was in business. This was on December 19th, 1941, just twelve days after the Pearl Harbor attack. The "baby was left on my door step," but I had every confidence that the idea of a central labor control was sound and I was certain that if these tough men really wanted it to work, we would be well on our way to solving this vexing problem.

The following day, December 20th, thirteen days after the attack, General Orders # 38 was issued. As far as I know, it was the first labor order of its kind ever written. Among other things, it froze wage rates as of December 7th and froze employees temporarily to their present jobs. It directed those workers who had changed jobs since December 7th to return to their prior employment. It prescribed an eight-hour day and pay at the rate of time and one-half for overtime and directed that persons assigned to a job by the Office of the Military Governor report at once to that assignment. This was the beginning of a most remarkable piece of administration. It is one thing to issue

an order directing action, but it is quite another to have it carried out. I banked heavily on the active support of the contracting authorities and I got it. At first, they were skeptical about our ability to enforce orders but they soon realized that we meant business and were using every effort to make the plan work. They got behind the operation and it soon showed evidence of becoming a success.

Although I was the author of the labor plan, my experience in handling labor problems was, at the time, nil. My associates were not much more experienced than was I. Mr. Bond, the Director, though experienced in plantation matters, had very little background for dealing with the problem which faced us. In point of fact, since the entire operation was new, nobody had too much experience in such matters. To meet this emergency we set up a Labor Control Advisory Board which was composed of experts in the field of labor relations. It was these competent men who really carried the matter to a successful conclusion. The Advisory Board as originally set up was as follows:

Director of Labor Control

Executive Section	The Advisory Board
Procurement	Navy Representative
Distribution	Army Representative
Labor Disputes	Federal Representative
Wages and Hours	Territorial Representative
Allocation	CIO Representative
	AFL Representative
	Industrial Representative
	Plantation Representative

The above outline would indicate that the control was an imposing affair, and indeed it was. It worked from the beginning, again, not because of the plan, but because of the efforts of the people who were assigned to make it work. It has always been my experience that a good plan will not work without competent people, and any plan will work with people who are dedicated to make it work. The latter case was again proven in this instance. The original Advisory Board was a very strong one composed of the following members:

Mr. J. D. Bond	Director of Labor Control
Colonel H. B. Nurse	Corps of Engrs, U. S. Army
Captain R. B. Thomas	Constr Corps, U. S. Navy
Mr. L. Q. McComas	Territory of Hawaii Labor Board
Mr. J. D. Owens	AFL
Mr. Clifford O'Brien	CIO
Mr. Leslie Hicks	Local Industry, Pres, Local Power Co.
Mr. Newton Holcomb	U. S. Employment Service
Mr. Leslie Wishard	Plantations

Every one of the members named above was competent, experienced, and skilled. Furthermore, each was fully empowered to speak for the group he represented. This latter factor was of the utmost importance. All came to the first meeting with the idea of protecting their own interests and those of the group they represented. They stayed and talked things out and made recommendations for improvement. I attended all of the early meetings and it was a pleasure to see these men gradually melt their interests into a cohesive whole. After the first session, I was convinced that these men would make the scheme work.

It took some of the members of the board a little time to overcome the age old distrusts existing between employees and employers, but eventually all bent their efforts toward the common good. One of

the first things I urged them to settle was a uniform wage scale because I felt that it would discourage the desire to go from job to job wherever the pay was highest. They took the matter up immediately. It was suggested that wage scale number 9 of the Pacific Naval Air Base Contract, a very large government contract, be used as a base and then change it as needed. The reason for selecting this contract as a base was that it contained the most extensive listing of jobs. This wage scale was accepted by the board as the first base. The two representatives of organized labor violently opposed it and were overruled.

After the close of the meeting, these two members called at my office and we talked the matter out. They protested that the Advisory Board was weighed heavily on the side of employers and that they, the labor representatives, felt that if the wage scale was adopted, it would be firmly fixed and that some of the existing injustices in wage rates would never be corrected. I urged them to go along with the majority in order to reassure all laboring people that labor was behind the board. I urged them to hope that the majority would be fair. Expecting employers to be fair was incredulous to these men, but they decided that dealing with the Military Governor might be something new in their experience. They therefore decided to withdraw their objection, but they made it clear that in doing so they had some reservations. At the next meeting of the board, a suggestion I made was approved without a dissenting vote. It was that Messrs. Owen and O'Brien, the representatives of AFL and CIO, respectively,

be appointed as a subcommittee to hear, determine, and recommend changes in the wage scale. Apparently, this was an entirely new approach to these men, who had spent their lives tussling with employers. They were both square and efficient men and their subsequent recommendations as sub-committeemen were taken without question. Thereafter, they never questioned the honesty of purpose of the Military Governor. On the contrary, they went about urging their members to strive to their utmost. These men and their subordinates contributed a great deal to the cause of labor and to the war effort.

The example set by the men representing organized labor was a good one for all employers of labor. For example, in some instances, one of the Armed Services would have no immediate work for certain of their experts and specialists who had been imported from the Mainland for a specific type of work. The Director of Labor Control would order those employees to work on projects of another service, or job, which was in need of such workers. At first, this came hard because no one wanted to lose labor which had been specially imported, but as time went on, the interchange of labor from one service to another where it was most needed was common and accepted practice. This was brought about by intelligent, honest, and frequently diplomatic operation by the Labor Control.

Labor pulled its load and employers made a special effort to be fair with their employees and also with their competitors. The freezing of men to their jobs was motivated by a desire to diminish

the wholesale changing of jobs in the interest of higher wages. It did not operate as a hardship in most cases because an appeal to the Labor Control was provided for by which employees were permitted to make transfers when no harm would result. There were many such appeals and transfers.

In the cases of certain classes of employees, the freeze order worked a tremendous hardship. These were the employees of civil hospitals, dairies, and laundries. With but few exceptions such workers were frozen to their jobs and few appeals were granted. It was a cruel hardship upon them, but try as I might I could devise no means to help their lot. All of these people were in the lower pay brackets and there were many higher paid jobs that they could fill. The decision to freeze them to their jobs came about in this way. One night, late, I received a telephone call from the superintendent of the Queens Hospital in Honolulu. He stated that all of the orderlies and other employees had walked off and were taking jobs with the Navy where they were to receive considerably higher pay for doing comparable work. As a result, some three hundred bed patients were left unattended. It presented a very difficult situation, but before taking peremptory action I went to the hospital and satisfied myself that drastic action was required. I had the choice of returning the absent employees to their former jobs or letting the hospital patients suffer. There seemed no alternative but to order the men back to their jobs, and with great reluctance I ordered it done and sent the Military Police to render their good offices in the matter.

A somewhat similar situation arose in the dairies. We could easily eat the cows and thereby solve the problem, but that would cut off our fresh milk supply for the children. As to the laundries, unclean clothes would soon bring on disease and possibly a public health situation. These problems were already knocking at our door because of the overcrowded living conditions. It should be borne in mind that substantially every able bodied man and woman in the Territory was engaged in industry or civil defense or both. There were no substitutes available for the employees of hospitals, dairies, or laundries, and there was no alternative for freezing them to their jobs and attempting to compensate them by urging an increase in their wages. This was of little practical value, since for economic reasons they were already on the lower echelon as to wage rates. I have always regretted the circumstances which made this action necessary, but I have never been able to find a better solution to the problem.

With few exceptions, everyone contributed to the war effort by doing more and better work on their regular jobs and by generous donations of their free time to civil defense activities. I remember one man whose name I think was Bedford. He wrote me a letter stating that he had a regular job and a civil defense job as well, but that he was soon to have a vacation from his regular job and that he wished to donate the time to any job we wanted done. His offer was accepted and he completed the job assigned to him. This was by no means an isolated case, as we had many letters from workers to the effect that although our orders prescribed the hours of work, they were producing

twice as much work as they were being paid for, the additional work being their contribution to the war effort. All of the workers were ready and willing to work seven days a week and without limit as to the number of hours. As a matter of fact, in the interest of their health, the Military Governor felt it necessary to limit to fifty-six, the number of hours workers could work in a week, except in emergency cases. It became evident that the labor plan was succeeding beyond any expectation and it was a source of great satisfaction.

On June 23, 1942, an incident occurred which I think is unparalleled in labor relations anywhere (GO 91). On that date, Mr. Owens, the AFL representative requested and received an appointment with me for 2:00 P.M. I assumed that it was an individual conference with him. Mr. Owens was an experienced labor man and I had many fruitful discussions with him. He was very practical and had an agreeable personality. I always looked forward to a conference with him. Promptly, at 2:00 P.M. Mr. Owens appeared, but he was not alone. With him were some twelve or thirteen other representatives of organized labor in the Islands, including Mr. O'Brien who represented the CIO organization. On seeing such a large group, I sensed trouble and apparently it showed on my face, because Owens chuckled and said, "Take it easy, General. Don't send for the Military Police. This won't hurt a bit." I asked the company to sit down and prepared myself for the worst. Owens was so pleased that he dragged out telling the purpose of the visit as long as possible, doubtless seeing me squirm with apprehension. At last, he arose, bowed formally to his

associates, and then took a paper out of a large envelope and began to read the contents. It was a resolution which had been passed by the Council of Organized Labor for the Territory of Hawaii. It recited that Organized Labor desired to contribute its full share to the war effort and in consequence it recommended that the Military Governor issue an order prescribing all legal holidays as work days and directing that no premium pay be paid for work performed on those days. I all but fainted, as this was something new in labor relations. It was indeed a contribution to the war effort. These men looked so pleased with their action and I was so proud of them, I thought it only fitting that their action should be recognized by the highest military authority in Military Government. Therefore, I asked them to return the next day at the same time when I would arrange for my boss to thank them personally. General Emmons was present on the following day to meet with them and did the fitting honors with a sincerity that each of the delegates will never forget. This was the basis for General Orders # 120 (26 June 1942) which accomplished the result recommended by this group.

On March 10, 1943, Mr. John R. Mead, who had long been Deputy Labor Control, succeeded Mr. Bond as head of the Labor Control. To Mr. Mead belongs much of the credit for the superior labor relations which existed from the beginning. He was a very forceful man who soon developed the confidence of both employers and employees. He was strict in his enforcement of policies but was always fair and scrupulously honest with all parties. Our system of labor control, as well as all

other controls, permitted appeals to me and further appeals to General Emmons. Many of our policies and practices later became standard practice on the Mainland. From my observation, the operation of Mr. Mead in settling labor disputes was simply to bring the parties together, lay out the facts impartially, and then gently push the parties together by sheer logic, and thereby cut the ground from under each of them, to the point where each could see a safe middle ground. He did this very skillfully and honestly, his forte being abstract reasoning to a point where each side could see its position was untenable. Rarely was there any heat generated. When an agreement was reached, he insisted that each side carry out its part of it. General MacArthur must have approved of our methods, because in 1945 Mr. Mead was called to his headquarters to set up our system in Tokyo.

I recall two instances which indicate some types of our problems. The first concerned a labor dispute involving only \$35 which was alleged to be owed to a steward on a ship of the Inter-Island Steamship Company. The business agent of the Stewards' Union held up the sailing of the ship for a number of hours, claiming that it was the only means available to him for compelling the Steamship Company to pay the wages alleged to be due. When I learned that a ship was being delayed in getting out of port because of a dispute involving only \$35, I ordered it to proceed at once and sent for Mr. Eskovitz, the business agent of the Stewards' Union. The ship sailed and he came to see me, explaining his action by saying that he used the only method available to him to collect the just debt because the shipping authorities refused

even to talk with him. I made arrangements for Mr. Eskovitz and the vice president of the shipping company to meet the next day in my office where the debt was settled at once. From that time on the ships sailed without delay and the claims were settled by negotiation. Furthermore, it never had to be in my office thereafter.

Another case involved a threatened strike by the employees of the Transit Union who were primarily bus drivers. The Union had a contract which had six months to run before negotiations were again in order. The number of the drivers was greatly reduced by reason of the draft, the drivers enlisting, or going to other employment and a host of other reasons. The buses were more crowded than ever and the drivers were required to work a great many extra hours and under much more difficult conditions than in normal times. In recognition of these factors, the bus company had voluntarily given pay increases involving a total of thirty per cent, on a temporary basis. The business agent for the union demanded that a new contract be negotiated, over and above the thirty per cent increase, which had been voluntarily given to the drivers. He made his demands to the company and threatened to call a strike if his terms were not met at once. The drivers demurred on a strike until they had discussed the matter with my office. The business agent appeared in my office in company with a committee representing the bus drivers. The business agent was a Mainlander who seemed to understand little about bus driving and nothing about Hawaiians. He presented his case in an arrogant and saucy manner, apparently hoping to get thrown in jail or at least out of my office,

thereby making himself a martyr. His demands were insultingly presented and his reasoning silly. One suggestion was that the Military Governor require all the former bus drivers to return to their jobs and that the company pay the difference in pay. I inquired whether that would include a diver for the Navy who was receiving perhaps \$100 per hour for diving operations. He replied, "And why not. The company is rich." I asked the views of the committee. The burden of their statement was that they were terribly worn out from their arduous labors which were very hard on their nerves and that they believed that consideration should be given to granting them more pay. They were obviously sincere and had no desire for violence. They had been told by their business agent that no one in the company would meet with them and this they believed to be unfair. In their presence I called Mr. Kirk, the president of the bus company, who stated that he had not been asked to meet with them and that he would be willing to do so because they were indeed hard pushed but that his company would not be interested in negotiating a new contract until the old contract was about to expire because to do so would result in never having a firm contract on either side. He pointed out that the drivers had already been given a thirty per cent temporary increase in pay over the rate specified in the existing contract and that he was willing to talk over a further increase, but for obvious reasons the negotiation of a new contract at that time was out of the question. While I talked to Mr. Kirk, the men paid strict attention and they could sense the fair attitude of the man on the other end of the telephone. When I

hung up, one of the delegates said that they would meet with Mr. Kirk and when the business agent began to talk further they told him to "shut up" and that he "did not represent them any more." When they left, I asked them to inform me how they settled the matter. In a few days, the delegation was back without their business agent and reported that all was satisfactorily settled.

In May 1942, the local authorities requested our assistance in the enforcement of the local labor laws. While this was out of our field, we lent our good offices by issuing General Orders # 103 in which we enjoined everyone to comply with the local child labor laws. Subsequent to the issuance of the order, it was brought to our attention that in the past it had been customary to permit minors between the ages of 12 and 16 years of age, as well as other young people, to volunteer for employment at times when they were not required to be in school in the harvesting of crops and, more particularly, the coffee crop which required attention at specific periods. Our order apparently prohibited such employment since it was contrary to the existing local law. It was apparent that local authorities were not embarrassed at violating local law, but when it was sanctioned by a directive of the Military Governor it raised a different problem. We called a conference at which school authorities, social agencies, and prospective employers were represented and the whole matter was carefully and thoroughly discussed from every angle. We stood in the middle and really were not parties in interest. The commercial need was pressing and the parents were anxious to have their children employed

under proper conditions. As a compromise, Mr. Orren Long, the Superintendent of Schools, came up with a compromise which was satisfactory to everyone. Among other factors it required that the minors could be employed only outside of school hours and under the supervision of teachers. The resulting compromise was satisfactory to all concerned and no further complaints were received.

For some years prior to the war there had been periodic labor unrest in Hawaii. During the martial law period, there was no serious labor difficulty, and relations with independent labor as well as organized labor were excellent. We had no strikes, lockouts, or any labor stoppages of work for any other cause. We had labor problems, but we were able to settle every one of them without resort to force or compulsion and what is more important there was greater production. In March 1943, when, at the insistence of the Secretary of Interior and Governor Stainback, certain labor relations were turned over to civil control, a labor dispute between the Hawaiian Electric Company and its employees sprung up immediately. The employees requested the Military Governor to arbitrate the dispute, but under the arrangement foisted upon us by the Interior Department we were unable to comply with the request. That case was merely the beginning of continual and serious labor unrest in Hawaii.

The accomplishment of Military Government in Hawaii in the matter of labor relations, wherein potentially chaotic labor conditions were reduced to a smooth running system, was in a large measure due to an honest and fair outlook on the part of labor and employers, together

with the provision of a forum which was independent of both. The mere fact that each was given a full hearing and the arbiter was beholden to neither had much to do with the acceptance of an adverse decision without rancor. In Hawaii, as in any other community, the remuneration for the services of labor was a matter of compromise as to the value and ability to pay. Our success was based upon the belief that if parties can be brought together before an impartial forum before they get their necks bowed, a lot of grief and money can be saved. I am convinced that at least some of the serious labor troubles which have plagued Hawaii and elsewhere in recent years could have been amicably settled by some entity in which both sides had confidence and which was independent of either of them, as was the case under Military Government. Any other solution simply means that the party who is able to muster the lesser force is vanquished and he withdraws to lick his wounds and prepare for the next joust.

CHAPTER XXV

Price Control

On December 7th there was the normal amount of supplies for civilian use in Hawaii, but in view of the fact that many, if not most of such supplies were bought on the Mainland and imported upon a weekly or monthly basis, the supplies on hand were only sufficient to cover these periods. In the light of the "cut off" situation, inflationary trends were recognized almost at once. With a limited supply and no prospects of renewing it, there was a rush by provident people to obtain what supplies there were without regard to price. On their side, the merchants were anxious to unload their supplies at the best price possible in the belief that the Japs would return and business would come to an end and it would be far easier to secret the money than the supplies for which the Japs would pay nothing. With the merchants eager to sell out at an excessive profit and buyers who were flush with money and with few goods to buy, merchandise rapidly disappeared and at prices which spiraled upward. Obviously, this unhealthy situation had to be stopped.

Our first action was to urge the public and the merchants to hold down purchases to actual needs and the prices at a fair profit. The merchants were requested to base their prices on landed costs and not their replacement costs. Some of the merchants complied but it was soon apparent that some sort of rigid price control was desirable and necessary.

The gasoline situation was such as to require us to go immediately to rationing of it. Our requirements for industrial uses including construction were large and when added to the gasoline needs for defense workers, it put a heavy drain on our supplies. However, as a morale factor I always insisted on granting to each individual a small allowance of gasoline for his car, to do with as he pleased. I am satisfied that this allowance did much to alleviate the onerousness of some of the other restrictions such as blackout. There was, of course, some blackmarketing in gasoline on the other hand and there were some persons who scrupulously saved their pittance of gasoline for a pleasure trip. I saw no objection to the latter, so long as only hoarded gasoline was being used. We discovered that there was quite a bit of traffic around the Island of Oahu on Sundays. It would be difficult to determine which cars were using hoarded gasoline and which were using blackmarket purchases. As I recall it, I was responsible for an ingenious method of separating the two and incidentally perhaps cutting down blackmarket purchases. It was simple. On a few Sundays, military policemen were stationed at a mid point on the road around the island. Each automobile was stopped. The military policeman politely asked the driver whether he was on business or pleasure. He wrote down the answer and the car number on a long sheet of paper. Long sheets of paper always impress violators. The driver was politely thanked and told to proceed. The news that a check was being made, spread rapidly. The result was that in the main, those who were on business or were using gasoline legally issued to them, continued to travel. Those who

had black market gasoline took no long trips. After these many years, I think it safe to say that the only use made of the lists made by the military policemen on the long sheets of paper, was to deposit them in the waste basket when the policeman came off duty.

We had with us in an advisory capacity, Mr. Frederick Simpich who was Vice President of Castle and Cooke, one of the larger business concerns in the Islands. This young man was an experienced business executive who was wise far beyond his years. He voluntarily joined us the first night and carried out innumerable jobs of a varied nature. He was given the job of bringing about some system of price control. The first action was to call representative business people to study the matter. A set of controls was drafted which took into account the war situation and the unusual business methods and practices in vogue in Hawaii. When this code was agreed upon, the job of educating the merchants and the public was undertaken. We learned that the Mainland was contemplating a price control regulation and we prepared our plan to coincide as near as practicable to that regulation, as we understood it. Some variance was necessary because of the peculiar situation in Hawaii concerning procurement methods dictated by time lag and distance from the Mainland.

On April 28, 1942, the Office of Price Administration in Washington announced its General Maximum Price Regulation. On the day following, the Office of the Military Governor issued the Hawaiian counterpart in the form of General Order 108. It established the Office of Price Control, which in turn created a Price Control Section. The Hawaiian

Maximum Price Control regulation followed that of the Mainland as closely as possible to avoid confusion, but there were some material variations, the more important of which were as follows:

1. April was substituted for March as a base period for the reason that the time lag in the order and receipt of goods in Hawaii due to transportation distance was normally one month.

2. Administration was vested in the Military Governor.

3. Coverage was expanded to cover agricultural products.

4. Changes in phrasing effected an interpretation of other OPA price schedules and earlier price control ventures of the Military Governor in the field of gasoline, essential foods, liquors and drugs which had been subjected to restrictive regulations very early in the war.

As will be noted from paragraph 4 above, we were old experienced hands in the rationing and price control field in certain commodities, but this general rationing matter was something else again. However, it was well set up and the merchants and the public were educated in its operation by the time it became effective. Mr. Simpich was a past master in this regard and the Price Control measure went into effect without incident and became completely operative almost overnight.

When I was a student at the Army Industrial College some years before the war, at which institution I gathered many of my peculiar theories and ideas which I put into effect during the operation of Martial Law, I became convinced that price control in a war economy could be successful only with the wholehearted cooperation of business

and the public. Our experience in Hawaii proved that conclusion to be correct. There, we had the advantage of punitive action against recalcitrants but by and large there was full cooperation. On the Mainland, the Price Control Administration was plagued with violations in the form of black market operations and to an astonishing degree, bold refusals to comply with the regulations. In Hawaii, the public believed that it was to its advantage. I do not wish to assert that there was no black market operations in Hawaii, but it was comparatively negligible. The project was wisely and efficiently administered by Mr. Simpich who had the complete respect and confidence of the public and business. That factor made the difference between success and failure.

The first representative of the OPA arrived from Washington and we welcomed him in the hope of getting professional assistance. He was immediately appointed Price Administrator and we expected much assistance from him. However, he proved to be a charming gentleman who was unable to cope with the local situation. He was out of sympathy with local business methods and local business people had no confidence in him. Having failed to convert local business to his ideas, he gave up and returned to the Mainland, where his reports apparently were the basis of the conclusion that Hawaiian business was hard to deal with.

However, the Office of Price Administration was not discouraged and soon began to send trained economists and other experts. This was what we needed. Among the first to arrive was Dr. Draper, an outstanding economist. He was followed by others of high capabilities. Indicative of the caliber of most of these men was Mr. Melvin Robbins, a

highly successful New York lawyer who had volunteered his services to the OPA at an early date. After he had been with us for about two months, he telephoned to ask me for an appointment. Since my door was always open this request was unusual and I expected a serious complaint. To my astonishment and great pleasure, Mr. Robbins confided to me that he had volunteered his services to the OPA because he wished to contribute to the war effort in his maximum capacity. He said that he had been in our OPA section for two months, that he had worked harder there than at any time before in his life, that the section was in top shape and that he believed he could now be spared for further detail. I asked him what he had in mind and to my astonishment, he replied that he had heard that we had confidential missions going to the South and that he would like to be considered on any such missions which his qualifications would fit him. I informed him that such missions were extremely dangerous and not infrequently fatal. Without batting an eye, he soberly replied that he was aware of the risks but felt impelled to apply. At times, the burden of my job seemed almost more than I could carry, but every now and then some quiet civilian patriot like Robbins would make me feel ashamed to even think of being weary.

More and more experts came to improve the quality of the personnel of this activity. The reactions of all of them seemed to follow a pattern. Upon arrival, they expected resistance or rough treatment from local business and us, and they appeared incredulous when they were promptly taken into the fold and welcomed. Actually, we were delighted to have the assistance of trained men, and as soon as they got acclimated

and became acquainted with the customs and peculiarities of local business, they joined wholeheartedly with our team.

Business, large and small, was grateful that the war had not washed it out. Under Simpich, the local OPA made an excellent start and now, with the assistance of skilled persons from the Mainland, "OPA, Hawaiian style," was making giant strides. In September 1942, Mr. Draper came to my office accompanied by Mr. Karl Borders who said he was reporting as OPA Representative from Washington. This new man, Borders, was quite a different type from his predecessor. He was quite a direct man. He informed me that he had consulted his predecessor and the Interior Department before coming to Hawaii and had received the impression that both the military and local business people were hard to deal with. He said that he was not an OPA expert but was an administrator. He also stated that Dr. Draper had informed him that things were going extremely well. I could readily see that he expected us to resent his coming and I assured him that we had no such feeling.

I suggested that he take a little time to look around and if he found it to his liking, we would turn the whole business over to him. He looked surprised because it was not the kind of a reception he had been led to expect. From my experience with newcomers, I had learned that if they withheld judgment of us until they had a chance to see for themselves, we would have no difficulty in getting along. It was those who came with preconceived animus that gave us trouble.

I was impressed with Mr. Borders from the start and felt that he was the type of man who would take hold and change whatever he thought

needed changing but who would always be pushing the ball nearer goal. During the next week Mr. Borders came to see me several times, asked a few questions which were always pertinent, and reported progress on his survey. On October 3rd, he came to see me and gave me a succinct report of his findings, concluding with the statement that Mr. Simpich and his staff had done a remarkably fine job. I asked him if he was ready to assume charge of the activity. He looked surprised and I could see that it was not the kind of treatment he had been told to expect. After a pause, he said he would be proud to be a part of our organization. I called in a stenographer and right then was dictated a General Order announcing Karl Borders as Price Control Advisor to the Military Governor and placing him in charge of the Price Control Division.

Although Karl Borders disclaimed being an OPA expert, he was an exceptional administrator and learned rapidly the peculiarities of the local situation. From the day of his appointment, his division was a model of efficiency and was respected by large and small business, alike. The division progressed so rapidly and well that it soon outstripped the similar activity of the OPA on the Mainland; in fact many of the policies of the Hawaiian OPA were adopted by the parent organization on the Mainland. Karl Borders was the kind of an administrator that I liked. He worked out his own policies and came to me for help only when the prestige of our office was needed. On these occasions, he demonstrated that he had thought the whole thing through. He would state the advantages and disadvantages of what he proposed to do. He then made his recommendations. He never bothered me with details but always kept me advised

of matters of major concern. His staff liked him and they turned in a wonderful performance. The only instance wherein we were not able to see eye to eye instantly was when I asked him to release Mr. Simpich for another assignment. On that occasion Mr. Borders demurred, saying that Simpich was like a strong right arm to him. However, when Mr. Borders learned that the next assignment of Mr. Simpich was that of a member of the Armed Forces, he withdrew his objection and wished Simpich Godspeed.

I cannot leave the matter of price control without the further observation that due to the effectiveness and efficiency with which price control was administered in Hawaii, it was possible to limit rationing to gasoline and liquor, in contrast with the Mainland where there was general rationing. I have always believed that the unusual success was due to the fact that the activity took the public into its confidence and explained the objectives.

CHAPTER XXVI

Civil Defense

Governor Poindexter's selection of Mr. Frank Locey to be Director of Civil Defense was an excellent choice. The new appointee was a big hulking man who was prone to give the impression to strangers that he was a simple, slow-witted farmer. As a matter of fact, he was wordly wise and had a mind that was as sharp as a razor. He was very experienced in business affairs and nothing pleased him more than to have someone attempt to take an unfair advantage of him. Such attempts invariably resulted in chagrin to the perpetrator. He had come to the Islands more than thirty years before and had prospered. Although his principal business was the operation of a very large dairy farm of registered Holstein cows, he managed to have time to be the Director of the Territorial Agricultural Department and also to be "interested" in innumerable financial ventures which he shrewdly operated as a silent partner. He was an aggressive operator and was ideal for the job of Director of Civil Defense.

Civil Defense on Oahu had made a start under the M Day Bill under the auspices of Mr. E. L. Doty who had been drafted from Alexander and Baldwin. He had made an excellent beginning. Mr. Locey took hold of his new assignment and went at it with a will. Slit trenches were dug, air raid shelters were constructed and air raid wardens, block watchers and hospital units were organized in quick succession. At first Mr. Locey dealt with the military at arms length, primarily because of the

fact that this was his first experience with the Army and also because of the normal inherent fear of military control. I made suggestions as to what should be done to protect the safety of civilians and let him alone to observe how he would do it. He was an excellent organizer and in a minimum of time the program was succeeding beyond expectations. He had the complete confidence of Governor Poindexter and was one of his most devoted supporters. He was a complex sort of individual who had strangely opposite traits. For example, he was a rugged individualist and had the capacity for dealing with competitors on any terms they might choose to select whether gentle or rough, and yet at the same time, he was extremely sensitive. On one occasion, the editor of the Star Bulletin, a Republican newspaper, printed a purely political article to the effect that the appointment of Locey, by Governor Poindexter, was a cogent reason for not reappointing Governor Poindexter. Almost anyone with political experience, such as Locey, would recognize the article as a normal political blast but Locey did not see it that way. He felt terribly hurt that his appointment might have embarrassed his good friend Governor Poindexter. He came into my office and actually had tears in his eyes after having read the newspaper story. It was only with difficulty that he was persuaded not to resign his position.

After he had worked with us for a month or so, he confided to me that at first he was not on our side, but that after working with us for a while, he had discovered that we knew what we were doing and that from that time on, we could count on him for his full support. He was as good as his word and from then on, our relations were always without

difficulty. The wide experience of Mr. Locey was very helpful to us and his advice carried us over many a hard piece of going. His ability to get things done was uncanny. Whenever there was a seemingly impassable barrier facing him, Mr. Locey seemed to be able, either to circumvent it, or produce something just as satisfactory. On such occasions he would remark, "or a reasonable facimile thereof". He was able to deal with anyone on the terms the other person selected. He was completely frank and honest in his dealings with us and that must have been true with his normal business dealings because in those matters, he rarely had agreements reduced to writing. His word was good enough.

I learned to know Mr. Locey very well. He was a true patriot and urgently wanted to be liked. He wanted nothing in the way of credit for any accomplishment. The satisfaction of having done a good job was enough reward for him. He was an excellent listener, particularly when he wanted information and was exceptionally astute in reading a business opponent's state of mind. Mr. Locey's sources of business information were unusual. He was well acquainted with all types of persons and completely at home in dealing with orientals. He understood some Japanese and spoke and understood some of the Chinese dialects well.

Once, at his instigation, I received an invitation to a stag dinner given by one of the important Chinese families in Honolulu, of which there was a considerable number. I accepted and arrived with Mr. Locey. Both of us were made welcome in the courteous manner in which the orientals excel. There were perhaps twenty guests. As soon as we arrived at the table, innumerable waiters began serving Scotch whiskey

in small Chinese tea utensils. Locey and I were the only occidentals present. The host proposed a toast and the first issue of Scotch was dashed off. No sooner was the empty utensil back upon the table than it was refilled. Mr. Locey arose and replied to the toast of the host in the Chinese language. The smiles of the company indicated their approval of his remarks. He terminated by saying "Gon Beh", or something that sounded like it, which to me, had a meaning something like the English phrases, "down the hatch" or "bottoms up", because that is what the company did, forthwith. Two Scotches is my limit and, since I knew Locey was a "teetotaler", I wondered at the alacrity with which he dashed off two helpings of Scotch. The cups were quickly filled again and after a very short interval Mr. Locey again suggested "Gon Beh" and all the guests enthusiastically complied. As I was about to put my cup to my lips I felt a gentle nudge from Locey, which explained to me the fact that when I tasted the contents of my cup, I discovered that it was tea. There followed many "Gon Beh's" and each time thereafter, my drink was tea. I was certain that Locey's drinks had been tea from the beginning. How many guests were drinking tea and how many were drinking Scotch, was easy to determine after the first few toasts. The drinks to Locey and to me, came out of a bottle labeled Scotch and was identical with all of the other bottles, but how Locey arranged it and whether the host was in on it, I never found out. Locey never enlightened me, and it would have been futile to ask him. He was that kind of a man.

Mr. Locey frequently amazed me with his general knowledge of earthy matters and his ability to guess the real opinions of others with whom he had business. His prophecies of what his business competitors were going to do in the future, was uncanny. Although he was extraordinarily astute, his lack of extensive formal education made him underestimate his skills. At an early age he had run away from his home in Stockton, California, and had joined a circus. He learned the game of self-defense from the ground up and was able to take care of himself and his interests in any company. I never knew him to do an unfair thing against anyone and, on the other hand, nothing gave him greater pleasure than doing something exceptionally nice for someone and carefully concealing his part in it. A company of Infantry was stationed near his farm. In his large country kitchen was a farm type refrigerator which was constantly being replenished with milk and snacks for soldiers who were encouraged to make the kitchen an off-duty rendezvous. They never saw or knew the owner of the farm. I found it out from the Captain of the company, and when I confronted Locey with the matter he laughed it off by saying that when he was young he loved milk and was always hungry. He was generous almost to a fault, but he resented imposition upon his intelligence. Nothing pleased him more than to outsmart a person who had set out to take advantage of him. He had a high regard for the business skill of Mr. Walter Dillingham and to be referred to as "Little Walter" pleased him immensely. He admired Mr. Dillingham so much, I often thought that he imitated Mr. Dillingham as far as he could.

Mr. Locey had for his assistant in the operation of Civil Defense Mr. C. J. (Bunny) Henderson, a young and aggressive local businessman. Although youthful in appearance, Mr. Henderson was vice president of the Hawaiian Pineapple Company and was an apt protege of Mr. Henry White, President of the company. Mr. Henderson was very smart, and together with Mr. White they composed one of the most aggressive pairs of businessmen in the Territory. Both were devoted to their business and were highly successful at it. It was said that if either of these gentlemen accidentally cut himself while shaving, pineapple juice rather than blood would emerge from the wound.

I know of no two people associated together who were more different in education, background, and social standing than Messrs. Locey and his assistant, "Bunny" Henderson. Nevertheless, they worked harmoniously together, without friction, and formed a very formidable team. Mr. Henderson belonged to the exclusive social set of Hawaii, but he had the force and the personality to convince persons of every social level of the necessity of getting done, the things necessary to bring Civil Defense to a high level of efficiency. Whenever a Civil Defense project was started, Mr. Henderson pushed it forward with the same vigor that he was accustomed to use in selling cases of pineapples in a highly competitive market. He finished one project after another. He was accustomed to meeting small obstacles by pushing them aside. Those of large magnitude he tried to push through the center, and if it was not an immediate success he worried until he found a way to circumvent his

difficulties. His sense of humor was excellent except as to pineapples, and on that subject he was all business.

Civil Defense was an entirely new project which had no precedent in our history. It was a huge success in Hawaii, and the operation there is the basis for counterparts now in existence in all of our states and our National Government. Messrs. Locey and Henderson deserve full credit for the origination of many of the basic policies which made the first Civil Defense activity a success, and which are generally taken for granted today.

One of the first projects turned over to the Civil Defense administration for accomplishment was the immunization of the entire population against smallpox, typhoid fever and diphtheria. The need for such immunization stemmed from the overpopulation of the Islands, due to the influx of troops and war workers. In the back of our minds also was offsetting the possibility of an epidemic created by means of sabotage. The Civil Defense people got at it and systematically reached substantially every person on the Islands. As an indication of the confidence the people had in the honesty of the intentions of the Civil Defense officials, representatives of a religious group who did not believe in immunization called upon me to request exemption from it. I suggested that since they did not believe in it, it would not hurt them to take the inoculations and it would serve to reassure those who did believe in the inoculations. Upon reconsideration, the representatives of the group agreed to be inoculated and they complied in order to demonstrate a willingness to cooperate.

The Civil Defense maintained a Red Cross Motor Corps which was composed of a group of about 38 younger women who were of the Junior League caliber. Many of them were young married women and all were fully qualified as drivers. They were volunteers who not only gave their services gratis but furnished their own transportation. They were uniformed and extremely well drilled. All were on call and a certain number were on duty at their headquarters at all times. They did a remarkable job during the Blitz and continued to furnish twenty-four hour ambulance service during the operation of martial law. It was headed up by Mrs. Eleanor Moir who held the rank of captain. One of the mainsprings of the unit was Miss Jamie Cammeron, a school teacher who I knew very well. She was an indefatigable worker on this and numerous other public projects during the emergency. The other ladies were equally devoted to furthering the war effort. They made a fine contribution. On one occasion Mr. Edgar Rice Burroughs, the famous war correspondent, asked permission to make a night inspection of the readiness of this unit. He was so impressed that he wrote an extensive article extolling the efficiency of the group.

There was maintained a warden group which efficiently carried out its duties. There was little glamour in this drab but important endeavor. They were uncompensated except for their own satisfaction and the unexpressed thanks of the public who were able to rest soundly in their beds at night, in the knowledge that there were hundreds of men and women of the Warden Corps guarding their slumbers. The faithful

performance of these people impelled others to give of their time and energies to other important Civil Defense matters. The Blood Bank, the Hospital Units and the many other activities were carried out in the same high tradition of helpfulness.

Another of the worries of the military which was assigned to the Civil Defense was the alleviation of the dangerous concentration of people in the downtown area of Honolulu. In the event of another air raid, the dropping of the few bombs in this area would inflict many casualties. The area was so little above the sea level, trenches would be impractical. The only alternative was to train these people to move to a less dangerous area in the event of a raid. To accomplish this objective a pamphlet was issued entitled "Evacuation Made Easy". Numerous drawings by the famous cartoonist Jerry Climp showed the complete operation graphically. Accordingly, these residents of congested areas were requested to make arrangements to evacuate their women and children to other areas in the mountains in the event of a raid. The evacuees were instructed to take certain prescribed bedding, rations and the like. For those who could not find accommodations with friends in the hills, there was provided evacuation centers to which they could go. It was not compulsory upon anyone, but all who could were urged to do so in order to increase their own safety and clear the way for defensive troop action. The able-bodied men were to remain for other duties.

"Dry runs" of the evacuation plan were made, but it was difficult to determine whether it would be successful in an actual emergency. The

real test of the effectiveness of Messrs. Locey and Henderson in this venture came on June 3, 1942. On that afternoon, when the Battle of Midway was starting, I got a code signal from General Emmons' Headquarters indicating the possibility of an air raid on Honolulu. I alerted the Civil Defense and directed that the congested districts be evacuated at once. The radio could not be used as a means of transmitting directives because of security reasons and the newspapers had gone to press. The Air Raid Wardens were chosen as a means of transmitting the directives. They were called out and promptly began to circulate in the congested districts, delivering handbills urging the inhabitants to proceed to their predetermined places. Travel was restricted to the daylight hours in order to prevent interference with the night movement of troops. On the afternoon of June 3rd, an orderly exodus began to take place. At dark, it stopped and at daylight the following morning it began again. By noon of the 4th of June, the movement was completed and over 4000 persons had quietly moved from the congested areas to a safer position in the hills. They remained there until the 6th of June, when it was announced that we had won the Battle of Midway and that they could return to their homes. This entire evacuation was orderly and without any confusion or hysteria. It was a remarkable feat by the Civil Defense people, which clearly demonstrated what can be accomplished by careful and intelligent planning.

The training of the Air Raid Wardens was superior. Several thousands of these people gave their services with no material reward whatever. On

one occasion, I arranged for an inspection of this fine group by General Emmons and Governor Poindexter. The purpose of the inspection was to determine how fit they really were, and also to give the members the satisfaction of knowing that the two top men in the Territory were interested in their performance. As an element of uniform, this group habitually wore "tin hats" as badges of their office. This was the only required uniformity, but it set them apart from everyone else. At this function, the Governor and the General passed down one line after another. The wardens made a very respectable military appearance. Having completed the inspection, the wardens were required to march past in review, after the fashion of troops. They marched quite well. About midway in one of the lines, I saw a stately Hawaiian woman who towered far above all the men and women who were marching along in the same line. By reason of her size and her erect and proud military carriage, she stood out. One other variation was noted. Around her "tin hat" was a beautiful, highly colored lei, a practice which is employed by Hawaiians of the old school, to demonstrate that they are happy and proud of themselves.

One of our jobs was to repair and reconstruct air fields which had been made unserviceable on December 7th, a task which required the use of bulldozers and other heavy machinery. This type of equipment used tires of a very large size, and the coral ground upon which they were being used was extremely hard on the tires. Tires of this character lasted only about two weeks. This made a considerable strain on our shipping space in the replacement of such tires. I had read somewhere

that at one time the production of rubber had been attempted in Hawaii and I had seen some trees in the mountains on Oahu, which I had been informed were rubber trees. I stumbled upon the idea of examining into the possibility of remaking rubber tires locally. I was aware that recapping of tires was well known in the Territory at that time, but the replacement rubber was the scarce article. I went to the public library and there, sure enough, were reports indicating that in 1905 the Nahike Rubber Company was organized to produce rubber but it died soon thereafter. Again, in 1918, the owners of Maunawili Ranch, on the Island of Oahu, had planted some 2000 trees and that a large number had been planted on the Island of Maui. Both ventures had failed to be profitable, but the trees remained.

My personal knowledge of growing rubber or producing it was nil, so I called on Mr. Locey, who always seemed to know someone who could do anything which was needed. At his direction the Territorial Forester sent a detail to Maunawili Ranch and to Maui to make an investigation. Samples of the latex were taken and sketches and photographs obtained together with a report of the number and condition of the trees. From the photographs and sketches the Forester was able to estimate the amount of latex which could be produced. I examined the succinct report which was given me, but I still was at a loss to know how much rubber would be needed to recap a tire and how to accomplish making the goeey white latex into black rubber. No one in the Islands seemed to be informed on this subject except a prisoner in the penitentiary, who had

once worked on a rubber plantation elsewhere. This knowledge and an article which had appeared in an old issue of Popular Mechanics magazine was all the information there appeared to be in the Islands.

I was confident that we were on the track of something worthwhile and when I went to Washington in August 1942, I brought along all my reports and samples. At the suggestion of "Bunny" Henderson, I went to see his father, Senator Henderson, a member of the Reconstruction Finance Corporation. He arranged an appointment for me to talk with someone in the Rubber Production Board, concerning the production of rubber in Hawaii. I merely had an idea and had with me all of the reports and samples from which a skilled person could make an estimate. When I came into the room for the interview, it seemed to me that the whole Rubber Production Board was present, together with several experts. At that time rubber was a scarce article and no source was being overlooked. All listened to my presentation and evidenced great interest in my samples and photographs. The pictures were examined under a microscope and the experts shook their heads knowingly, making technical remarks to one another which made no sense to me. They made minute examination of the figures given by the Forester and then went up to the table where the Board paid strict attention to what they were saying. Then followed a considerable amount of calculation. At long last, the President of the Board looked up and very gently gave me the bad news. All of the trees, thousands of them, in their existing state would not be sufficiently productive to be worthwhile at that time.

I shall never forget how nice these busy men were to me and how carefully they were not to overlook any possible chance to produce rubber, nor will I soon forget the courteous manner in which they burst my bubble. It was just another of many fine ideas which many of us in Hawaii had, which did not pay off.

Six or eight months later, Governor Stainback enthusiastically showed me a glowing report that he was making to Secretary Ickes on the possibility of producing rubber by using prison labor on the Maui tract. I told him of my experience, gave him a copy of the report which had been made to me by the Territorial Forester and wished him better luck than we had with the project.

No statement of the activities of Civil Defense in Hawaii would be complete without a summary of the "Battle of the Kiawe". When Father Alexis Bachelot came from France in 1828 to establish the first Catholic Mission in the Sandwich Islands, he took the precaution to bring with him some Algeroba seeds from the King's garden. He planted these seeds in the Mission grounds at the site of the present Cathedral in Honolulu. The seeds prospered famously; in fact, they soon spread all over the Hawaiian Islands and have been called the greatest boon of any vegetation to the Islands. They transferred the barren mountains into green slopes of trees and brush. The trunk of the trees and the branches were utilized as firewood and the blossoms served as food for bees which, in turn, produced magnificent honey. The long bean-like fruit was an excellent cattle fodder and at times of distress was found edible by men.

There was only one drawback to these wonderful trees. They formed a thick growth which was most difficult to penetrate, because of the long vicious spines which gave them every earmark of a porcupine. These trees are of the mesquite family and are variously known under such names as Honey Mesquite, West Indian Locust and Rain trees. Technically, they seem to be Algeroba trees, but for some reason best known to themselves the Hawaiians called them Kiawe.

Now, the Kiawe trees have the ability to grow in the most inaccessible places. Frequently they grew adjacent to the edge of the ocean. This was indeed a boon to the cattle ranchers along the shores of the Islands. On Oahu, the ranches extended for many miles along the ocean front, and the thick Kiawe trees served as shade and food supply for the cattle. Unfortunately, these trees would shield enemy landing parties from the field of fire of gun positions and it was necessary to remove the outer edge of them to clear a field of fire. The extent of the trees and their toughness made the project a very difficult task and the number of troops which could be spared for the job was inadequate.

Someone suggested that civilians be called upon for assistance. I do not recall whose suggestion it was, but he is entitled to great credit because the project turned out to be one of the most interesting and successful of many which were tried in Hawaii. No sooner was it suggested than it caught the public fancy and went forward rapidly. My recollection is that the best increment was a group of students from the University of Hawaii who called themselves the Varsity Victory Volunteers.

The newspapers took it up and began calling it the "Battle of the Kiawe." Volunteers were asked to meet on Sunday, where transportation would be available to carry them to "the field of battle." On the first scheduled "attack", more than 500 men arrived and took part. On the following Sundays, the volunteers reached the thousands. The leader of the Hawaiian Band, Mr. Charles King, called on me and volunteered the services of his band to cheer the battlers on to victory. Una Machado, the great singer, lent her marvelous voice to the cause. Sol Plueries remarked in his column that probably "swing" music would be played by the band. Little boys appeared at my office to complain that they were not permitted to fight. Women took to the newspapers stating that they could outdo the men in the battle. Food and equipment were furnished by the Army and it became a gala affair. Companies of a hundred men were led to prescribed areas and the leaders would shout, "There is the enemy boys. Go to it." Men and women of all races and all walks of life were there. Young and old attacked the project and a spirit of gaiety reigned. First aid units were busy binding up wounds of those who failed to respect the saber-like thorns of the Kaiwe. It was an outlet for the pent-up energies of these people who, by reason of blackout and other restrictions, were unable to follow their normal gay pursuits.

On the first few Sundays, we had considerable apprehension concerning the possibility of racial clashes. A loosely handled machete in the expert hands of a Filipino could easily bring on a racial incident of a most serious kind. We took every reasonable precaution to prevent

incidents, but we were soon satisfied that the holiday spirit was so strong that it overcame some of the racial tensions. To see Filipinos and Japanese working in close proximity at that stage of the war was encouraging. I really believe that the "Battle of the Kiawe" was extremely helpful in playing down racial animosities. I can always visualize those flashing machetes which could cut a man in half as easily as cut off the limb of a Kiawe tree. I am glad to report that not a single incident marred the accomplishment of this most difficult project in a minimum of time.

Another notable project was the collection of scrap. At my suggestion, the Office of Civil Defense put on a drive for the collection of old tires and scrap metals. The stated reason was to reuse both materials. President Roosevelt had made a public appeal for such action which doubtless was the basis for our efforts. There was the additional reason of removing fire hazards caused by inflammable materials. Fire in Hawaii is a very serious problem, and a survey indicated that there was an astonishing amount of waste materials which were accumulating in a dangerous manner. I later rode on a train on the Mainland and was surprised to note the vast amount of inflammable waste material which can be observed everywhere in the backyards adjacent to the tracks. While we had no trains in Hawaii, except those of plantations, there were similar places where scrap was dumped. The public got behind the drive and at once there was a general cleanup all over the Islands. Worn and disused sugar mills, which were essentially metal, were reduced

to scrap and turned over to the Navy for use. The tires were piled high at concentration points on each of the Islands, and eventually 1500 tons of scrap rubber had been collected. As an inducement to bring in used tires, we informed the public that we hoped to sell the tires for remaking rubber and that the profits would go to the United Service Organization, a social service for troops. The response was immediate and tremendous. We had been informed that we could get one cent a point for old tires on the Mainland, but on looking into the matter further we learned that shipping costs by commercial steamer would be three cents a pound, which would leave us a net loss of two cents a pound. Colonel Morrison remarked that "even a General Order could not produce a profit on that basis." Further investigation disclosed that only the rubber tread of the tire was used in remaking rubber as the process involved mixing new rubber with the old rubber. That caused us to take another look at the situation.

We knew that the carcass of used tires was used extensively for soles of shoes. Accordingly, we engaged a number of Japanese shoemakers to strip the rubber from the tires and, by machine, cut out shoe soles from the remaining portion of the tire. This was a very slow process, and it was not long before critical editorials began to appear in the Star Bulletin, complaining about the piles of tires, stating that they constituted a fire hazard and that they were a breeding place for mosquitoes. Both criticisms were well founded, but there seemed no way of hurrying up the job we had set out to do. We made no effort to reply or

explain what we had in mind because we were not sure our plan would be successful. At last, one of the piles of rubber on one of the Islands was destroyed by fire, and then the newspaper really went after us. The Advertiser must have had faith that we had some answer. At any rate, that paper withheld criticism. Mr. Allen, the editor of the Star Bulletin, had blasted us on the rubber project for some time without making us defend ourselves. At last, he came to see me, I presume out of curiosity, to find out what our plans were. Had he done so earlier, we would have been glad to tell him what we had in mind. At this interview, I informed Mr. Allen that we planned to sell the soles for military and commercial use and, except for a percentage being paid to the strippers of the tires, the entire profits would go to the USO. As for the rubber which was being stripped, we expected to ship it to the Mainland by Army Transport, free of charge, and that the shipments would start shortly. He was informed further that we expected to receive four cents a pound for the stripped rubber in San Francisco, all of which would be given to the USO. Mr. Allen was surprised and said that it really was news. He inquired why we had not informed him of our plans earlier. I countered by inquiring why he blasted us first and then asked for the facts. To his credit, Mr. Allen came out in the next edition of his paper with a very complimentary story on our endeavors in the rubber market.

Many of the most difficult problems undertaken by the Office of Civil Defense were carried into successful conclusion by the enthusiastic assistance of the authorities in charge of education. Public education

had long been a primary objective of Hawaii, and as of 1941 it ranked with the highest on the Mainland. Panahou School was the leading private institution of learning. It had been established in 1841 and its standing was such that as early as 1950, Californians were sending their children there for basic education. West Coast students and the elite of Hawaii made up its student body. The public schools were modern in every respect as to physical property and in curriculum. Carefully selected teachers of the highest caliber were imported from the Mainland. The Superintendent of Public Instruction was Mr. Oren E. Long, later U. S. Senator and experienced educator, who possessed a rare combination of scholarliness and practical efficiency. His quiet, aggressive and practical approach was a model for the teachers who worked under his guidance. He was one of a long list of educators who made the Hawaiian public school system outstanding. By 1941, there were nearly 200 public schools with an enrollment of something over 90,000 students and over 3000 teachers.

On December 7th all public and private schools were temporarily closed in the interest of public safety. The Japanese Language Schools remained closed for the duration of the war. However, arrangements were made for the public schools to reopen as rapidly as adequate emergency protection against a bombing attack could be arranged. Trenches were dug in the school grounds and as soon as they were completed classes resumed. Naturally, each school wanted priority in the completion of the work. One day, Mrs. Flora Hayes, President of the Parent-Teachers

Association of Honolulu, called on me and urged that shelters for a particular school be expedited. Mrs. Hayes was a member of the Territorial Legislature and well known to me. She was a very attractive, persuasive and determined Hawaiian lady. She was also a very intelligent and practical person. I explained that we were pressed for labor and, as an afterthought, I countered by asking why the parents could not supply the labor for that particular school. Mrs. Hayes smiled, chuckled and answered, "Why not?" It was agreed that she would arrange for the labor and I would see to it that the tools and engineering advice would be supplied.

On the following Sunday morning, hundreds of parents assembled at the school grounds and, with tools furnished by the Corps of Engineers and under the guidance of teachers, construction of the appropriate trenches began. Many of the diggers were seasoned in that form of labor but office workers were also there in force. Coffee and doughnuts were furnished by the mothers of the children and a gala time was had by all. Mr. Kitawa was there but he did no digging. He had the forethought to arrive with his horse-drawn ice wagon and contributed his services by serving ice water to all concerned. Representative Hayes was in general charge. Such was the administrative ability of Mrs. Flora Hayes and the cooperation (kokua) of the local citizenry.

Soon after the first shock the entire public school system was again in full operation and more than 78,000 students were back at their desks. More than 5000 of the older students went into the war

effort in various fields, and many of those who entered the Armed Services never returned to their homes and families. In a report dated July 1942, Superintendent Oren Long gave some idea of the tremendous contribution of the students and their teachers to the war effort. Among those accomplishments, the teachers and students purchased \$848,000 in Defense Bonds. The students worked more than 34,000 home gardens and substantially every teacher was engaged in volunteer work involving Civil Defense, Red Cross or other war work. All of this and more was accomplished under the leadership of Mr. Oren Long. I leaned heavily on his advice and that of Mr. Reginald Carter, who was the principal at Stephenson High School. The latter eventually came into our office and rendered yeoman service as an educational advisor.

The Japanese Language Schools which were closed on December 7th remained out of operation for the duration of the war. However, Mr. Shichio Watanabe, who was the Vice President of the Japanese Educational Association, offered all of the buildings of his closed schools for military or educational purposes. Some of these school buildings were thereafter used for public school education.

In 1941 the University of Hawaii represented the finest in advanced education. Dr. Gregg M. Sinclair, then a professor, was acting president. He was later installed as President. Both Dr. Sinclair and his predecessor, Dr. David L. Crawford, were men of distinction who were well known in Mainland educational circles and they were highly respected locally. The University, then and now, was the social and educational center of

the community. It had an enrollment of about 2600 students and was staffed by a faculty of about 300 professors. It was recognized as a progressive and growing seat of learning.

When the attack came, all educational activities of the University ceased temporarily. Lesser men than Superintendent Long, who was a regent of the University as well as Superintendent of the Public School System, and the University President, Dr. Sinclair, might have sat on their hands and wept over the misfortunes of their charges. Both of these outstanding men accepted the situation as it was and promptly made plans for the reorganization of their institutions to meet war conditions. This they did with such efficiency that when it became safe to resume the educational systems of the University and the public schools, it was accomplished without difficulty. These were no easy tasks, because many of the teachers and faculty members had volunteered for military service and a considerable number of students had marched off, some of them never to return. The full resources of the University and the public schools, both in personnel and facilities, were placed at the disposal of the Armed Services. Many of the most effective helpers in military government came from these sources. Many faculty members of the University joined the military and those who remained gave freely of their advice and their skills.

College professors, being of an inquiring mind, it might well have been expected that there were those on the University faculty who may have had reservations as to the legality and other questions concerning

martial law. I have no knowledge of the facts in this regard. Of this I am certain, however. Whatever reservation that existed, if any, there were never prevented any and all of the faculty members from doing everything requested of them and otherwise performing duties contemplated to further the war effort. I am delighted to go on record to the effect that the faculty of the University of Hawaii, the teachers of the Hawaiian Public Schools, as well as their students, had every reason to be proud of the outstanding contribution made by them.

Because the teachers and the students of the University and the public schools were intelligent and cohesive groups which were well organized and disciplined, the Office of Civil Defense called upon them repeatedly to accomplish the accurate collection and dissemination of public information. By this method the citizenry of the Territory were prepared for almost any emergency and the public was instructed as to the action it should take in any given circumstance. I constantly inspected the various installations under the auspices of Civil Defense at all hours of the day and the night. It was a pleasure and extremely reassuring that all was in readiness for any emergency. The projects of Civil Defense were many and varied and the planning was so thorough that public authorities were able to accomplish new and difficult projects with a minimum of effort and without any public hysteria. I cannot overstate the effectiveness of the Office of Civil Defense in this regard.

When Governor Stainback assumed his office as Governor, one of his first official acts was to relieve Mr. Locey as his Civil Defense

representative. The political differences between Mr. Locey and Governor Stainback had been of long standing and were well known and consequently the relief of Mr. Locey was not unexpected. It will be remembered that President Roosevelt had made a considerable fund available for civil matters, and it was only natural that Governor Stainback should desire to control expenditures from that fund. Although Mr. Locey was no longer officially connected with our setup, he continued to visit us frequently and was always ready and willing to assist us with advice and action. As a replacement for Mr. Locey, Governor Stainback appointed Mr. E. E. Black, a highly regarded and successful businessman. It was an excellent appointment in every way. Mr. Henderson stayed on as an associate to Mr. Black, which insured continuity of the operation. Mr. Black accepted his appointment upon the express condition that he would be given a free hand in the operation of Civil Defense. Occasionally thereafter it was necessary for him to remind the Governor of the condition under which he had accepted the appointment. We got along very well with him. He was our kind of man, independent, quietly effective and very efficient. He soon picked up the reins of the important office he headed and did an effective job of meeting the ever-changing needs of Civil Defense. Our relations with Mr. Black were wholly free from difficulties and disagreements and he accomplished a highly commendable job.

The Civil Defense operation in Hawaii was the pilot project of its kind in the United States. It succeeded beyond all expectations. The

selection of Mr. Locey and his equally competent associate, Mr. Henderson, was indeed fortunate. These men started from scratch and built up a most remarkable organization. They quickly attained the complete support of the public without which Civil Defense cannot function. They earned that support by diligent thought and activity. They covered substantially every field of civil affairs. Both were experienced businessmen, but beyond that they threw themselves wholeheartedly into the job before them. The singular thing which impressed me about the operation of these two men was that they were always one step ahead of prospective problems. To my knowledge they were never caught without a plan for meeting every situation which arose. They did a truly remarkable job. When Mr. Black succeeded Mr. Locey he picked up the reins and carried on in the true tradition.

In the precarious times in which this is being written, it would be reassuring indeed if the Civil Defense of our Country and our several states were proportionately well prepared at this time.

CHAPTER XXVII

Prostitution

When Captain Cook of the Royal British Navy sailed his three masted ship, Resolution, into Hawaiian waters in 1778, he was met by Hawaiians in hundreds of outrigger canoes. The good captain complied with local formalities and thereafter the crew of one hundred and fifty sailors enjoyed the hospitality of the Hawaiians, the like of which can be found by sailors in very few ports in the world. There followed days of feasting and joviality. Captain Cook sailed away leaving a very favorable impression. On his return in a few months he expected the same favorable treatment, but some matter of protocol was overlooked which resulted in the death of the intrepid Captain Cook and in accordance with local custom his bones were divided among the local hierarchy, this in accordance with unusual social customs of the Hawaiians of old.

Some time after the untimely demise of Captain Cook the Hawaiian Islands began to be "opened up" by successive trading vessels which came to take on fresh water and food and to relax the sailors. With the coming of the missionaries, spiritual and moral reforms were the order of the day. When the missionaries suggested that the Hawaiians wear one article of clothing at all public appearances, the Hawaiians complied with alacrity by appearing in new straw hats. With the development of local agriculture the need for hand labor increased. The Hawaiians were averse to that form of labor and the local planters were forced to look outside the Islands for their labor needs. In January 1852, the Royal Hawaiian

Agricultural Society sent a commission to China to recruit Chinese laborers. Recruiting was rather easy because of the glowing tales mariners had spread while visiting China. In the Spring of 1852 two hundred Chinese coolies arrived in Honolulu on a five-year contract basis. The contracts provided for consideration in the form of passage, food, clothing, quarters and besides all that, three dollars a month in cash. Successive ship loads of laborers arrived after the initial group had proved their worth. All of the importations were male workers. Over the years which followed, a few of these contract laborers sent for their wives and families, but such practice was not encouraged. More Chinese came later, paying their own passage in order to escape the crowded conditions existing in China. By 1900 there were about 44,000 Chinese in Hawaii. In 1886 further importations of labor was prohibited by the Hawaiian Government but in 1888, in typical Hawaiian fashion, an exception was made by which 15,000 additional Chinese laborers were permitted to take up residence in Hawaii. In 1940 the Chinese approximated about 7 per cent of the entire population.

By a similar process, in 1868 about 150 Japanese men came as laborers and by about 1890 as many as 12,000 Japanese were in Hawaii. Some of these men sent for their wives or "picture brides" but the vast majority of total foreign born in Hawaii were males. Many used Hawaii as a temporary stopping place where they could rest, pending an exodus to the "fabulous" California. By 1910 the number of Japanese and those of Japanese Ancestry in Hawaii had reached 21,000 and by 1941 the number had increased to about

170,000 at which time they constituted approximately 37 per cent of the entire population. The Koreans were another contingent to be imported under labor contracts, but their number probably was not in excess of 8500.

Soon after the first labor group had arrived they seized every opportunity to improve their conditions and gradually they found less arduous labor than that on plantations. When the earlier importations had been sufficiently depleted or when constant expansion required more labor, new sources were tapped. The process continued over the years. At last, the planters' eyes turned toward the Philippines, which was a rich source of supply. About 1909 the importation of Filipinos began and as early as 1934, 50,000 had arrived. By this time the labor contracts included a provision whereby a worker would be granted transportation back to the Philippines at the termination of his contract, which normally was five years. By the time the Filipinos had served five years in Hawaii, few desired to return to the Philippines, and they either signed new contracts or sought other employment in Hawaii. Filipinos were found to be very satisfactory workers and their importation was stepped up. There were experiments in plantation labor by the importation of other nationalities such as Puerto Ricans, Portuguese and South Sea Islanders, but the numbers were relatively small.

Substantially all of the importations were of males only and the number of women who joined them from their native lands was negligible. Eventually, soldiers and sailors began to be stationed in Hawaii, which

resulted in further distorting the already wide ratio between the number of males and females. All down through the history of the world, such a state of affairs inevitably leads to prostitution, and Hawaii was no exception in this regard. Even in the early days, it was a condition which was noted and encouraged by the plantation owners, to the extent of permitting brothels to operate in all of the larger communities. As the male bachelor population increased, the practice became more widespread and by 1937 it was a flourishing and highly profitable racket.

The laws of the Territory of Hawaii expressly prohibited places of prostitution and prostitution itself. The federal law known as the May Act prohibited prostitution within reasonable distance of a military or naval installation, and there were applicable statutes such as the federal law known as the Mann Act, which makes it a penal offense to transport females for immoral purposes. The laws of the Territory and of the Federal Government were thus ample to stamp out prostitution, but it thrived. Indeed, by 1940 it had become big business, in that it was conservatively estimated that it grossed as much as a million dollars a year. With the wartime influx of several hundred thousand defense workers, the problem, as well as the profits, jumped in importance, the latter frequently being estimated at one million dollars a month.

At the outset of the war, this prostitution problem was one of many which were dumped into the lap of the Military Governor. It had reached the proportions where it was a menace to public health, morals and decency. It was an unwanted situation to everyone save those in the racket for

profit and the Military Governor was stuck with it. For the most part, civic leaders, when asked about it, looked wide-eyed and astounded that such conditions actually existed, this in the face of the fact that more than thirty well-known brothels operated openly and notoriously in the downtown business section of Honolulu. A similar horrible situation existed in the other centers of population. The plantation people were more realistic. Their attitude was that it was a necessary evil and as long as it was contained within bounds it would be wise to let it alone. But it was now not in hand. On the contrary, it was far out of hand and in fact it was a menace. This, the plantation people admitted but since it was not interfering with the operation of their plantations, they wanted no part of restricting it or regulating it. Official Hawaii defended this disgusting situation on the ground that conditions would be worse if it spread over town and besides, they said, the brothels were wholly for the benefit of the Army and Navy. Those two services dismissed the matter on the ground that it was a purely civilian matter and that if the military venereal rate was kept low, they would make no objection nor interfere. Both services cited the fact that the venereal rate in Hawaii was lower than on the Mainland and that wound up their interest in the matter.

The views of the Police Commission were equally varied. Some members were utterly shocked at my questions and assured me that I had been misinformed. Actually, no person in his right mind could avoid knowing the facts which were completely plain and inescapable to any observer in

downtown Honolulu. Others of the Commission took the untenable view that the racket was run at the instigation of the Army and the Navy and that while they disliked mightily to do so, they were merely "going along" to accommodate the services. This was patently incorrect. One of the Police Commissioners, Mr. V. C. K. Houston, enlightened his fellow commissioners with a factual report on the subject in December 1941. Mr. Houston was an Hawaiian with a distinguished background and his reported facts have never been disputed. In his report Mr. Houston asserted that the existence of the racket was well known, that it was knowingly permitted to continue in Honolulu under the protection of the civil authorities. The report named some of the brothels, their location, the name of the "landlady", the owner of the properties, the number of employees, and the capacity of each establishment. He reported that 300 women were engaged in the business in downtown Honolulu alone. He estimated that the gross income from the business was between four and five million dollars annually. He pointed out that "the girls" were licensed by the civil authorities as "entertainers" and that for the month of June 1941 one "house" reported an income of \$21,000 for tax purposes. He compared the rental income from the properties and reported that the profit was something over 43 per cent on the investment. He presented his report to his fellow commissioners and no remedial action having been taken on December 20, 1941, he appealed to the Military Governor for assistance.

Possibly the best information concerning the prostitution racket came from the police department in Honolulu. It was to the effect that

the racket had started in a small way originally and that it was tolerated by the local authorities because it was desired by the plantation owners for their employees. As the population grew, others took advantage of it. The police were satisfied so long as it was concentrated in a limited area where it could be supervised. As the male population grew in numbers, including servicemen, the police asked for and received assistance from the Armed Services to help in the maintenance of law and order. It was the general view of the police that although "the profession" as it was called, had greatly increased in numbers in the recent past, it was still under satisfactory control. Chief Gabrielson repeatedly asserted that the "system" was so firmly established that if the houses of prostitution were closed down, it would simply mean that the operators would scatter all over the Islands and that it would then be difficult, if not impossible, to control it. This argument, often expressed, impressed me as being one which would require careful consideration before making any change.

After getting to the bottom of the factual situation, I concluded that since the Military Governor was not a reformer, his interest in the racket properly should be limited to considerations of public health and the maintenance of law and order. I realized that a multi-million dollar racket which was operated in the face of Territorial and Federal prohibitions, might well be troublesome to us, but at first, OMG had no real conception of the economic and other pressures which eventually made themselves known. In order to learn what we were up against, I called

upon the Department Surgeon to make an investigation as to the public health problem. On the basis of his report I ordered him to clean it up. Now, be it known, that General King, the Department Surgeon, was not a man to do things by half measures. As a result of his requirements, everyone connected with the racket was made unhappy but immediate improvement in sanitary conditions were noted. Despite the cleanup measures, which continued unabated, local citizens found the operation objectionable and a horrible example to children. OMG fully subscribed to that view but still believed that the banishment of the menace was a matter for the civil authorities rather than for the Military Governor.

It had been customary, under the system in vogue before the war, to require the women employed in the brothels to live there. There had been some few exceptions to the rule but the basis for it was never quite clear to me. Occasionally, some would revolt, reform or even make up their minds to go home. For these and other reasons, they might try to escape. When this happened or the operator overstayed her authorized leave, the madam in charge had only to report the escapee to the police and the "worker" was promptly returned to her usual place of business. If necessary, force was used to return her to her "crib". Frequently such escapees were handled roughly as a deterrent against future escapes. With the coming of the war and the increase of the male population, the "workers" were required to work longer hours and their "free time" was reduced. It was inevitable that the number of escapees should increase and the number of severe beatings increased proportionately. The situation

was, of course, revolting to any decent-minded person. The military police reported a number of incidents which had come to their notice wherein women "workers" had been severely roughed up. For a long period, the military police were instructed not to interfere with the civil police in the matter. At last, as was inevitable, the assaults by two civil policemen on two escapees, was so severe that it caused a Military Police Officer, who witnessed it, to interfere and stop it. The gauntlet was thus thrown down and an appeal was made by both sides to me.

Chief Gabrielson, a very efficient police officer, took the view that if these women were permitted to live where they wished or go about as they pleased, they would soon be entirely out of control and would establish brothels all over town, which would make regulation impossible. I believe that Chief Gabrielson was sincere in his views and his argument was not without logic, but OMG simply could not see the justification for permitting such barbarous treatment of women. Accordingly, it was ruled that there would be no more arresting these women without cause and if they violated the law they could be brought before the Provost Court, on the same basis as anyone else and that the dragging of these women back to the cribs would stop at once. This was a momentous decision. It pleased no one and soon began an endless tussle on the subject which took up more of our time than we could readily afford to spend on it.

The madams began to lose their captives and they could no longer resort to having them forcibly returned to the cribs. Some of the "workers" got independent and left the cribs to work at other employment

or continue their trade on their own. Others declined to work except when it pleased them. The Chief was being besieged by complaints from both the madams and the citizens. Both the Chief and the Police Commission expressed alarm lest prostitution "spread all over the city." This fear sounded plausible and was constantly asserted on behalf of those interested in the multi-million dollar a year racket. To be on the safe side, inquiries to those who should know the facts were made. They elicited the information that there was no evidence to support the allegation. I consulted the Attorney General on the matter. He was the chief law enforcement officer of the Territory. Far from being shocked, he "never heard of it." This in the face of the fact that at least 20 brothels were operating openly and scandalously within a few blocks of his office.

The Police Commission agitated constantly, and at least demanded a showdown meeting with General Emmons with the hope of having me overruled. In this, as in every other case, I was perfectly willing to have any of my decisions appealed because, after all, I was merely the Executive to carry out the policies of my chief. At the subsequent meeting, General Emmons heard both sides. On the one side it was expediency and economic pressure, and on the other, it was a matter of humane treatment of people. Far from overruling me, General Emmons said, "Do you, the Police Commission, want to run the prostitution racket? It is yours any time you want to take it over. We want no part of it. Take it any time you wish--but Green is right--there will be no more beating up of women. If more occurs,

someone is going to get into a peck of trouble." One of the Commissioners objected to his use of the word "racket," to which General Emmons replied, "Don't tell me that you are sufficiently naive to believe that this illegal thing can operate without 'protection'. I said 'racket' and that is what I meant." The Commission left--but they did not take over the prostitution racket--but there was no more beating up of women either.

This was but one of my "go arounds" as we began to term the endless discussions on prostitution. The pressures were always the same. The dire fears which were recited time after time never seemed to materialize. It was something of an endless chain which worked something like this: When a sufficient number of "workers" left the cribs or became "independent," the madams would complain to the police and ask assistance in having them returned. My orders prevented the police from forcibly returning these escapees and in many instances the police were unable to induce the "workers" to return voluntarily. Whereupon, the police would go to the Police Commission, on the theory and argument that prostitution was spreading to the residential districts. The net result would be another "go around" when it would again be a question of whether expediency or the protection of individual rights was more important. Both sides always stood by the sides they brought to the conference and the matter remained as before.

After the Emmons ultimatum, there was no more beating of women and there was no spread of the racket to the residential areas. Pressures of various types were applied by those profiting from the racket. One

type of pressure was unique and interesting. One morning Mr. Lester Petrie, the Mayor of Honolulu, came to see me and it was plain to be seen that his usual aplomb was upset. The mayor was a kindly, gentle man who, under normal circumstances, was exceptionally good natured and pleasant. On this occasion, he was visibly disturbed and lost no time in telling me the cause. A police official had informed him that because of my interference, the prostitution racket had spread all over town and that there was a "worker" living in a house next door to the mayor. The mayor thought that it was high time that something was done about it. Mayor Petrie was a very reasonable man and we were good friends. In answer to my questions he said that he had not personally seen any evidence of prostitution spreading all over town, that he was not in favor of abusing or locking up prostitutes or anyone else, and "that something should be done about that also." When I asked him how long the woman living next door to him had resided there, he answered three years. I asked him what evidence he had that the woman was a prostitute and the Mayor promptly answered that he had none and, in fact, until the police official had spoken to him, he thought his neighbor "was a very fine woman." With that, the good sense of the Mayor began to return to him, and he began to chuckle, because he was thinking the same thing that I was. If the woman actually was a prostitute and had lived next door to him for three years without any complaint, the Mayor would be the butt of a widespread joke, if the circumstances leaked out. If, on the other hand, the woman was not a prostitute, the Mayor might be in an embarrassing position if any action

was taken against his neighbor. Furthermore, since the woman in the case had conducted herself in an exemplary manner for three years as a neighbor, the Mayor would be in a poor position to complain. As we talked on, the Mayor realized that the probabilities were that he had been fed a baseless rumor. He calmed down completely and, generous soul that he was, he finally decided that "he did not want to make trouble for anyone" and "maybe we had better drop the whole thing." Needless to say it was dropped.

Of the several hundred women engaged in organized prostitution in downtown Honolulu, nearly every race was represented although the white race predominated. A complete file on each operative, together with her record, criminal or otherwise, and her picture, was maintained in the Office of the Chief of Police in Honolulu. These women were anything but loquacious, but from their files, it was apparent that most of them came into the racket as a result of domestic difficulties, although not a few of them took that course to amass a grubstake with which to enter some other enterprise. Still others used it as a means of increasing the family budget, some apparently with the full knowledge and consent of the master of the household. Some left the profession, but for the most part, once started in it, they remained until infirmities forced their retirement.

The trials and tribulations in the control of the prostitution racket were long and varied and were always a source of grief to us. Basically, it could be traced back to the fact that it was highly profitable to the controllers of the racket. Of necessity, those profiting by the illegal

venture were interested in high profits and anonymity. Despite careful concealment, it was a simple matter to scratch the surface and the persons in interest were disclosed. The names of those persons were as well known to the civil authorities as they were to us. The operatives or "the girls" as we called them, were prey to all manner of vultures, who quickly relieved them of their ill-gotten gains. The climax came when, on September 9, 1942, I received from "the girls" a notice of a strike which was an interesting document and doubtless unique in history. It read as follows:

September 9, 1942

"The girls from the houses are not striking for more money or shorter hours. We only want to be treated as any other citizen or taxpayer of Honolulu T.H.

1. Why can't we live where we want to live as long as we conduct ourselves accordingly?
2. Why can't we have our brothers, cousins and other relatives who are not aware of our occupation, in our homes?
3. Why can't we have our recreation such as swimming, tennis, bowling, etc., for our health and morale the same as any other human?

The majority of us have given up our families, worked in hospitals, donated blood and have bought defense bonds, thinking we are an asset instead of a detriment.

We are willing to go before any board for thorough examination.

Most of us have been taught that one of the laws of nature is self preservation and cleanliness.

Thank you -

We the undersigned"

(Then follows the signatures or trade names of eighty-one operatives, together with the name of the crib where they held forth.)

News of the "strike" spread rapidly, and some wag termed it a "stand up strike". This term struck the public fancy in a favorable light and the situation became a source of many chuckles. A careful perusal of the petition will disclose that there is very little humor in it. It appeared to me as being a pathetic plea for the very minimum of fair treatment, which every American takes for granted as his right. The petition was a plea for relief from what they considered unjust restrictions which actually amounted to slavery. As a matter of common knowledge, the statement of the conditions under which these women lived was mild indeed.

Despite the fact that the profession of these petitioners was illegal by both the Federal and the Territorial law, it was countenanced by the local authorities and, that being so, I felt that the petitioners were entitled to have their grievances reviewed. Accordingly, I assigned the task of meeting with representatives of the petitioners to Major Morrison, who, although he was intelligent, diplomatic and otherwise qualified as a mediator, did not relish the assignment. Morrison subsequently reported to me that the complaints of the petitioners were fully substantiated and that in all fairness and decency, they should have relief from the

outlandish conditions under which they were required to exist. In passing, he stated that one of the representatives of the petitioners was well known to him, as both had attended the same university at the same time. He disclaimed any undue influence because of that circumstance.

We had already taken steps to prevent abuse of these women at the hands of the police. By reason of the petition, the horrible conditions had come to public notice and now became an issue which we could no longer overlook. If ever "civil rights" were infringed, the treatment of these citizens was an extreme case. I have often wondered where the lusty champions of "civil rights" were at this time. There was no glory or favorable publicity in taking care of the rights of these wretches. It was all grief and no profit, and no preserver of civil rights appeared to champion the cause. The matter was now squarely up to us and we moved in and straightened it out. The racketeers were alarmed lest we take criminal action against the principals. However, General Emmons felt that we should limit our activities to preventing injustice and leaving criminal prosecution to the consideration of the civil authorities. Although it did not add to our popularity and involved innumerable futile "go arounds", we brought violent abuse of the operators to a close. Eventually, organized prostitution was worked out, and so far as I know the threat that it would result in being spread all over the town never materialized.

CHAPTER XXVIII

All in a Day's Work

Early in the war an inspection was made of Iolani Palace, the territorial seat of government, where we had our office, with a view of ascertaining the ability of the building to withstand a bombing attack. The result was not reassuring. Much of the roof had been reinforced with iron pipe such as is used in the water systems of dwelling houses. These pipes were fastened together with baling wire. The roof itself was in rather bad shape, and the whole building seemed to be a very poor risk to withstand a serious bombing attack. A falling bomb would go from the roof to the cellar without much difficulty. Because of this fact we decided against using the basement of the building as a bomb shelter. Instead, we dug slit trenches on the palace grounds for the workers and the general public who might be caught in the vicinity at the time of an air raid. We reinforced the bandstand on the palace grounds for the use of Governor Poindexter. Hundreds of sand bags were used, and as reinforced, we believed it would withstand anything but a direct hit by a very heavy bomb.

In the course of my inspections, I noted that there were on the walls of the palace numerous framed paintings and other objects which were an accumulation of many years. Being informed that some of the paintings, if not all of them, were very valuable, I had them removed by experts and placed in underground storage in the Honolulu Academy of Arts,

a place where the likelihood of damage was small. This was done with the full knowledge and consent of Governor Poindexter. When Governor Stainback, who succeeded Governor Poindexter, had been in office a short time, his attention was called to the absence of the pictures. Without taking the trouble to investigate, a great hue and cry promptly emerged from his office to the effect that "Green had stolen the pictures and probably had shipped them to the Mainland." Rumor had it that Governor Stainback was determined to "get the paintings back and see to it that the culprit was severely punished." A great furor ensued. However, Governor Poindexter spoke out and reported the whereabouts of the pictures. Everyone chuckled and went to other business. It is strange how the public is willing to accept as true a baseless rumor and, at the same time, quickly forget the whole thing when the myth is exploded. In this case it was all in a day's work for the "culprit".

As a result of the incident concerning the pictures, a number of the older Hawaiians began to discuss the possibilities of safeguarding their most famous public possession, the statue of King Kamamehameha, which stands in the public square in front of the Judiciary Building in Honolulu. The statue is a very large and imposing one which depicts King Kamamehameha standing there, in all his might, after having driven his enemies to destruction over a high and deep cliff known as the Pali. The discussion as to the safeguarding of the statue was a heated one for days. Finally, Eban Lowe, one of the principals who were interested, suggested that the matter be submitted to the Military Governor for his views. The suggestion

was adopted and without warning, Eban Lowe and perhaps two dozen representative Hawaiians of the older generation burst into my office "for a conference." I knew Eban Lowe and some of the others present. Mr. Lowe was more than 80 years old, a picturesque person who had been born and raised on the Parker ranch on the Island of Hawaii and had spent most of his interesting life as a cowboy. He was perhaps the patriarch of the Hawaiians and presented a colorful figure. On this occasion, he was one of the spokesmen for the group.

I was not aware of the purpose of this "committee" but they soon apprised me of it. One followed the other in expressing views. To these men it was an emotional matter which they thought was completely practical and it was obvious that they considered it a matter of the utmost importance. To me, it appeared to be a subject of purely civil concern, and I attempted to avoid taking a stand by suggesting that they take the matter up with Governor Stainback. Blunt old Eban Lowe squelched that suggestion at once by saying that "if we wanted his views, and we do not, we would go to see him." They argued that I had seen fit to safeguard the pictures and now, what did I think about safeguarding the statue of their great king. Thus was I cornered and forced to take a stand on something which was none of my business. They made it crystal clear that they wanted my personal views and that they were not going to leave until they got them.

The Hawaiians are a simple, friendly people but they are idealistic. These men were in deadly earnest in the matter of safeguarding this statue and any flippant reply would not be well received. I was completely

sincere and direct with them, which is the manner in which they approve. I informed them that I was familiar with the history of King Kamamehameha, that he was reported as a great soldier who defeated all his adversaries with ease, that he had driven them over the Pali to destruction and that I was sure that he was not in the least afraid of the Japanese army. Accordingly, I felt that King Kamamehameha would wish to stand regally in his accustomed place, to show the Japanese forces that he was unafraid, and by doing so, dare them to return and be destroyed. The response was uniform. King Kamamehameha would stand fast where he was. We shook hands all around and my visitors trooped out--and I breathed a sigh of relief.

Despite an earnest desire to keep out of purely civil matters, from time to time we were thrust into them. As an example, we straightened out the house numbers of the city of Honolulu. This may seem trivial but in fact, it was important at the time. It appeared that the residential development of Honolulu was casual and with little city planning. As a result, many streets were laid out without any regard to a general plan and the house numbers were in a chaotic state. The matter had been the subject of great public controversy for a number of years, but substantially nothing had ever been done about it. The matter came to a head when an ambulance wasted two hours searching for a sick patient. Serious consequences followed the delay. The matter aroused public indignation and the civil authorities asked our help. The Honolulu Advertiser took the matter up and remarked that if the Military Governor could get the houses of Honolulu correctly numbered, he would accomplish something

that the city had never been able to do and that the military would be making history. We lent our good offices and got the job done, simply by laying the matter out and asking the public to cooperate.

One night, an air raid warden, while patrolling his beat, was badly chewed up by a vicious dog. I can imagine very few things more disconcerting than being set upon by a vicious dog under blackout conditions, on a moonless night. This incident, one of a series of night attacks on wardens, resulted in a requirement that dogs be confined at night (Section IV G O 54). That order was the subject of much derision on the part of Governor Stainback's Attorney General Anthony at various times. He seemed to find much humor in it, but we thought it was a reasonable protection to be afforded air raid wardens and others, who voluntarily performed their patriotic duties under all kinds of weather conditions, while the Attorney General enjoyed the luxury and the safety of his bed.

On April 2, 1942, I had a long conference with Dr. Pinkerton, a physician practicing in Honolulu. He was the father of the blood bank in Hawaii and was considered one of the outstanding men in that field on the national level. His efforts prior to the war made it possible to save from death many of those wounded on December 7th. Among other things, he was an authority on diseases carried by rats. The occasion for my conference with Dr. Pinkerton in April 1942 was a matter which had been bothering me for some time, namely, the possible spread of Bubonic Plague through sabotage. That fatal disease had persisted for years on the Island of Hawaii, in the vicinity of the City of Hilo. Determined efforts

to stamp it out had failed. The disease was believed to be carried by lice on the bodies of rats. Hawaii was infested with rats, in spite of periodic and serious efforts to stamp them out. My problem was to find some defense against the possibility of the Japs releasing from submarines rats carrying Bubonic Plague or other diseases. Fantastic? Not at all. Dr. Pinkerton accepted the voluntary and unremunerative assignment of looking into the matter with a view of finding some means of protecting against such a possibility. A note of this conference I made at the time reads, "If I know him, he will come up with some plan but it seems next to impossible to defend the out Islands against this."

On February 9, 1942, the USS Royal T Frank, a vessel which for a long time had been operated by the Army Quartermaster Corps as an inter-island transport for passengers and freight, was torpedoed and sunk by an enemy submarine between Kohala and Hana, Maul. Twenty-nine men were lost and thirteen survived. Ironically, nearly all of the lost were of Japanese origin. The sea between Honolulu and Hilo normally was very rough. "The Frank" was a relatively small vessel and the rough seas and her antics were legion. Some trips were so severe that the vessel became known as "The 'Rolling' T. Frank". Frequently the entire crew as well as the passengers were made sick and anyone who made a crossing as one of her passengers usually had good reason to remember the vessel. Nevertheless, her loss by being torpedoed at our very doorstep was a grim reminder that the war was still with us and that, far from Washington, soldiers, sailors, marines and civilians were having their young lives snuffed out.

One of the most intriguing incidents that occurred had reference to the sailing ship Roseville. The Roseville was of Norwegian registry, under Canadian charter, and was bound from Canada to New Zealand. She was in the vicinity of Hawaii when the Blitz struck and, for safety reasons, was ordered by the U. S. Navy into the port of Honolulu. Her mixed cargo included, among other things, some 45,000 sacks of Canadian flour, about 80,000 cartons of Piedmont cigarettes, a shipment of choice liquors and a quantity of kippered herring. There were a number of other foodstuffs in small amounts. It will be remembered that our food stocks were low. In consequence, we were particularly anxious to get the food unloaded and into the hands of local merchants. The only fly in the ointment was the fact that Mr. Hibberly, the local Collector of Customs, though highly sympathetic with our situation, was, under the legal requirement of his office, to collect duty for everything dutiable which was removed from the ship.

My recollection is that we had no difficulty in disposing of the liquor to the local dealers, who were more than glad to pay the duty. I have quite forgotten how we got rid of the herring. It could not have been a problem or I feel sure that I would have remembered it. As to the cigarettes and the flour, my recollection is quite vivid because of the difficulties involved. The duty on the flour was a sizeable amount and the merchants, sensing a forced sale, offered hardly enough to satisfy the duty. As a result, I was compelled personally to guarantee Mr. Hibberly, the payment of the duty, which amounted to a very large sum. This put the Military Governor in the flour business and made me personally

responsible for the success of the venture. Having unloaded the flour from the ship, there followed a series of conferences with the local merchants and eventually a fair and reasonable price was agreed upon which permitted everyone to come out without loss.

The disposition of the cigarettes was more complicated. Under the law, a very large sum of money would be payable as duty on the cigarettes. Before the Treasury would agree to the release of the cigarettes I had to assume the liability for the payment of the duty. With some trepidation I assumed that liability and we proceeded to enter the cigarette market. Under existing practice, the duty was payable by the purchase of revenue stamps in the stated amount, which stamps had to be affixed to each individual package in each carton and thereafter canceled. Among other complications, there were no revenue stamps available in Honolulu and therefore it was necessary to get special permission from the Treasury Department to pay the tax and instead of affixing the stamps to each package, to stamp each package with a rubber stamp with the words "Tax Paid" or some similar wording. Having proceeded thus far with satisfactory arrangements, we engaged a group of students to do the stamping. All was in readiness to proceed when we discovered that each package was enveloped in a cellophane wrapper which made stamping with a rubber stamp impossible, because the ink would not make an impression on the cellophane. Back we went for more conferences with the long-suffering Mr. Hibberly. He again conferred with the Treasury Department and argued our case so well that it was finally agreed that stamping of the cartons alone would be sufficient. All was complied with and now,

having personally guaranteed the payment of the duty, the Military Governor was in the cigarette business and had some 80,000 cartons of them to sell.

At this time, cigarettes were in short supply in Hawaii, and I anticipated no difficulty in finding buyers for our supply. However, it was a shock to learn that Piedmont cigarettes, though a heavy favorite with the British and people of the British colonies, were detested by American smokers, despite the fact that they were made entirely from Virginia tobacco. In view of the seriousness of the problem and perhaps my own financial risk, I personally undertook to negotiate the sale of our supply of cigarettes. This was no simple assignment. I first called Colonel Domonic Sabibi on the telephone. He was a friend of years' standing and was head of the Army Post Exchange System in the Pacific. When I asked him if he would like to buy 30,000 cartons of cigarettes, he informed me that the Post Exchanges were almost out of them and that he would be glad to buy them. I quoted a price which was satisfactory to him and we closed the deal. As an afterthought, he inquired what the brand was. When told that it was Piedmonts, he groaned and remarked that the soldiers would not smoke them. I pleaded with him, saying that there were no other available cigarettes and that the possibility for additional supplies was very small. He realized that factor and perhaps out of sympathy for me in my dire predicament, he agreed to take the cigarettes, although he warned me that the soldiers would probably hate him for foisting Piedmonts cigarettes on them. I next took on the naval officer in charge of the Ships Stores, which corresponds to the Post

Exchange in the Army. That officer at once reacted as had Colonel Sabini, but at last he capitulated and bought 30,000 cartons. With only 20,000 more cartons in stock, I called on the local wholesalers of cigarettes. Their reactions were the same as my other customers, but since Piedmonts were the only cigarettes available, they finally agreed to buy them rather than to go out of business. At last, then, we were out of the cigarette business and I breathed a sigh of relief. However, for weeks thereafter, the streets of Honolulu were littered with half-smoked cigarettes--Piedmont cigarettes.

A new theater in the Waikiki area was almost completed when the war began. All equipment to complete the theater including air conditioning had arrived and was ready for installation. The Waikiki area was one which was frequented by large groups of soldiers and sailors when on leave from their duties. The Army believed that an additional theater would be of great value as a morale factor. The Federal Surplus Commodities Corporation required additional space for its activities in storage of food. The Navy had great need for the premises for the storage of certain equipment requiring air conditioning facilities. All three government agencies demanded the theater in its entirety. Under ordinary circumstances all three agencies would compete price-wise for the facilities and the owner naturally would favor the higher bidder. In this case the public spirited owner asked the Military Governor to determine which of the three applicants should have the premises. Upon investigation, OMG decided that the needs of the Navy were the most urgent of the three requirements and upon being advised of this finding

the Navy entered into a contract for the rental of the premises and the other applicants withdrew their demands.

Lieutenant Kawasaki, an officer of the Army Medical Corps, stationed at Fort Shafter called on me at my office and requested a safe conduct pass for his wife "through the lines" of the Western Defense Command at San Francisco. Lieutenant Kawasaki, who was affectionately known as "Kelly" by his associates, was of Japanese extraction, as was his wife. Both were born and educated in Ohio. Neither "Kelly" nor his wife was conversant with the Japanese language, and both had been brought up in a Caucasian community. Mrs. Kawasaki was scheduled for evacuation from Hawaii and intended to return to her native Ohio to wait out the war. She feared that upon arrival in San Francisco, she would be arrested and shipped off to a relocation center. The danger seemed real and I was asked to furnish a letter which could be used as a passport through the racial lines of San Francisco. The request was granted, and it was honored on the West Coast.

The Navy was engaged in an enormous project of placing its oil tanks underground at a rise in the terrain in Honolulu called Red Hill. All sorts of skilled labor were employed in this project including some hard rock miners who had been especially imported for the job from Tennessee and West Virginia. One morning a personnel man employed by a contractor at Red Hill came to see me on the urgent business of obtaining twenty hard rock miners, which he needed for work the next morning on the Red Hill site. I informed him that the Director of Labor Control would be glad to assist him and that I knew of no such miners. He replied,

"Oh, yes, you do. I have already been to your Labor Control man and he sent me to you." He then explained that twenty hard rock miners had been imported by his company for this special work, that they had worked steadily and well for a month, that it was very hard and dangerous work and that in accordance with the custom of such workers on their regular employment, when pay day came, they came to town for "a little relaxation." Back on the Mainland, when these men "came to town," everyone gave them a wide berth because they usually wound up by beating up the local population and if none were available, they enjoyed a good fight among themselves. It was their idea of real relaxation. After having been paid the day before, these twenty men came to town and were on their way to a glorious time when the Military Police appeared, arrested the lot of them, and landed them in jail to cool off.

I called Colonel Steer, the Provost Marshal, who confirmed the fact that the men were in jail. He stated that they were off to a good start at "taking the town apart at its seams" when the Military Police arrived and that it was "quite a chore" to lock them up, but, at the moment, they were sober and could be released. He added that the wear and tear on the MP's was such that he hoped the miners would stay away from Honolulu for a long time. The personnel man pleaded with me not to release them until he could arrange for a truck to transport them directly to the job, without stops. Colonel Steer seemed enthusiastic about that arrangement also. All parties being in agreement as to the solution, it was accomplished to everyone's satisfaction, except perhaps

the workers, who were not consulted, and the city remained comparatively peaceful for the time being.

Colonel Theodore Wyman, the District Engineer, was a very positive character as well as being an independent thinker. His headquarters was located at the Punaho School in Honolulu. He was interested in his military business and nothing else. He was an excellent engineer and did a very fine job always, but his indifference to the view of others and especially the public caused him trouble from time to time. In one instance, he decided that his employees were overworked and that they should have some relaxation. To give them time off in the daytime would be heresy to him but he agreed to permit them to hold a dance in the offices, at night. He went so far as to provide a band for the purpose. The idea was a laudable one, but the dancers had to return to their homes after the dance was over and that would operate as a violation of the curfew law, which was strictly enforced. After the first evening of dancing had occurred the local police called the violation to my attention and asked whether an exception was going to be made in the case of Colonel Wyman's dancers. My reply was that there could be no exceptions for such affairs. The civilian police demurred at tangling with the belligerent Colonel Wyman. I called Colonel Wyman and told him that his entertainment plan was violating the curfew law and that I was sorry to inform him that it must be discontinued. He replied that he was within his rights and that the dances would continue and that if I interfered with him, he would take it up with General Emmons. The next

scheduled dance was held. At the termination of it, a portion of the dancers, some eighty persons, were arrested on their way home, by the military and civilian police and delivered to the local jail where they were required to post bail and then be driven to their homes in trucks. Colonel Wyman's bluff had been called and the following morning, some eighty of his employees pleaded guilty to violating the curfew regulation before the Provost Court and were fined. Colonel Wyman came to see me following this. I asked him what General Emmons had to say when he went to complain about the incident. He replied that General Emmons had said that he, Colonel Wyman, "was damn lucky that he did not personally attend the dance because he would have been locked up with the others." Colonel Wyman chuckled and said that "it seemed like a good idea at the time but probably it wasn't." He bore no resentment and thereafter the dances were held so as not to violate the curfew law.

One further word about this Colonel Wyman seems called for at this point. He was a very efficient engineer whose sole objective was to get a given job done in the shortest possible time. He brooked no interference with his objective and he was a demon for work. His blunt manner did not endear him to those who got in his path and he became the subject of many unjust complaints and unfounded rumors. For example, he was accused of having cut down the priceless hedge at Punahou School and otherwise desecrated that property. A personal inspection by me revealed that he had carefully protected everything of value in the area including the trees and took particular pains to insure against any damage to the

buildings or other property. I never knew this man to attempt to defend himself against unjust accusations. He considered it a waste of his time and merely shrugged them off and went to work. This is the same officer who subsequently engineered the building of the hitherto impossible Alaska Highway. Characteristically, he accomplished that mission in incredible time.

A local civil police judge was traveling to his home in his automobile at such a reckless speed that a motorcycle MP took after him. The MP managed to draw up beside the judge and ordered him to stop. The driver was not in the habit of stopping at the command of policemen and showed his contempt for all law enforcement officers by attempting to collide with the MP. Fortunately, the latter was too skillful to be trapped in that manner. After one further attempt, with the same result, the MP withdrew and contented himself by following the judge at a safe distance, until he turned into his driveway. At that time, the MP demanded the driver's license. At first, the judge declined to comply with the request and, in a burst of temper, heaped verbal abuse on the MP saying that he was a judge and that "no one gave him a ticket." The soldier politely, but firmly, informed the judge that if he persisted in his refusal to show his license, the only alternative would be to call the patrol wagon and take him to the station house, where higher authority could dispose of his claim of immunity to speed laws. This brought the judge to his senses and he produced his license.

The MP began writing out a summons for speeding and, as he was writing, the judge changed his viewpoint and suggested that "bygones be

bygones" and offered the MP a cigar. The soldier declined and went on writing. The judge thereupon suggested that the MP come into his house where he would like very much to make him a present of a bottle of whiskey. Thereupon the MP began to write again, adding a second charge of "Sassey". He handed the judge the summons, mounted his motorcycle and rode off.

When the MP came to the police station, the incident was brought to the attention of Colonel Steer, the Provost Marshal. He, in turn, brought the matter to my attention to see whether local judges had any such immunity as was claimed by this offender. I informed Colonel Steer that civilian judges or Provost judges were bound by the same law that controlled the public. The colonel asked what action should be taken by him. I replied by asking him what would happen if the offender was a plantation worker instead of a judge. He replied that the Provost Court would settle the matter. I replied that I saw no reason why this unusual judge should be denied an opportunity to discover firsthand how our Provost Courts operated. This was all Colonel Steer wanted to know.

That afternoon two distinguished members of the local bar who were known to me, called on me in my office in the interest of the judge. I informed them that there was no such thing as "fixing a ticket" under military government and when they became aware of the full story they seemed to lose much of their enthusiasm for their client.

When the case came before the Provost Court, the judge pleaded guilty as charged. The result was a \$25 fine for speeding and an additional \$25.

fine on the charge of being "Sassey". Granting that the second charge of "Sassey" might not be in the form approved by the leading legal authorities, it seems to me that it covered the situation of attempted bribing and that substantial justice was done.

The above instances did not all happen in one day, but they are typical of the day-to-day problems which came before the Office of the Military Governor for solution. A routine day may be gleaned from the following note which I made after a quiet day. "The Secretary of the Territory requested an additional gasoline allowance. The Territorial Fire Marshal wanted assistance in getting local firetraps demolished. The Fire Chief wanted a regulation prohibiting the storage of more than five gallons of gasoline above ground. General Wells (President of the Hawaiian Sugar Planters Association) came with two experts to discuss experimental farms. The Chief Signal Officer wants to impound all short wave radios. The owner of Parker Ranch wants to ship in beef by air from Hawaii. Sigmond Rhee wants the Koreans to be placed in the category of allies instead of Japanese nationals. Prostitution is on the increase." These and other similar problems were handled, all in a day's work.

CHAPTER XXIX

The Clash of Interests

There can be no doubt that martial law was the only solution for the situation in which the people of Hawaii found themselves on the day of the treacherous act on the part of the Japanese Government. Great confusion and much apprehension existed among the business people, large and small. In the resulting cutoff situation, there was a danger not only of loss of business but starvation was an ominous possibility. Local committees had exhausted their efforts when the military came up with a possible solution under martial law. The Hawaiian people were no more interested in having military control than any other similar community; in fact, over a period of years, they had a fear that the entire Hawaiian group of Islands would be taken over under military control for the purpose of making it a complete military bastion. There also had been suggestions that since the Islands constituted a military fortress, it be governed by a commission form of government. Neither suggestion had any foundation of fact because the military never had seriously contemplated either action. In background, therefore, the Hawaiian people were basically averse to military control. On the other hand, close association with the military over the years had built up a feeling of complete trust and respect for both the Army and the Navy. The Hawaiian business interests and the public generally were practical groups. What they could not change, they endured cheerfully. That philosophy was born of long experience and seemed to be universal.

The dominant group in the Hawaiian Islands was large business which was called the "Big Five." The public generally followed the lead of that group, and they had never been sorry for their decision. Over the years it had been proven that what was good for big business was good for the individual Hawaiian. At the beginning of the war big business realized that without the maximum aid of the military, their interests would dry up and be destroyed. Shipments of sugar and pineapple needed ships. Big business had none and there was none to be had elsewhere. Local business could not compete in the labor market with the Armed Services and their contractors and unless there was some process whereby labor could be divided and frozen, all local labor, both clerical and physical, would be attracted away from local business. Since the production of sugar and pineapple products depended largely on hand labor, the result of a serious labor shortage would be disastrous. The freezing of labor had been attempted by the Federal Government on the Mainland, but it had failed abysmally because of the inability to enforce regulations. There was no reason to suppose that the local civil authorities could succeed where the Mainland had failed. The military, under martial law, contemplated giving it a try and maybe they could succeed by the operation of the Provost Courts. All things considered, therefore, big business concluded that the plan under Martial Law was the only hope and therefore big and little business got behind the project and, with the cooperation of the public, all interests determined to make it work.

Three factors made for the success of the martial law project. First, the public was wholeheartedly behind it. The military reacted to

their confidence by moving rapidly and taking aggressive action in every field. The military was alert to take prompt action in anticipation of difficulties and avoided many pitfalls by listening to civilian experts. More than any other single factor this made for confidence by the public. Second, the operation of the Provost Courts to enforce regulations was strict, summary and impartial. The last named quality impressed the rich, the poor, the influential and, in fact, everyone. There was no "fixing" anywhere, or for anyone and it took only a minimum of time to convince the public that the military meant business and that there was no favoritism. I may be naive but I am convinced that down deep, that is the type of law enforcement that the American public really appreciates. Third, the policy concerning the treatment of the local Japanese was a good one. This was really of vital importance. The persons of other than Japanese ancestry had an underlying fear of what the reaction of Japanese ancestry might be and whether there would be any concerted action on the part of this group. There was also the question whether the military could prevent any insurrection. At least in the early stages, many of the local citizens feared that they would be murdered in their beds. The possible uprising of those of Japanese ancestry was uppermost in the minds of many people and actually was an ever present threat. On the other hand, those of Japanese ancestry, of which there were more than one-third of the population, had misgivings as to the treatment which might be expected from the remainder of the population.

It must be remembered that all of the various races were living in very close proximity, just as they always had been in the Territory.

There was no mass movement of any kind, either voluntary or forced. The Japanese group was assured at the very beginning that no harm would come to those of them who remained neutral and obeyed the instructions given them. Even those who were enemy nationals were afforded their freedom and protected in their persons and their property. When it is realized that the Japanese were the largest group in the Territory and that they were bound together by strong racial ties, the importance of the reassurance of fair treatment and the enforcement of it, will appear clear. Not a single person of Japanese ancestry was unjustly interfered with. Weapons and radio sets capable of transmitting signals to the enemy, drugs, poisons and the like were denied those of Japanese ancestry, but they were taken away in an orderly manner and a proper receipt was given by a responsible official. No person of Japanese ancestry was arrested because of possible subversive activities except upon the recommendation of the Federal Bureau of Investigation, and even as to those, a prompt hearing was afforded before Civilian Hearing Boards.

The local Japanese compared the treatment afforded them with the system employed by the authorities on the West Coast of the Mainland, where whole communities of American citizens of Japanese ancestry were evacuated from areas designated as critical, with little regard for individuals and much less for their property rights. When the news of the West Coast action came to Hawaii, a local Japanese asked whether it meant that if the United States was at war with Poland, it would be legally proper to remove all of Jewish extraction in New York and detain them in Alaska, or whether in the case of war with Britain, all of Irish ancestry

be evacuated from Boston and shipped to Guam. I avoided that discussion but asserted that no such treatment had been or would be afforded in Hawaii.

The administration of Military Government in Hawaii was so conducted that the public generally was reassured. That was the primary basis for public support. I do not mean to contend that the public was enthusiastic about the curfew and the blackout or many other restrictive regulations which seemed necessary in the interest of the war effort. On the contrary, there was a tremendous amount of personal inconvenience caused by those regulations but the public endured them with a minimum of complaint because they were applied without exemption and because the public had faith in the honesty and integrity of the military leaders. The public was willing to put up with almost anything which might help the war effort. Even without the inducement of the Provost Courts, Defense Bonds were purchased at a high per capita rate, and the Blood Bank requirements were always met promptly. In every single instance where the public was asked to do something or to refrain from doing it, the response was immediate. There may be historians who will say that all of this esprit was caused by compulsion, but this is not true. The public and the military were on a team together, bent on the single objective of winning the war at the earliest possible time. Mr. Ickes was said to have remarked that the people of Hawaii were so entranced by the military, that it would take ten years to get them back to Democratic government. I doubt if Mr. Ickes understood the people of Hawaii, whom the Department of Interior presumed to rule.

[\(Chart Showing Control of Industry, Commerce and Finance in Hawaii\)](#)

After a period of months, when it was apparent that Martial Law had taken hold of the situation and with the full cooperation of business and the public of the Territory, was well on its way to solve most of its problems, human nature began to evidence itself in the form of political and personal ambition for power and profit. The realization of these personal ambitions was hindered by Martial Law which was based solely on individual equality and collective success. As time progressed, these human urges became stronger in the individuals and since the public generally believed so firmly in the military system employed, it became evident to these ambitious people that to succeed, martial law must be overthrown. To such politically and personally ambitious people, the best interests of the public frequently all moved to the background in their scheme of things. Such was the case in Hawaii.

It should be recalled that at the time of the Pearl Harbor attack, the Democratic Party, with President Roosevelt at the head of the government, was in control. The Territory generally favored the Republican Party, as evidenced by the fact that the mayors of most of the cities and other elective officers were Republicans. Governor Poindexter was a Democrat, having been appointed by President Roosevelt under the existing law whereby the Governors of Territories were appointed by the President without regard to the electorate of the Territory. This was true of the judges and many other Territorial officials. All of these were recommended for their appointments by the Secretary of the Interior and the appointees were therefore in no way answerable to the citizens of

the Territory. The result was that over a long period, and particularly under Secretary Ickes, the officials came to be regarded as something akin to employees of the Department of the Interior. This was cordially resented by the electorate. The one exception to the general rule was the Delegate to Congress, who was elected by the voters. In 1941 the Delegate was Samuel Wilder King, a Republican. The only restriction on the appointment of the Governor was a Federal statute which required that the appointee must have been a resident of the Territory for three years. Since this statute purported to place a restriction on the appointing power of the President, it was open to question as to legal sufficiency but the question had never been raised in court. It gave the Territory some protection, but down the years, the inability of the voters to elect their more important officers was a sore point.

As a result of the system of appointments, some of the Governors and other officials had subordinated themselves to the Secretary of the Interior and, at times, they gave precious little consideration to the interests and desires of their fellow citizens. In 1941, the incumbent Governor, Governor Poindexter, was a lawyer, a former Federal Judge and a man of the highest integrity. He was somewhat taciturn and was especially watchful over the public treasury. He seemed to be the acknowledged leader of the Democratic Party in the Territory. Prominent among the Republican politicians was Mr. Joseph Farrington, the owner of one of the two principal local newspapers. Mr. Farrington's father had been the Governor of the Territory of Hawaii and it was common knowledge that Mr. Farrington aspired to follow in his father's footsteps.

Apart from his political ambition, Mr. Farrington's action was somewhat intensified by the active competition of his newspaper, The Honolulu Star Bulletin, with its local rival, the Honolulu Advertiser, which was owned and published under the personal supervision of Mr. Lorin P. Thurston, an equally competent and aggressive newspaperman. Mr. Thurston was a native-born citizen of missionary stock. He always enjoyed any public dispute, especially those which would sell his newspaper. The competition between these two newspapers went beyond mere business rivalry. The owner of the Star Bulletin and his editor cordially despised the publisher of the Advertiser, and his editor and they made no secret of it. The competitive attitude of Mr. Farrington and his editor was so intense that when I called the owners and editors of both papers together in the early days to discuss the matter of the allowance of newsprint which should be authorized, Mr. Ray Coll, the editor of the Advertiser, informed me that it was the first occasion in two years that Mr. Allen, the editor of the Star Bulletin, had spoken to him. Despite the rivalry and differences, both newspapers were efficiently operated and because of wartime expansion their respective owners were richly rewarded.

With the coming of the war all of the local newspapers became wholly dependent for survival upon the amount of newsprint for which the Army could allow shipping space. Newsprint is bulky and space consuming, but all concerned were agreed that it should stand high on the list of priorities. At a meeting in my office Messrs. Coll and Allen, the two rival editors, made an agreement as to the minimum amount of

newsprint each of their newspapers would require to render proper service to the public. Mr. Coll meticulously kept within his allowance and never once asked for an additional amount. He so husbanded his allotted supply that occasionally his newspaper came out with a green-bordered extra edition. This caused Mr. Allen to demand additional newsprint for his paper, the Star Bulletin, and to allege that the action of his competitor was a waste of newsprint and in violation of the Newspaper Code. On such occasions Mr. Coll demonstrated his ability to take care of his own interests, and he countered by pointing out that the newspaper Code had no application to Hawaii, and that he proposed to use his newsprint in any manner he chose as long as it did not exceed his allotment. Instances of disagreement between these two editors were many and divergent, and I usually found myself in the middle of an argument concerning which I knew little.

Both Mr. Coll and Mr. Allen were top men in their profession. Although Mr. Coll was a small man physically, he was very tough-minded, knew his rights and insisted upon them. He told me that he had once incurred the wrath of Judge Stainback prior to the war concerning something he published and that the judge was so offended as to threaten him with jail for contempt of court. This only served to induce Mr. Coll to publish more of the same. It seemed to me that Mr. Coll published the news with a certain amount of compassion for individuals who might be adversely affected thereby. I found him to be a highly personable and courteous gentleman and I liked him very much. Mr. Allen seemed to me to be harder to know, but I respected him as an honest and

competent newspaperman. He represented that school of newspapermen who believe that it is not only their right but their bounden duty to publish anything newsworthy regardless of any adverse effect it might have on any individual. He pursued that policy fearlessly and religiously. Both editors were never slow to criticize the operation of martial law, and from time to time they exercised that right to the fullest. Usually the criticism was justified, however, and appropriate changes were made to remedy the situation pointed out.

When it came to giving out news I tried to be scrupulously fair to both editors. When I had news which I believed might be of interest to them, I normally called both men into my office and gave each the same statement. On occasion, the security people would ask that certain news be excluded from publicity or played down. In such instances I passed on the request of the security people and their reasons for the request. Mr. Coll never failed to give his support in such cases, but Mr. Allen usually protested, saying that it amounted to censorship and although he usually complied, he always asserted that it was a violation of his rights as a newspaper editor. It was not that he wanted to publish anything that was inimical to the war effort, but rather that he believed that it was his prerogative as an editor to decide what he would print. As to that attitude, Mr. Coll declared that it was nonsense as we were all working for the same end. Disagreements between these two gentlemen were always to be expected.

In the early days of martial law both newspapers were very cooperative and did a marvelous job in dissemination of information. As time

wore on I began to notice a change in the attitude of the Star Bulletin. Believing that it might be due to my inexperience in dealing with newspaper people, I made every effort to improve my relations with that newspaper. Personal relations with the newspaper seemed excellent, but our press in that paper seemed to be worsening. At long last, a newspaperman, unconnected with either local newspaper, brought home to me the realization that politics, and not personalities, were at the bottom of the trouble. From then on I made a special effort to get along with the Star Bulletin, but my efforts were far from sufficient. Being a career soldier and a complete neophyte in such matters, it was difficult for me to understand how, in the face of a national emergency, politics as usual could play any part. However, it did in the case of the Star Bulletin.

The attitude of Mr. Farrington and his newspaper became evident to the local business people and, in an effort to be helpful, a dozen or more business leaders invited me to a luncheon and seated me next to Mr. Farrington. In the course of the luncheon, Mr. Farrington and I began to "talk shop", as was intended by those giving the luncheon. Eventually, it developed into a discussion between Mr. Farrington and me, the remainder of the guests becoming auditors. The discussion was fair, friendly, and completely frank on both sides. I put all of my cards on the table, face up, and frankly asked Mr. Farrington for his support. He was noncommittal. He was a very intelligent and personable man, and I felt certain that he was favorably impressed with our honesty of purpose and our sincerity. I felt that basically he approved our attitude,

but somehow, I thought I could read in his face that he was torn between doing the thing that was right and the thing that was most advantageous to his political future as a Republican politician. It was apparent to me then, and it was afterwards confirmed, that the political ambitions of his lifetime would prevail. Thereafter, Mr. Farrington and his newspaper began slanting its news from a political point of view whenever it was possible.

At the next election, Mr. Farrington, who was already a Territorial Senator, attained the first step in his political ambition by being elected to the office of Delegate to Congress from Hawaii on the Republican ticket, and he took his place in Washington under a Democratic administration. From then on, he did his best to embarrass us and our program. This, of course, was well within his rights to do. In 1942, a Washington columnist attacked martial law in his syndicated column, and there can be little doubt that it was a handout from Mr. Farrington's office. From the columnist, such action did not seem unusual, but an attack of that character was most unexpected of a man of the caliber of Mr. Farrington, but apparently such is politics.

Another angle concerning the effect of politics on the situation was the ambition of Judge Stainback. He was the junior Federal Judge when he was appointed our legal advisor. His appointment was achieved on the basis of his persistent request to become a part of our team. His appointment was dated December 11th, just four days after the Blitz. I hardly knew him except for having appeared in his court in one case and in several conferences with him in his office when he was United

States Attorney, prior to his appointment as Federal Judge. When he was appointed as our Legal Advisor, he was installed in an office next to mine which had been previously occupied by the Territorial Deputy Attorney General, Edward Sylva.

Judge Stainback had once been Territorial Attorney General and had occupied the very office which I was then occupying, temporarily on loan from the Territorial Attorney General Joseph Hodgson. The room was completely familiar to the Judge; in fact, he pointed out to me a repaired portion on the top edge of the desk which I was using and gleefully informed me that the repair was necessary because he had worn it out by putting his feet on the desk. I needed no convincing of the truth of that assertion, because he constantly parked his feet on my desk, a habit which I detested.

It was his custom to parade about the streets conspicuously displaying his green and white arm band, signifying that he was a member of the staff of the Military Governor and then charge into my office unannounced, place his feet upon my desk and regale us with all of the news, scandal and gossip he had picked up on his rounds. His tales of scandal concerning prominent local persons seemed unlimited. He despised the local orientals, but his favorite targets were Mr. Walter Dillingham and leading figures in the Big Five. The extent of his animosity toward some of these people was almost unbelievable.

On one occasion I was engaged in tussling out with my aides a problem of vital importance which we considered in need of immediate solution. The Judge burst into the room unceremoniously. He was red

in the face and was obviously very angry. In his hand he clutched a paper bag. He opened it and took out three large onions and thereupon launched into a tirade in which he condemned the high price of onions and recounted how plentiful they were in his native Tennessee in his boyhood. In those early days it seemed to me that much of the world was resting on my shoulders, but I was forced by politeness and decency to forego my urgent duties until the Judge had finished his talks. This situation was unfortunate because Judge Stainback was a Federal Judge and a brilliant and experienced lawyer. He could have been of tremendous help to us, but he simply could not or would not get down to careful and thoughtful deliberations; consequently, his assistance to us was of little value. He early indicated that his political aspirations were to depose and succeed Governor Poindexter. I liked and admired Governor Poindexter, but Judge Stainback was well within his rights to aspire to be the Governor. That was a political matter in which I believed the Army should take no sides. However, when I learned that Judge Stainback was using our office as his political headquarters, I informed him that it must cease. It did not cease, and I was forced to remonstrate with the Judge. He did not take it in the spirit intended and became very angry. From then on our relations began to deteriorate.

As soon as the first shock of the attack had worn off, there was a rash of "helpers" from the Department of Interior, the Department of Justice and others. In the main these people actually came to be helpful to us, but some few were merely spying for their respective departments or were interested in a junket at Government expense. We were in

dire need of all of the assistance we could get and welcomed it from all sources. There was a system of long standing in Hawaii, whereby a list of visitors who were coming from San Francisco to Hawaii, "coming down" as it was called locally, was radioed from the Mainland to the local Visitors Bureau. By the time a visitor had arrived, his history had been ascertained, he had been catalogued as friend or foe, and what he wanted had been carefully determined.

According to long practice, the local Visitors Bureau and the business people arranged for the entertainment of important guests to the Islands, but during the war it became important to keep them out of trouble. This latter chore rested on the police department which was under my supervision. Accordingly, arrangements would be made for the safety of these people while in our jurisdiction. The individual guest would not be aware of any such arrangements. There were all sorts of people to contend with, but precious few got out of hand. I can recall one distinguished gentleman who visited us during the war who, several years later in Washington, publicly twitted me by saying that he had come as an undercover inspector for his Washington department, under the guise of helping us, and that he had completely fooled us. What I could have told him, but did not, was that we were fully aware of his mission, that his conduct while performing it was a source of great trouble and worry to all of us in Hawaii, and that we were much relieved when we got the report that at long last he had been safely poured aboard his plane for the Mainland. Whatever impression this inspector

had of wartime Hawaii must have been sketchy indeed. I hasten to say that there were very few visitors of this character.

I distinctly recall one "inspector" whose decision to depart came up rather suddenly. This gentleman was one of several representatives of the Interior Department who visited us in the early days. He was especially concerned about the expenditures from the fifteen million dollar fund which President Roosevelt had made available to Governor Poindexter for use in connection with Civil Defense. For reasons of which I am not aware, the Interior Department apparently believed that an exceptionally close watch should be kept on the expenditures from this fund. Had Mr. Ickes and his host of inspectors known Governor Poindexter better, I feel certain that they would have been reassured that only proper expenditures would be made from the fund. The fact was that Governor Poindexter treated public money much the same as he treated his own, and by general reputation he was considered to be a very moderate spender. To my own knowledge every time a request for funds to be expended from the emergency fund was made to the Governor, he examined the request with jaundiced eye to see if there was not a means of paring down the estimate. He was never unreasonable but was always cautious in spending Government funds.

I attended a conference, with others, in the Governor's office where the latest "inspector" was making inquiry into expenditures of monies from the fund. His inquiry involved the smallest details. As always, the Governor was courteous and very patient. Governor Poindexter was familiar with the details of the expenditures, but it seemed obvious that

the "inspector" was intent on embarrassing him. In the middle of the conference, the air raid siren sounded. All save the "inspector" were trained in their duty and went about it without confusion. There was a bandstand outside Iolani Palace which had been heavily reinforced for use by Governor Poindexter as a bomb shelter. Included in the duties of one of my soldiers was that of finding the Governor when the alert sounded and making sure that he repaired to his air raid shelter. The soldier would then join his unit. I took this precaution because Governor Poindexter was an important person and he was prone to disregard personal safety measures.

On this occasion, the soldier came for the Governor who was greatly concerned about his guest who had disappeared. The Governor refused to go to the bomb shelter until the "inspector" had been located. The soldier finally succeeded in conducting both men to the bomb shelter. My place of duty was with my troops in a trench outside the Palace, and I went directly there. Later, in order to assure myself that all was well in the bandstand bomb shelter, I went there. The Governor was as "calm as a cucumber," all dressed up with his tin hat and gas mask. The "inspector" had no gas mask or helmet and was obviously nervous. He asked for that equipment and there being no extra ones handy, I peeled mine off and handed them over to him. He inquired what I would do for replacement and in reply I flippantly said that I would buy another set out of the Fifteen Million Dollar Fund when he had approved the estimate for it. The Governor chuckled and I moved outside with my troops. As it happened, it was a false alarm, and not long thereafter an "all clear"

signal was sounded and the conferees went back to Governor Poindexter's office to continue the discussion on the use of funds. This time the "inspector" was much more easy to satisfy and he left for the Mainland shortly to become one more on a long list of experts on finances in Hawaii.

The list of "inspectors" would not be complete without mention of Mr. Thoron, an official of the Interior Department. Apparently he came to the Islands with a preconceived idea that the members of the Big Five and other large business firms were big bad wolves, that they were in cahoots with the operators of martial law and that they were receiving exhorbitant salaries for the services they were rendering. This was completely contrary to the facts in that the big businessmen who were assisting us received no salary whatever. Many not only gave their time but furnished other services gratis, sometimes to their disadvantage. Only the clerical people and subordinate officials received salaries, and many in those categories donated their services. Mr. Thoron was a personable, intelligent man who had considerable business and political experience, and it was difficult for me to understand his prejudiced point of view in the light of his background and experience. We were as concerned as was Mr. Thoron to prevent and uncover any dishonesty. To that end we appointed Mr. Thoron Civil Defense Advisor with full authority to examine all financial records. He turned up no irregularities. However, no amount of investigation seemed to allay completely his suspicions as to the motives of big business in Hawaii. As time passed he seemed to relent somewhat, but nevertheless he seemed to

scrutinize with unusual care any proposition in which a local businessman was involved. In my experience with the Interior Department in 1942 and 1943 I learned that the views of Mr. Thoron when he first arrived reflected the general attitude of the Interior Department toward Hawaiian businessmen. Eventually, Mr. Thoron concentrated his efforts toward getting control of the forfeitures and fines imposed by the Provost Courts and funds derived from our liquor control. All of these monies had been deposited in a special fund under the Army Finance Department, and officials of Military Government had no interest in the disposition of such funds, other than to be relieved of any responsibility concerning them.

Not all of the visitors from the Mainland came to criticize or heckle us. There were many men of skill and experience who came to our assistance in fields in which there were no experts in Hawaii. Mr. Harry Hossack was typical of that class of men. He represented the Reconstruction Finance Corporation. He was an expert on government finance and was tops in his line. He was of tremendous help to us as well as the local business people, and I shall always be grateful for his personal aid and counsel and indeed his friendship which lasted long after he had departed from Hawaii. As I go along I shall pay my respects to others whose assistance materially contributed to the success of the operation of martial law. It seemed to me that before we got through, we had an expert in about every line of endeavor that was up for consideration and every last one of them went out of his way to help our cause along.

My relations with Governor Poindexter were always pleasant, in fact, as I have said many times, whenever we were considering anything involving policy, we sought his advice and if there was any doubt in his mind on the subject, we invariably reconsidered and if it still did not have his approval, we dropped it. He was a wise and conservative man who made up his mind slowly, but once made up he stood firm in his position. He was a political appointee and was serving over his appointed time as Governor and desired to be reappointed, but that never controlled his judgment. I liked him and leaned heavily on him because I respected him as a man of honor and a brave patriot. No man could have done what he did without being fearless, honest and a true patriot. He knew when he declared martial law that he was risking his political future especially when it lay, for practical purposes, in the hands of the autocratic Secretary Ickes. I kept out of politics, but it was no secret that Secretary Ickes was displeased with Governor Poindexter, for having gone directly to the White House for concurrence in declaring martial law, despite the fact that the Governor had followed the procedure prescribed by law. That seemed to mean nothing to Mr. Ickes, who appeared to be accustomed to regard the Territories as his private operation.

That Governor Poindexter was a man with exceptional loyalties will be noted from the following incident. Early in the war, I received a request from the General Staff to take steps to have the patients at the local leper collecting station moved elsewhere because their establishment was in a direct line of fire of one of the likely landing areas

and in the event of an enemy landing, it would materially hamper the defense of the area. This being a purely civilian matter, I went to see Governor Poindexter at once. He said that he knew the area well and fully appreciated the military point of view but that it presented a tremendous problem for him. He said that leprosy had always been prevalent in the Islands and had been a serious public health problem, and that when a portion of the Island of Molokai had been set aside as a leper colony, the Hawaiians reacted by hiding the lepers and their families in the hills so that they could not be sent to Molokai where it would be inconvenient and difficult to see them. This was a step backward because those affected could not be treated and at the same time it constituted a menace to public health. To encourage these suspicious people to report their lepers, collecting stations were established locally and public announcement made that lepers would be held locally as long as possible and that their friends and relatives could visit them at will. Eventually, the Hawaiians were convinced of the good faith of the authorities, and they brought to the collection centers those of their families who were ill.

The Governor explained to me that these simple people had relied upon the Governor to see to it that the bargain was kept, that if the inmates of a collecting station were moved, the only alternative would be to send them to Molokai and that the Hawaiians would retaliate by secreting their lepers. He recognized the correctness of the position of the Staff but, at the same time, he did not wish to break faith with the Hawaiians who looked to him to preserve their well being. It was

not a matter of political expediency that bothered the Governor; it was simply his innate decency that dictated his decision. From prior experience with Governor Poindexter, I had learned that when he did not approve of a suggestion and did not wish to hurt anyone's feelings, he would twitch his mustache and shake his head slowly and then say, "Well, I'll take it under advisement." On this occasion that is precisely what he did. I reported the results of the conference to the Staff and the matter rested temporarily. On three further occasions, prompted by the Staff, I took the matter up with the Governor. The result was always the same. He would smile, twitch his mustache and shake his head, and the matter continued to be "under advisement" because he had decided that to move these people to Molokai would be a breach of faith which he made up his mind to avoid at all cost, and the collecting station was never moved.

About the middle of 1942 Governor Poindexter realized, as did we, that private ambitions and political pressures were beginning to build up on all sides and that rough going was in the offing. It soon became evident to everyone that Judge Stainback intended to supplant the Governor. In a conference with Governor Poindexter, he told me that Judge Stainback had been in touch with the Interior Department and the Department of Justice on the matter and that a Senator from Tennessee was actively supporting Stainback to succeed him. He also said that the Interior Department had demanded that he "buck" the military but that he had refused because the military was right and that he would "not buck them even though it cost him his reappointment."

In 1942 Governor Poindexter went to Washington to see Secretary Ickes about his reappointment. At about the same time Judge Stainback requested that I approve for him a request for emergency air transportation to the Mainland "on urgent court business." I knew he was going to press his interest in being appointed as Governor, but he was a Federal Judge and to have refused his request would have questioned his integrity, which I declined to do. I approved his request. In consequence of his "urgent court business," Judge Stainback got around to the Department of the Interior, the Department of Justice and even called on the Chief of my Corps, The Judge Advocate General. In conferring with the latter his report on me was something less than favorable. Stainback was a Federal Judge at the time and, as such, his report carried considerable weight even though it was obviously strongly colored by self-interest. He painted a very bleak picture of the goings on in Hawaii and sold his point of view so adroitly that immediate conferences were held by the Departments concerned, with a view to taking such action as the urgent situation in Hawaii seemed warranted.

In view of the seeming urgency of the situation in Hawaii, the War Department decided to get firsthand information from one of its own men. As a result, I was ordered to Washington forthwith and without delay to report to Mr. John J. McCloy, the Assistant Secretary of War.

I arrived promptly in Washington and was girded for battle and prepared to defend the actions of the military and the civil population of Hawaii. However, there was no one to support the adverse allegations.

Judge Stainback had completed his "urgent court business," had been recommended for appointment as Governor in the stead of Governor Poindexter, and he was no longer in Washington, having departed for his native Tennessee for a vacation.

The appointment of Governor Stainback was over the objection of political Hawaii and it was unpopular with the rank and file of the public. The following editorial appeared in the Honolulu Advertiser under date of July 22, 1942:

"Does Not Know Hawaii

"Governor Stainback admits that his action in tossing Honolulu rent control to the bureaucrats is consistent with his policy; that he favors alphabetical Federalism over community rule in local affairs. He has no faith in Hawaii's people.

"This is why Hawaii did not want him for its governor, and said so emphatically before he was appointed. He is not, and never was, a governor of Hawaii's choice. He holds his position through the accident of having fallen in with a fellow curmudgeon in the office of secretary of the interior who found in him an affinity.

"The Advertiser's policy toward Governor Stainback has been and always will be open and frank. Only his own mental attitude and away from home practices can explain why he confuses it with back-stabbing.

"War brought two governors to Hawaii. Ingram M. Stainback is ired because he is not both of them."

CHAPTER XXXA

The Battle of the Windmills

First Trip to Washington

It will be remembered that over the years there had been a large importation of Japanese labor to Hawaii. A considerable portion of that group remained in Hawaii only long enough to seize every opportunity to again migrate to the Mainland of the United States where a good life could be obtained for all who desired to persevere. Those of Japanese ancestry who were living on the West Coast at the beginning of World War II were largely of this origin. That group became closely tied together by racial and social ties. By dint of hard work and mutual assistance they prospered and were especially successful in business and agricultural pursuits. Their unusual success in competition with others in similar pursuits did not enhance their popularity. The character of the Japanese attack on Pearl Harbor was such as to materially increase the slumbering animosity of the local population for all of Japanese ancestry throughout the Pacific Coast. The West Coast Evacuation Plan which contemplated the evacuation of all of Japanese origin seemed a ready answer to the so-called "Japanese Problem".

When I arrived on the West Coast on my way to Washington in 1942 I was struck with the intense feeling against the local Japanese which seemed to have permeated the entire local population. The West Coast Evacuation Plan had been implemented and was well on its way to fulfillment. As near as I could ascertain the fears were groundless because for the most part the Japanese group submitted meekly to the exclusion

orders and went about disposing of their property in an orderly manner to the extent the peremptory orders permitted. There were a few who went to court in an effort to resist what they thought was an invasion of their rights, but in every case the Government prevailed. There had been no "incidents" and furthermore, there were only 112,000 such persons scattered over the entire Pacific area from Canada to lower California. To one accustomed to the situation in Hawaii where more than one-third of the population was of Japanese origin and where most of them were living in close proximity to our vital installations, the attitude of the people on the West Coast seemed unusually severe and unnecessary. No effort seemed to have been made to single out offenders and the entire group was being made to suffer without any regard to the culpability of all or even any of them. It seemed to me that these people had been convicted without having been given a chance to demonstrate their loyalty or indeed their lack of it. The very fact that I made inquiries and asserted that our system seemed preferable was taken as heresy by the West Coast officials, who shook their heads in disbelief at such foolhardiness.

As I traveled eastward I was struck with the fact that the public generally had not yet realized the full import of war. On arrival in Washington I noted immediately that there were many more people in the government administration than when I left there two years before. Giant strides were being made, but it was evident that our war machine had not yet gained its maximum speed. Doubtless it was my impatience and my closeness to the war which made me feel that conferences were too many and decisions far too time consuming, and slow. Everywhere

there seemed to be an urge to go forward quickly and a dissatisfaction with the speed being attained. It brought home to me strongly that in the future, some means must be found to hasten the process of making ready for war or the time might come when the delay might spell disaster.

Before the first day had passed I learned that the Department of Justice had assumed somewhat unfriendly attitude towards martial law and that the viewpoint of the Department of Interior was definitely hostile. This surprised and perplexed me because in Hawaii we had every reason to believe that both of these departments were fully supporting us. The many emissaries from both of these departments who came to visit us in the early days had given us the uniform impression that their departments were wholly in sympathy with the action of the President in approving martial law as the safest solution for the problem facing Hawaii and that they fully supported the military in carrying out the views of the President. One of our earlier visitors was Mr. Guy J. Swope, Director of Territories and Insular Affairs for the Interior Department. He was high in his praise of our efforts and in a speech before the Junior Chamber of Commerce in Honolulu on January 29, 1942, he emphasized that Hawaii "is definitely in a war zone and in such circumstances, there can be but one objective, namely military defense and protection of the area, since with failure there, all personal rights and conveniences would go by the board." Many representatives of the two departments who followed Mr. Swope seemed to have an equal understanding of the problems we faced.

I was sufficiently naive to believe that the instant attitude of both departments was the result of some misunderstanding which could be

straightened out and quickly settled to the satisfaction of all concerned. This was far from the case as I soon discovered that the resentment was deep seated and that both departments were bent on reducing the effectiveness of the martial law effort. The feelings were so intense that they seemed to care little that their solution might impede the war effort and less for the wishes of the people of Hawaii.

The situation was not unlike a lawsuit with the Department of Justice and the Department of Interior on one side and the War Department on the other. In such circumstances there is nothing like sitting down and taking account of stock for the purpose of determining the reasons for the position of the opposition. It should be remembered that the missionary stocks which had awakened the Islands were New Englanders who had a fine background for trade and an hereditary resistance to interference with their business or personal affairs. These people soon demonstrated those traits by building up various enterprises and later incorporating or consolidating them whenever it was advantageous to do so. They realized early that in view of the small area comprising Hawaii, mutual cooperation in Mainland competition would best serve their needs. They were very progressive in their business methods. In order to get the benefit of the best business brains and talents available to them, and also to get the most comprehensive mutual understanding, they resorted to a system of interlocking directorates, whereby the outstanding entrepreneurs of the Islands served on boards of many of the principal corporations. In these manipulations a weather eye was always kept alerted against possible accusations of restraint of trade

and other collusive action which might be considered in contravention of the law. By these joint endeavors large business became very closely knit. In this process five major companies eventually emerged as the business leaders. These, Castle & Cooke, C. Brew & Co., Alexander and Baldwin, Ltd., American Factors, Ltd., and Theo. H. Davis & Co., gradually began to complement each other and eventually shook down into an intangible but efficiently workable group which became known as the Big Five.

In every instance where federal legislation, Mainland competition or other similar action threatened, the interest of all of these companies was identical and in such instances they presented a united front. On the other hand, spirited local competition was the rule and seemingly no holds were barred. Because of this method of operation, some Mainland authorities presumed that there was some working agreement among big business in Hawaii which was undesirable and possibly illegal. In my own experience I knew of no such agreement nor did I learn of any evidence of super control. The operators of big business got together where their interests were affected and decided upon a uniform action, but this was far different from a centralized control. The principal officials of the companies comprising the Big Five were independent and dominant personalities. They were pugnacious entrepreneurs who were bent on making profits for their individual stockholders. At the same time, there was one desire which seemed to override every other consideration. It was the advancement of the best interests of Hawaii. I never met a single leader who did not have a very strong urge in that

direction. Over the years the local public came to regard the Big Five, not as the octopus as it was frequently pictured on the Mainland, but rather as a faithful watchdog of local public interest and well being.

By 1920, life in Hawaii was good. The plantation worker earned \$40 and "prerequisites" per month, prerequisites meaning food, housing, medical attention, and other things of value. Japanese maids and house-boys earned something less than the cane cutters, but everything was cheap in comparison and all were apparently happy with existing conditions. The sugar and pineapple industries thrived and the local population, most of whom had the good sense to buy their stocks, were happy indeed with their investments. There were holidays, much singing and dancing and other entertainment for all classes. Just about everyone hoped that these ideal conditions would go on indefinitely. It was said that the world revolved around Hawaii and most of the population, as well as the business tycoons, believed it did and were immensely glad of it.

Occasionally, there was a flare-up of labor trouble, but it was quickly settled one way or another before they got to the point of seriously interfering with the output of sugar and pineapple. Those of the middle and upper crust made periodical trips to the Mainland and not a few Japanese made trips to the homeland, but all were glad to get back to Hawaii. Many went to Mainland schools but after graduation from colleges, almost invariably they returned and entered business.

Things went on in this carefree sort of way with the minimum of difficulty until the coming of the "New Deal." Thereupon, the Department

of Interior began to take more than a passing interest in the "little fellows" in Hawaii. At that time, the used acreage of the Island was about four million acres, of which about one-fourth was owned by about a dozen families or corporations. On Oahu alone, including the City of Honolulu, some 25 owners owned about 70 per cent of the land. The Island of Lanai was owned entirely by the Hawaiian Pineapple Company. The Island of Niihau was owned by the Robinson family. The Parker Ranch on the Island of Hawaii, one of the largest cattle ranches in the United States, was individually owned. To a reformer of that day facts of this character were tantamount to waving a red flag in front of a bull. The fact of the matter was that substantially all of the usable land was reclaimed by the owners from volcanic ash by a long, tedious and expensive process. Most of the remainder of the land was still waste lava. Were it not for the energy and effort of the progressive business people of the Islands, the major portion of the area would still be in its original condition. This fact was well known to all Island residents. The business people believed that they were acting in the best interests of the public as well as themselves and the public agreed with that view.

There can be little question that the Big Five dominated local business and that it took a decided interest in politics. They were fully aware of Mainland activities and resolved them for the best interests of Hawaii, as they saw them. The leaders were highly skilled and experienced businessmen who were able to meet and compete with the top bracket of Mainland business and political interests. The Big Five wanted no interference from the Interior Department and thoroughly

believed that the continuation of successful business in Hawaii and its people would best be served by a continuation of the existing economy and without any interference from the Mainland. As of 1940, they had the complete backing of the local population and resisted every effort of the Interior to change their chosen way of life.

For many years local business had maintained a lobby in Washington to protect its interests. In addition, some of the larger firms and individuals maintained private lobbyists to represent them in Washington and elsewhere on the Mainland. By this means, Hawaiian business leaders were kept informed of the current and prospective Washington activities which might affect them. No Washington lobby was more discreet or efficient.

From time to time there had been tussles between the social and business viewpoints of Washington bureaucracies and those of Hawaiian business, but it appeared that in every such difference the local business people proved themselves to be smarter than their adversaries in the Department of Interior and elsewhere. There had been various kinds of actions considered including those in restraint of trade, monopoly, dividing up the land and others, but nothing ever came of any of them. Over the years many charts had been prepared by Washington investigators showing the interlocking direct system of directors (see cut). To some Washington bureaucrats, such charts were clear proof of calumny in the way of illegal amalgamation in violation of antitrust laws, oppressive action against small business and various other improper acts. Investigations continued sporadically over a period of years, but the Washington bureaucrats never quite arrived at the point of bringing the Big Five into court to answer charges.

The fact that the Army had succeeded in getting the full cooperation of the Big Five where the Interior Department had failed served to increase the already hostile feeling for Hawaiian business and to transfer much of that feeling to the Army. The West Coast Evacuation Plan was in high favor in the Interior Department and was being administered by the Department of Justice. The fact that we resisted placing it in operation in Hawaii was deemed by the Interior Department as a clear indication that the Army was under the spell of the Big Five. Interior was unable to realize that what the residents of Hawaii as well as business large and small, were solidly behind the military because they were in the program together, for mutual benefit. To the Interior Department officials, it was inconceivable that such a few military persons could convince the Big Five to cooperate with the Army. Behind their thoughts seemed to be the feeling that either the Army was operating the Big Five or vice versa. They could not make up their minds which state of affairs existed, but in any event, they were against it.

As the tussle with the Interior Department wore on, the insistent clamor of Interior concerning "Civil Rights" in the face of its urgent advocacy of the evacuation of the Japanese puzzled me as the two were completely inconsistent. I noted also that Interior always advocated the continuation of the suspension of the writ of habeas corpus, the most basic of all our civil rights. In discussing these inconsistencies with a junior official he intimated a possible explanation. He argued that the animosity of the Interior Department for the Big Five was of long standing and that lately they had "gotten out of hand," that the

Japanese constituted the labor force of Hawaii, and that their evacuation would serve the purpose of removing potentially dangerous personnel from the area and at the same time it would have the effect of bringing big business in Hawaii under the control of Interior "where it belonged." Whether such nonsense was actually in the back of the minds of responsible representatives of the Interior Department, I had no means of knowing, but it is a fact that while Interior was proclaiming major interest in civil rights it was at the same time insisting on a policy of wholesale evacuation of Japanese from Hawaii.

After a careful study of the entire background, I concluded that there were two primary reasons for the apparent hostility of the Department of Interior and the Department of Justice. First: When the Blitz came, the Interior Department found itself impotent to assist Hawaii while the Army, being a service in being, was able to step into the breach and not only handled the security problem but also effectively organized and administered the local affairs with much success. In so doing the Army unwittingly usurped what the Interior Department considered its exclusive prerogative. To make matters worse, six months had elapsed and now the local business people were contemplating continuation of the system to a major degree for the duration of the war. Second: There was a long standing antipathy on the part of the Interior Department for the Big Five which was a culmination of many futile efforts on the part of the Washington bureau to dominate the affairs of the Islands. Now the Big Five were presumably working hand and glove with the Army. The Department of Justice had long disapproved the

business methods of the Big Five and had from time to time considered punitive action. Now the Army was supporting the Big Five as it represented Hawaiian business. Furthermore, it was even now declining and refusing to comply with the total evacuation of the Japanese plan which the Department of Justice was administering. These factors added up to a clear impasse between the Departments of Justice and Interior on the one hand and the War Department on the other.

Having reviewed the background, I concluded that we were up against a long, weary and useless tussle caused by a conflict of interests and that reason, justice and possible adverse effect on the war effort would have precious little weight in the determination of the problem.

By the middle of July 1942, the matter of martial law in Hawaii had become a cause celebre in Washington and it was developing into a tussle between the War Department on the one side and the Departments of Justice and Interior on the other. After interminable "conferences", the two sides settled into a futile attempt to convince the other of the merits of its position. Mr. McCloy, the Assistant Secretary of War, one of the ablest men in the Government, represented the War Department. I "conferred" with echelons of every stratum. In every one it seemed apparent that the Interior Department had closed its mind to facts and moral issues and seemed bent on wresting something from the military. What that something was seemed undecided in their minds. Governor Stainback was conspicuous by his absence. We had a definite advantage because we knew our facts and all the issues. Interior had not been filled in on the true facts and insisted in debating generalities. It

is next to impossible to compromise satisfactorily when one side does not know what it wants. There was nothing in the situation which competent conferees, who were advised of the facts, could not settle in one sitting, but on the contrary, this dragged on week after week. As the "conferences" continued the Interior Department discovered that the matter was more complicated than it had suspected, and for that reason backed away from some of its earlier prospective demands. They were very much handicapped by being unfamiliar with the factual situation in Hawaii and were so antagonistic that they refused to accept our statement as to the facts and regarded all our suggestions with a jaundiced eye. However, it gradually dawned on them that the continuation of martial law in some form was essential.

After pulling and hauling and the expenditure of considerable personal heat, we finally got a statement of the concessions which the Interior Department would consider satisfactory. They were as follows:

1. Abolish the title "Military Governor".
2. Restore full jurisdiction of the civil courts, except the writ of habeas corpus and for acts in violation of military regulations.
3. Return all fines and forfeitures collected by the Provost Courts.
4. Return to civil control all civilian emergency activities, rationing, food production, etc.

The first demand was an unreasonable one based solely upon pique.

The use of the term "Military Governor" served the useful purpose of

making a clear demarcation between the orders issued by the commanding general in his capacity of military commander and those issued by him in the operation of martial law. No other purpose was intended and the term fulfilled the purpose admirably. To change it at that period would make for untold confusion.

The second demand for the restoration of all jurisdiction to the civil courts, except the writ of habeas corpus and exception also trials for violations of military regulations was one which merited careful consideration. It will be recalled that the civil courts were closed on December 7th as a precaution and immediately thereafter we began a study in cooperation with the best legal minds in the Territory, to determine the extent to which civil courts could operate with public safety. In this study we consulted the local bar association, the federal courts, many of the local judges, and local lawyers. It was the consensus that a fair jury trial could not be had at that time and that the writ of habeas corpus should remain suspended and no jury trial should be authorized. We implemented those views in General Order dated December 16, 1941, which permitted restricted operation of all courts but continued the suspension of the writ of habeas corpus and prohibited jury trials. Special provisions were included in the order which were intended to minimize any loss of rights due to the suspensions and limitations. On January 26, 1942, a conference was held in Judge Christy's court for the purpose of reviewing the situation. Present were Mr. E. H. Beebe, President of the local bar association, Chief Justice Kemp of the Territorial Supreme Court, Judge Stainback, Judge A. G. Robertson, a former Justice

of the local Supreme Court, and Mr. Angus Taylor, U. S. Attorney. I brought the whole matter up for consideration. All agreed that the restriction contained in G.O. 29 were appropriate and should be continued. Now, approximately six months had passed and it was time to take a new look at the situation.

As of July 1942, the racial situation had not materially changed and it seemed to be as dangerous as it was on December 7th. It was controlled but still potentially extremely dangerous. The operations by juries might well upset the whole balance but at the same time if it could be done successfully, it would perhaps help public morale. Our studies disclosed that less than 50 per cent of all criminal trials were by jury. Nevertheless, the right existed and we felt that it should be possible to permit it if it was practical to do so. I had great faith in the judgment of the local judges and with their concurrence, I would be willing to attempt jury trials on an experimental basis when they considered it safe. I had consulted some of them from time to time and up to that time none believed it yet appropriate. Our relations with the local courts were friendly and I preferred to leave the matter of relaxing controls to their judgment rather than the theorists in the Department of the Interior who were unfamiliar with the local situation.

The continuation of the suspension of the writ of habeas corpus was fully justified, but it would be obviously inconsistent to permit jury trial and deny the privilege of the writ of habeas corpus over basic right. The matter of excepting from civil courts, jurisdiction over offenses against military regulations was not realistic in view of the

fact that at that time, probably more than 90 per cent of the offenses were misdemeanors involving violations of blackout, curfew and other similar regulations of the Military Governor. While these were violations of military regulations, the offenses were civil in their nature and substantially all of the violators were civilians. To accede to the exception suggested by the Interior Department would mean that 90 per cent of the civilians would be tried by military courts and possibly 10 per cent by civil tribunals. This obviously would please no one and chaos and resentment would result. I repeatedly pointed this out to the Interior Department officials in the conferences that followed, but it fell on deaf ears.

The third demand involved merely a problem of administration. As the Interior Department well knew, all monies collected by the Provost Courts, from the beginning, had been placed in a special fund under the control of the Chief of Finance of the Army and it was a mere matter of determination by higher authority as to the disposition of the fund. The Interior Department had no rights whatever in the fund. The Federal Government, the Territory of Hawaii the courts and the counties and cities thereof were the only rightful claimants. Administrative action had been instituted to get an official determination of the matter by the Comptroller General or other higher authority whereby all of the claimants would receive their share of the monies and all other interested parties would obtain releases from responsibility.

The fourth demand was that civilian emergency activities be returned to civil control. The selection of rationing and food production as

examples pointed up the fact that the Interior Department had but slight knowledge of the state of affairs in Hawaii. All supply activities were already in the hands of civilians, the military acting only to the extent necessary to get the supplies and get them transported. The only rationing then or at any time, in Hawaii, was in connection with gasoline, tires and liquor. The civil authorities had none of these commodities and had no ships to transport them if they could be obtained. These commodities were only available to Hawaii through the good offices of the Army and the Navy. For the Army to step out of those activities at that period would be to deny the civil population those and other commodities. The matter of food production was wholly in the hands of civilians and it was infinitesimal.

The nature of these four demands convinced me that at that time the Interior Department was motivated by obtaining some jurisdictional concessions which would in some measure help to retrieve what it considered to be an apparent loss of prerogatives by that Department. General Emmons was ready and anxious to make any concession respecting any control, provided that it did not diminish his ability to carry out his military mission in Hawaii. However, the people of Hawaii desired no change in the existing state of affairs. This was completely understandable because they had come a long way from the ruinous situation which had faced them on December 7th. The Hawaiian public was convinced, along with Fleet Admiral Nimitz and General Emmons, that the danger of possible attack on Hawaii had not passed and that nothing should be done which would weaken the local forces to meet any future attack. In that view I heartily

concluded. All theories concerning the impossibilities and the improbabilities of the capabilities of the enemy against Hawaii seemed to me to have been firmly disposed of on December 7, 1941. It will thus be seen that the Army found itself to a considerable extent caught between the desires of bureaucratic Washington and the people of Hawaii.

Early probing conferences with lesser officials of the Interior Department convinced me that considerable heat had already been generated in the matter. I decided that we must find some compromise which would give the Interior Department and Governor Stainback some reason to feel satisfied as to their prerogatives and which, at the same time, would reassure the local citizens and not weaken our ability to meet any local situation which might arise. It was not going to be an easy matter and in all probability it would be largely a matter of words, so I set about to make it come to pass as quickly as possible.

During the ensuing weeks, I "conferred" from time to time, but in the interim I improved my time by carrying out major assignments with other Bureaus and Departments in the interest of the Territory. These projects included matters of price control, rationing, the manufacture of rubber and innumerable other matters. The Price Control people were especially interested in the manner of our operation of that control. Everywhere I went I was met with an attitude of helpfulness and cooperation. Without exception, everyone, save only the Interior officials, was willing and anxious to assist us to the maximum of their ability. Nowhere was there any anti-military feeling and all were anxious to contribute to the maximum to win the war. I transacted a lot of business

and much of it was without a single scratch in writing, but every commitment was meticulously carried out. There were so many things that we in Hawaii did not know and there seemed to be an expert on every subject in Washington who was more than glad of an opportunity to advise and help us. I could not escape the feeling that no matter how the tussle with Interior turned out, the war effort and the people of Hawaii would be ahead as a result of my explanation of our problems to the Washington bureaus.

The "conferences" went on and on. Some were on my level and others were on a higher level. One official after another seemed to be in charge of the case for our opponents. Just when we seemed to be getting down to some sort of an agreement some new official took charge and we had to begin again and go over the same rugged ground. There were endless arguments concerning "broad principles" and our adversaries never seemed to want to get down to cases and factual matters. They argued endlessly about "the return of civil rights" and "jury trials." No amount of explanation of the possible results of jury trials seemed to impress them. The possibility of trying it on an experimental basis did not interest them. They asserted that the civil courts were "already under your thumb." They could not seem to visualize the explosive situation with which they were dealing. That all of the races in Hawaii were content to let the existing system remain for the time being had no apparent effect. They were bound and determined to give the people of Hawaii what they thought was good for them, regardless of the wishes of those people and even if it impeded the war effort. So strongly did they feel on the

matter that for want of arguments to support their point of view they took to abusing me. In vain, I pleaded with them to keep personalities out of the discussion and get a decision one way or another. At one point I facetiously assured them that it was the Japanese and not me who had started the war. This attempt at humor was not well received because they said that they had some reservations even about that.

It was very difficult for me to appreciate the point of view exhibited by the advocates for the Interior Department, but it being an unchangeable fact, the only practical position for me to take was to obtain the best settlement possible. Mr. McCloy followed the situation very closely; in fact, he sat in on most of the top level conferences and personally made the final compromise settlement. Having made a personal inspection of the situation in Hawaii, he was fully aware of the points at issue. As we continued our discussions, Interior began to insist on what it termed a "Declaration of General Principles." That invariably brings on further argument and discussion and I opposed it, as I was in hopes that we could settle the matter once and for all time by setting down, in detail, precisely what each party agreed to do or not to do. I asserted, in vain, that a delineating General Order would be necessary to set out the details. I informed them that on the basis of what was contemplated at that time by the proposed Declaration of Principles, Governor Stainback would get substantially nothing and would be unhappy when he learned the facts. Interior pushed that view aside with the statement that "General Emmons and the Governor could work out the details." Little did they know Stainback and, at that time, I did

not know him as well as I did at a later date. What had happened was that Interior had exhausted the theoretical arguments and were passing the buck back to Governor Stainback. He, who had started all the row, was not even present to advocate or defend his views but was vacationing in Tennessee.

At long last, the parties got together on a Declaration of Principles which were dictated largely by Interior. I had misgivings because it actually gave the Governor almost nothing. However, Interior insisted it was what the Governor wanted and all parties approved it on August 20th. It was decided that I would deliver the agreement to Governor Stainback upon my return to Hawaii. The agreement contemplated that the Declaration of Principles would be issued as a General Order of the Military Governor and, at the same time, the Civil Governor would issue a proclamation announcing the release of certain classes of cases from trial by Provost Courts and placing them under the jurisdiction of the civil authorities.

At the first opportunity, I rushed from Washington before something new could be brought up to argue about, and on August 29th I was back at the old stand in Honolulu. I went immediately to General Emmons and made my report. It was a short conference but when completed it was past noon and, being a Saturday, the Civil Governor's office was closed for the week end. My office prepared a draft of a suggested order in accordance with the agreement reached in Washington, and in order that Governor Stainback might have the proposed order in his hands at the earliest moment, by arrangement with him which I made over the telephone,

I had both the agreement and the suggested draft of our General Order delivered to him in his office on Sunday morning at 10:00 a.m. On Monday, August 31st, Governor Stainback invited me to a conference in his office at 3:00 p.m. I attended with others on both our staffs. We discussed the proposed General Order and the Proclamations which were to be issued. At the time, I informed those present that it would be necessary to draft a delineating military order but that it would take a day or so to get it up. The Governor concurred and I agreed to present it to him for his comments before issuing it.

On September 2, at about 10:00 a.m., the Governor asked me to come to his office and angrily declared that he was going to issue his proclamation at 11:00 a.m. that day. I urged him to delay a little because the publication of his proclamation would have the effect of compelling the courts to operate under general principles agreed upon in Washington, but since they were simply general in their nature, a delineating order would be preferable so that everyone would know in detail precisely what his rights and liabilities were. The Governor was in a very bad humor and angrily declined to delay. I urged him to reconsider since his action would require the closing of the courts until a delineating order could be issued. He declined to agree. I had no other alternative but to publish General Order 133 which was the "Declaration of Principles" agreed upon in Washington. To avoid confusion, I ordered the Provost Courts closed until a delineating order could be issued. We moved rapidly and drafted a delineating order. I submitted it to Governor Stainback for his comments. On the afternoon of September 4th, a conference was held in Governor Stainback's office to discuss the proposed

delineating order. Several members of both our staffs were present. The Governor made some slight suggestions, each of which was accepted by me and, as amended, the proposed order was agreed upon and issued the same day as General Order 135. It read, in every particular, precisely as it had been approved by Governor Stainback earlier in the day.

General Order 135 was a reasonable and accurate delineation of the "Declaration of Principles" which had been dictated by the Interior Department in Washington, as being precisely what the Governor wanted. The delineating order itself had been specifically approved and agreed upon by Governor Stainback. He was a lawyer of long experience, a former federal judge and was eminently well qualified to understand the content of a simple military order. Nevertheless, within a few days after we had begun to function under the delineating order, Mr. Ickes was complaining to the War Department that it had been reported to him that we had not kept our bargain and that I "had rushed the thing through and had not permitted the Governor to take time to study the matter."

Governor Stainback was a very unusual person. He was a brilliant man who had the ability to present a delightful personality when it suited his purpose. However, he was quick to anger and when crossed was prone to fly into a rage. When this occurred he was most unreasonable and at times his statements and actions were harsh and irresponsible. He was a strange combination of brilliance and vengefulness. His strengths and weaknesses were so well known locally that he experienced difficulty in enlisting outstanding people in his administration and there seemed to be no one connected with it who had the temerity or skill

to induce him to take a reasonable attitude. Apparently his ambition was to supplant the military or subordinate it to his will. His intelligence informed him that he was without legal authority in either regard and that there would be no public support for any such action. Characteristically, instead of accepting the situation as it existed and working out some compromise, he became frustrated and even more difficult to deal with as time passed.

General Emmons was a man of wide experience who recognized as inevitable differences of opinion and was always disposed to make reasonable compromises to attain accord. However, it was a mistake to consider his reasonableness as weakness. He was well aware of the temperament of Governor Stainback and his ambitions, but nevertheless, he made a concerted effort at cooperation in the hope that some workable ground could be attained where we could deal with the Governor to our mutual advantage. General Emmons insisted that our staff bend over backwards to attempt to get along with the Stainback administration and we did our best to comply with his desires.

The Governor was up against a very difficult proposition. Although most of the operation under martial law was accomplished by civilians, Governor Stainback could not seem to obtain their confidence or their support. When he pressured them they resisted. That exasperated him and he flew into a rage which made him even harder to deal with.

Although another clash seemed inevitable we did everything possible to postpone it.

CHAPTER XXX

Second Trip to Washington

At the time of the Senate confirmation of the appointment of Governor Stainback on August 24, 1942, martial law was at its peak in efficiency and popularity. It had become a joint endeavor of both the military and the civil governments in which each carried out those functions which each was best able to perform. Cooperation existed from top to bottom and everyone felt that he had an essential part in the operation. There was never any serious friction and it was the view of all concerned that the military would step out of the project whenever conditions warranted it but that at the moment the existing system was the best for all concerned. Governor Poindexter was respected for his intelligence and his integrity and General Emmons was personally popular. Under these two leaders Hawaii had come a long way and the public had complete confidence in them. The various groups felt that racial tension was under strict control and that each of them was reasonably safe from assaults by other groups. To be sure, no one enjoyed the restrictions which were being imposed, but these were regarded as a small price to pay for the feeling of security. For these underlying reasons business and the public wanted no change in administration and strenuously opposed the appointment of Governor Stainback. They cordially resented the action of the Secretary of the Interior in appointing Governor Stainback over their vigorous objection and it was common knowledge that the appointment was made for the express purpose of contesting the existing system in Hawaii. Such was the situation when Judge Stainback assumed the office of Governor.

Under the political system then in effect in Hawaii, the Territorial Attorney General was the primary administrator for the Governor. Under Governor Poindexter, the Attorney General was Mr. Joseph Hodgson, a highly respected public official with extensive administrative experience. He was a skilled lawyer, experienced in major affairs, and was a man of exceptional persuasive powers. The relationship between our respective offices was always friendly, cooperative, and effective. Our differences were slight and always amicably settled. Under his control the M Day Bill was put into effect and its operation was proceeding well. When Governor Stainback took over the reins of government he decided to appoint an Attorney General of his own choosing. He experienced considerable difficulty in interesting any prominent lawyer in that office. Eventually, however, on October 4, 1942, when things were running rather smoothly, Mr. Garner Anthony was appointed Attorney General. From previous experience with Mr. Anthony before the war, I would have preferred not to deal with him on any matter, but since there was no other course open I leaned over backward to deal fairly with him. In an effort to avoid friction I went so far as to assign Colonel Morrison to deal with Mr. Anthony. This did not work out satisfactorily because Morrison was much more experienced than was Anthony, and friction promptly developed into an impasse. Anthony complained that "as Attorney General of the Territory he was entitled to deal directly with me rather than through one of my clerks." In view of the clash of personalities, I took the job back and in subsequent dealings, I did my utmost to prevent my lack of respect for Anthony to color my dealings

with him. This was most difficult because the Attorney General persisted in being argumentative and quarrelsome over the slightest details and the situation was a very unhappy one in spite of all our efforts and concessions.

The antipathy of Mr. Anthony to martial law had been well advertised and we had hopes that he would suggest some workable plan to which we could adjust to our mutual advantage. Mr. Anthony seemed indecisive and apparently was further handicapped by reason of the fact that Governor Stainback desired to act as his own Attorney General. Anthony soon discovered that it is relatively simple to criticize but is quite another matter to produce a better solution. No constructive plan or solution was forthcoming. In the course of time he fell back on the position taken by the Governor to the effect that the Stainback administration having been duly constituted by virtue of the powers of Mr. Ickes, the public should rush to support it. In this, both the Governor and his Attorney General were due for a disappointment because the public had no such idea and it was firmly against any change.

When faced with the realities involved in feeding, clothing, and ministering and protecting a half million citizens under the urgent circumstances in which Hawaii found itself, the new administration found that the utterance of political "mish mash" was insufficient to accomplish the task. It took organization, planning, and administrative skills which the new administration did not have and it did not seem able to enlist the services of others who had such skills. What the new administration did not seem to realize was that more than anything else the public wanted security and it was the consensus that the new

civil administration was not adequate to insure that security. As this factor began to become apparent a period of frustration set in. The efforts of our office to cooperate with the new administration brought only complaints and angry rebuffs. Controversies began to arise on all sides, many involving the most trivial of matters. It was an unfortunate situation but we found no way of altering it.

On his part, General Emmons made every effort to encourage Governor Stainback to utilize his powers under the Hawaiian Defense Act to build up a civilian administration to take over some of the load being carried by the military. Suggestions along those lines on the part of the military were resisted as an unwarranted and unwanted interference with the prerogatives of the Governor. At the same time the Governor offered nothing constructive. What he would have liked to do was to take over the controls set up by the military. This was impractical as it could operate successfully only with public support, which the Governor knew he did not have. Frustrated, he restricted his activities to criticism. Some of these and the manner in which they were made resulted in worsening his already adverse public relations. As a result of his critical attitude and his failure to suggest any better system, business and the public began to ally themselves more strongly than ever against his administration, and as time passed it became increasingly evident that all public confidence in the new administration had been lost. In spite of all our efforts to avoid it, this had the effect of fixing upon us more strongly than ever the burden of carrying on as best we could. We were under no

OKanawa
June 1944

1944

1944

American Officers and Men

We must express our deep regret over the death of President Roosevelt. The "American Tragedy" is now raised here at Okinawa with his death. You must have seen 70% of your CV's and 73% of your B's sink or be damaged causing 150,000 casualties. Not only the late President but anyone else would die in the excess of worry to bear such an annihilative damage.

The dreadful loss that led your late leader to death will make you orphans on this island.

The Japanese special attack corps will sink your vessels to the last destroyer.

You will witness it realized in the near future.

1944
1944

misapprehension as to the attitude of the public. There was no great love for martial law. However, there was respect for its integrity, its efficiency, and above all it afforded the best possible protection against harm. The public was willing to make the necessary sacrifices to obtain the benefits derived.

In June 1942, the battle of Midway had been fought and won, but no one, even the top brass, suspected that the battle had struck the Japanese an all but fatal blow. Had we been aware of our huge success, our course in Hawaii might have been different. Possibly there might have been a much more speedy relaxation of controls. The fact was, however, that the Japanese had been so successful in concealing their losses at Midway that neither we in Hawaii nor any of our military people suspected the truth. I am not overlooking the fact that some years later there were people who seemed to be extraordinarily gifted with hindsight, who knew that the war was over with the battle of Midway. Such a notion is untenable in the face of the fact that thousands of our valiant troops lost their lives in the Pacific much later than that date. As late as June 1945 our troops on Okinawa were bombarded with leaflets (dropped on Okinawa June 1945):

"American Officers and Men

"We must express our deep regret over the death of President Roosevelt. The 'American Tragedy' is now raised here at Okinawa with his death. You must have seen 70 per cent of your CV's and 73 per cent of your B's sink or be damaged causing 150,000 casualties. Not only the late President but anyone else would die in excess of worry to hear such

an annihilative damage. The dreadful loss that led your late leader to death will make you orphans on this island. The Japanese special attack corps will sink your vessels to the last destroyer.

"You will witness it realized in the near future."

Far from serving its purpose of discouraging our troops on Okinawa, when that island finally surrendered to our forces, some 100,000 Japanese soldiers had gone to wherever brave soldiers eventually go.

During its days as a Territory, Hawaii was "small townish" in the sense that there was exceptional public interest in every political action taken by local government. In line with this practice, every move made by the Military Governor and the Civil Governor was followed with great interest. The new regime under Governor Stainback had talked so freely about "civil rights" that the public was immensely interested in developments. Nothing seemed to happen in this or any other regard and the public decided that either the new regime had no plan or was incapable of getting anything started. The military would have been glad to have had Governor Poindexter reappointed because he was a fine gentleman, a capable and cooperative public official, and things had been going well. Governor Stainback having been selected as Governor, the military saw no reason why the same agreeable arrangements could not be continued. The military recognized that perhaps some adjustments might be necessary to meet any divergent views the new Governor might have and the military stood ready to make reasonable concessions in the interest of continued agreeable relations. However, honest efforts by the military to be of assistance were received with

suspicion and frequently were angrily rejected. None tried harder for harmony than General Emmons. All our efforts failed abysmally.

The operation of martial law in Hawaii was a full time job for all concerned and we tried hard to avoid conflicts, especially on inconsequential matters. Nevertheless, some of the most trivial matters were made the subject of official complaint. On one occasion the Territorial Band came to Iolani Palace to serenade the Governor on a holiday. This was in accordance with an age old custom. The band trooped past my office on its way to the Governor's Office. Some bandsman suggested that it might be a nice gesture to serenade the Office of the Military Governor. The first notice I had of it was when I heard the music and a soldier came into my office and reported that we were being serenaded. Someone suggested that we turn out our office force to acknowledge the courtesy and it was done. The fact that the band had serenaded the Office of the Military Governor and, especially before serenading the civil Governor, was taken by the Governor's Office as a serious affront and it became the subject of an official complaint. Unfortunately, the public became aware of the controversy and deemed it a joke because all Hawaiians are strongly in favor of serenading anybody and everybody, at any time, with or without any reason. The public amusement only made matters worse.

Some new buildings were constructed by the Director of Civil Defense on the grounds of Iolani Palace to house some of our expanding activities. The buildings were being occupied by civilian workers and had been constructed without any consultation with me. When completed,

the buildings were painted with olive drab paint such as used in the Army, probably because none other, in quantity, was available. This brought the complaint that "that fellow Green is painting everything Green." Silly as the complaint was it went the rounds and the public again was amused.

Again, when my office was moved out of Iolani Palace, as a conciliatory gesture to Attorney General Anthony, we moved into a small temporary structure which had been constructed on the Palace grounds by the Director of Civil Defense. To avoid criticism concerning the color of the paint, he painted the structure white. We had hardly settled in the new quarters when the wags began to call our office "The Little White House." This was taken as a serious affront by the local administration and it even was referred to later in conversations I had with the Interior Department in Washington.

The local Attorney General complained that members of the Women's Volunteer Army Corps wore their uniforms while working in Iolani Palace. He stated that Mrs. Agnes Kellet had particularly affronted the Governor by "parading in front of his office in uniform." The WAVC was a group of ladies who were employed in the various agencies housed within the Iolani Palace grounds. It was purely a private organization of office workers who had banded together for the purpose of performing group service in any emergency. Some of the members were employees of our office, but membership was not thus limited; in fact, the alleged offender, Mrs. Kellet, was an employee of the Secretary of the Territory,

Mr. Hite. At their request, members of the unit received military training and instruction in the operation and maintenance of motor transportation for use in an emergency. They drilled regularly, made a fine appearance, and while I heartily approved their idea, these ladies were entirely on their own and were under no obligation or control by the military.

The existence and the purpose of this fine organization was well known and had been publicized. I explained to Mr. Anthony that as I saw it the selection of Mrs. Kellet for complaint was not well taken because she was an employee of the Territory, that I knew her to be an enthusiastic and patriotic worker, and that in my opinion she was well within her rights. Mr. Anthony was not impressed and left in a huff, saying that "he would handle it himself." So far as my observation went, Mrs. Kellet continued to wear her uniform as and when it pleased her to do so.

Hardly a day passed without a complaint of some sort, and most were as inconsequential as those here reported.

Hawaiians must have their jokes, and even a war cannot dampen their spirits. When anyone cannot accept a joke on himself the Hawaiians make a point of further irritating him even if it means sitting up all night to find new chicks in the victim's armor. That characteristic proved to be a boon by being many times utilized to lighten the burdens of the war.

It seemed to me that one of the things which endeared the Office of the Military Governor to the Hawaiian public was our ability to laugh

with the public when the joke was on us and we had many opportunities to do so. Prior to the war the Honolulu Advertiser carried a box on the front page which gave a resume of the weather for Honolulu and vicinity. When the war came, that box was discontinued because it was felt that it might aid the enemy in knowing the weather forecast for Honolulu. In its stead there appeared daily a cartoon by a reporter named Jerry Chong who called himself "Sol Plurius, ex-Weather Prophet." This man's sense of humor was remarkable and every morning all Hawaii enjoyed a chuckle at his cartoon for the day. Frequently, my office was the butt of his humor and at times General Emmons and I were his special targets. Sometimes the cartoon ingeniously pointed out matters which could and should be corrected. I thoroughly enjoyed the cartoons and my day started off only after having noted the gem of Jerry Chong. One morning the cartoon did not appear. I missed it personally and before the day was out we had innumerable telephone calls inquiring for the health of Jerry Chong. I called him on the telephone to inquire as to his state of health and told him that the failure of his cartoon to appear was taking all the fun out of the war. He laughingly told me that he was merely taking a day off and that if his cartoons were that important to the war he would not let it happen again. The Hawaiians simply must have their joke and it is fortunate indeed that it is the case because it carried them over many a rough place.

General Emmons was an exceptionally well qualified combat general, of which there were not too many at this stage of the war. Although an outstanding administrator, his heart was always with his "trups."

His background and training eminently qualified him for such duty. He had been sent to Hawaii to handle an emergency situation. He had done it and had organized matters to such a state that he had hopes of being relieved and given a combat command at the front. To be relegated to a position of tilting with politicians is not to the liking of any career officer who has spent his life in preparation for combat against an enemy. Obviously, the only prospect of relief from his present assignment was to so arrange the local situation that it could be safely turned over to civilian control, retaining only such control as was necessary to insure internal security. This would have been relatively simple with a strong Governor or even with a cooperative Attorney General. General Emmons worked hard toward this goal but it seemed to ^{be} becoming more and more elusive.

We conferred time after time with the Stainback administration at all levels. The Governor talked constantly of plans but nothing seemed to materialize. It seemed apparent to him that if our set-up was turned over to him the public would not support such action as it was dead set against any change at that time. General Emmons liked Hawaii and loved its people. They had given him their trust and he simply could not violate it. He was, therefore, forced into the position of rocking along and hoping for the best. The military pushed on, meeting new problems as and when they arose, but it was becoming more evident that sooner or later the political pot in Washington, which was being fed a constant stream of complaints by the Governor's Office

in Honolulu, would boil over. When that time came, the military would be called to Washington where once again we would be called upon to run the gauntlet and where some sort of compromise would have to be made to appease wounded political feelings. The pity of it was that any such compromise would be made without regard to the factual situation, the wishes of the local population, or indeed the war effort. Apparently, such is politics, even in time of war or dire emergency. And so I began to get ready for another battle in Washington which was surely in the making. My office associates began to call the so-called "conferences" in Washington "the Battle of the Windmills" and the name was not inappropriate. Accordingly, none of us was in the least surprised when on December 3, 1942, General Emmons received peremptory orders to report to Washington and to have me come along.

We left for Washington on the same day the orders were received. Travel was by a bomber which was long overdue for major overhaul. It had just returned from long service as a patrol bomber against submarines in the South Pacific, but it was the only airplane available to make the trip at the time. The flight to Washington will long remain in my memory. Not only was the airplane dilapidated, but there seemed to be much question whether it was capable of making the hop to the Mainland, much less to continue on to Washington in mid-winter. I am no expert on the condition of airplanes, but from looks alone this one impressed me as being a deserter from the junk pile. The mechanics worked over it to some extent but as General Emmons was anxious to be off, we gassed up and took off for the Island of Hawaii, which was to

serve as a trial trip. Actually, it was a pretty good test because it was about 200 miles and over the open sea. We took on a dozen passengers, enlisted men and officers who wanted to get to the Mainland so badly that they were willing to take a chance on swimming part of the way, if necessary. Before they got to their destinations, most of them decided that they would have been about as well off if they had elected to swim.

The hop to Hilo, Hawaii, was uneventful, if landing there without falling into the broad ocean can be called uneventful. It is one thing when the passengers wonder if we could make it, but quite another when the pilot is wondering also. To get the thing started from Hickham Field in Honolulu, the passengers were crowded into the bomb bay, and it was hoped that the safety doors would stay closed until we got airborne. General Emmons and I had seats, which were functional but without any comfort. Since that flight, I have always been sorry for the gunners who occupy that sort of seat. Fortunately, they are usually young and rugged men. On arrival at Hilo, the plane was inspected and after a few minor repairs and adjustments, General Emmons decided that if the plane had come that far it could go the remainder of the way, which was about 6,000 miles from that point. We took on all the fuel the gas tanks would hold and then taxied out on the strip and made ready. As we made our run, all the airplanes based on the Island of Hawaii had been turned out and were standing in their bunkers with their engines turning over, this a personal salute to General Emmons.

As we traveled down the strip I could not escape noticing the change which had occurred since my arrival in 1940. Then, the air strip was less than half a mile long. Now, it was completely modern and one and one-half miles in length. That was indeed lucky for us because we needed every inch of it and we could have used considerably more. When we had reached the mile mark on the run, General Emmons indicated that the pilot should begin to get airborne. The pilot demonstrated by motions that the engines were full out, that the stick was as far back as it would go, and that we were still running on the ground.

General Emmons was one of our earliest flyers and had flown hundreds of thousands of miles. There he sat, waiting for whatever was coming up and trusting to the skill and training of the young pilot who, under flying rules, was in complete charge. When we came to the end of the airstrip we still seemed to be running on the ground but I knew we were not because I could see water within a short distance of the bottom of our wings. For an extended period we continued at that elevation but at long last we lifted enough for the men in the bomb bay to come into the cabin from their cramped positions. And so we were off to the Mainland, 2,500 miles away, and everyone breathed a little easier.

When we were airborne, our crew chief, a diminutive sergeant, came to where General Emmons and I were sitting and respectfully inquired how we liked "our luxury liner." He asked us what we would like for dinner. Upon being asked what was available, he rattled off choices which would do credit to the best hotel in New York. He laboriously wrote down the

various choices we made. I wondered where all these things were coming from, but I knew that air travel was improving all the time on conveniences and otherwise. I could not help approving the menu offered by the Air Force if this was a sample. The crew chief disappeared. When he returned with our orders, with great formality, he laid before each of us a thick Spam sandwich and handed each of us a can of tomato juice which he proceeded to open ceremoniously with a pair of rusty pliers. It was indeed deluxe travel. All enjoyed the fine joke at our expense. General Emmons laughed at me for having been taken in by the crew chief, but I was reasonably sure that he had been taken in also. During the long, cold night, we were repeatedly refreshed with the same excellent food from the exquisite cuisine.

At daylight, as we were nearing the Mainland, we were met by a B25 Air Force plane of the latest design. The pilot of that ship seemed curious to know what our Rube Goldberg affair was doing out so early in the morning. We gave the password and he veered off, doubtless congratulating himself in being the pilot of his rather than our airplane.

We droned on and finally sighted Riverside Field, California. On landing, our first grief came in the form of a burst front tire. After the first jolt, the pilot raised the plane and we eventually came to rest without tipping over but for the time being we were grounded because it was found necessary to replace the entire front assembly which was not available at that post. That took one day, which annoyed General Emmons, as he was always impatient of delay, and in this instance he was eager to get to Washington and the business at hand. When the plane was made

whole, General Emmons wanted to take off at once, but the young pilot demurred in view of bad weather reports. General Emmons needled the pilot goodnaturedly by saying that the only worry was getting airborne because "once you are up you can always come down." The pilot stood his ground and we stayed grounded until the weather cleared somewhat. It was sometime before the pilot realized that General Emmons was merely ribbing him. What the General did not know was that this young pilot had never seen snow, much less flown in it, and we were headed right into it.

We headed for Omaha, Nebraska, over the Laramie Mountains, which I knew well from my service in the Cavalry at Cheyenne, Wyoming. "Over the mountains" is an overstatement as the ceiling of our plane was far short of many of the peaks which, in my time at Cheyenne, had claimed numerous aircraft. The temperature dropped rapidly and it being December it probably was well below zero. With no heat in the plane, we were unhappy, to say the least. Even wool lined flying clothes over cotton uniforms were far from comfortable, particularly since we had been sitting still for hours. No one complained as it would have been no use since we were all in the same boat and did not need to be reminded of what we all were experiencing. When we approached Omaha it was snowing heavily and we all cherished the hope that we would soon be on the ground and warm again. The pilot called in for permission to land. It was promptly denied on the basis of zero visibility, and we were directed to turn around and go back to Denver, Colorado, where the weather was said to be better.

On the return trip through the mountains, it seemed that we were almost close enough to some of the peaks to reach out and touch them. On arrival at what the pilot thought was a point close to Denver, he asked permission of the ground operations officer to land. The reply was an inquiry as to how much gas we had left and when the ground forces learned that we had plenty we were directed to circle the field and permit others to land who were short of fuel. Some of the others apparently were fighter airplanes. On account of the snow, the visibility was zero but I could hear the conversation on the earphones. I shall always remember one pilot saying, "For Christ's sake, let me in. I have only a teacup full of gas left." I presume that he got priority.

Eventually, our turn came and the pilot who had never before seen snow prepared to land. We made one more pass and under instructions from the ground, started down. We had no de-icers and we had been gradually losing altitude for sometime because the ice was building up on the wings. Suddenly, we hit the ground with a dull thud and we had landed as nice as you please. The operations officer promptly grounded us for lack of de-icers. The crew and passengers jumped to the ground, and no snowy ground ever felt better.

The Commanding General came out on the field and took us to the Officers' Club. General Emmons dashed to a telephone and when he returned, he gave me the tidings that he and I would be on our way in a civilian airplane for Chicago in one hour. Within the hour we were off

again. The passengers and crew of our airplane remained with it in Denver until the weather moderated. General Emmons and I were the only passengers on the civilian airplane and even though we were flying into the face of a blizzard we did not mind. After all, we did not own the airplane, and it was heated, and besides they had given us food in Denver. I felt comfortable and promptly went to sleep.

We arrived at Chicago early the next morning without incident, but it was very early for anyone to be about on this cold and snowy Sunday morning, even though a war was in progress. We woke up the Fifth Corps Area Commander and most of his staff. That was indeed a labor of love. We soon separated the military authorities from an airplane and in short order we were on our way to Washington where we landed on Sunday afternoon. It was bitterly cold and snow was blowing. How I hated to give up those warm flying clothes, but orders being what they are and the clothes being on loan only, I took them off and stood, only a second, in my Hawaiian cotton uniform, and then bettered all previous records from a plane to the Washington air terminal.

On my first evening in Washington I telephoned around to various Army friends with a view of borrowing sufficient winter uniform clothing in which to appear before the Secretary of War the next morning. Otherwise, I would have to appear in mid-winter, in a summer uniform. Luck was with me and I was able to report the next morning, a perfect tailor's model, in parts of uniforms borrowed from three different friends. It soon appeared to me that I would not be quickly released, so I bought new uniforms to save wear and tear on those of my friends.

Before eight o'clock the following morning, General Emmons and I reported to the Office of the Assistant Secretary of War and found that Mr. McCloy had been at work for an hour. We had a long conference and thereafter settled into offices and made ready for the fray which was sure to come. It appeared that Governor Stainback and his Attorney General had arrived and had already painted a very bleak picture of the Hawaiian situation, which the Interior Department was only too eager to hear. The aid of the Department of Justice had been enlisted to assist in the freeing of the desperate people of Hawaii from the horrible and irksome yoke of Army tyranny. Mr. Ickes had taken on a belligerent attitude and had reached the ear of President Roosevelt. The entire situation which faced us spelled out clearly that the matter of martial law was no longer one which could be determined on the basis of reason and security requirements and that whatever action resulted would be dictated solely by political expediency.

These were perilous times. A fierce war was being fought on two continents and the tide of battle had not yet turned in our favor. Hawaii was strategically located and vulnerable to attack, as had been demonstrated on December 7th. Pearl Harbor was militarily important and nothing should be done which would weaken its defense. The safety of the lives and property of 500,000 civilians living in Hawaii was also in the balance. Those people had no desire to deviate from the existing system which gave them the utmost protection in their persons and in their property. However onerous the system might be, it afforded them security. They did not regard martial law as a matter of military

oppression. To them, it was joint military and civilian undertaking in which both had a primary interest. They wanted no change. Interior talked a great deal about civil rights and jury trials, but Interior was not really interested in those matters. What Interior really wanted was to continue martial law and the suspension of the writ of habeas corpus in Hawaii, but to change the system of the operation in such manner that the responsibility would continue in the Army and the control would be transferred to the Interior Department. In this manner the military would operate martial law under the auspices and direction of the Interior Department. The problem was as simple as that. The solution, however, would be no easy matter.

Underlying all of our considerations, there was one factor which, although we never stressed it in political or other tussles, was ever present in our minds and in those of all thinking people in Hawaii. It was the possibility of a pogrom against the local Japanese in Hawaii. While the anti-Japanese feeling was kept under strict surveillance and control by the military, it was deep seated and widespread. Beyond a shadow of a doubt any incident or two could spark a horrible assault of massacre proportions upon the entire Japanese population. The Japanese lived in constant fear of it and relied upon the military to see to it that it did not occur. Undoubtedly, the Japanese would retaliate and otherwise defend themselves. The result could be catastrophic. I am not prepared to say that such a disaster would have happened except for the existence of martial law, but it is self-evident that had it occurred at any time during the war, except for martial law,

the civil authorities would have been helpless to stem the tide. For a certainty, the strict discipline applied by the military and the careful and intelligent handling of the situation under martial law acted as a firm deterrent to any serious outbreak between races.

The problem was in no sense an academic or fanciful one. It was vital and real. I discussed it frequently with Governor Poindexter and it was perhaps the most cogent reason for his action in declaring martial law. Once martial law was put into operation, the prime responsibility rested upon the military and there was no way in which the military could safely divest itself of that responsibility. If the military consented to the relinquishment of the more vital controls or the relaxing of them too far for prompt reapplication, the military would be certain to be charged with the responsibility for any disastrous upheaval of the civil population thereafter. Accordingly, come what might, it was incumbent upon the military to insist upon the retention of sufficient controls to assure the prompt handling of any civil uprising. Should higher authority direct otherwise, the responsibility might be shifted from the local commander to the higher echelon but any such shift should be by specific directive from the War Department. Clearly, any interdepartmental agreements would be of questionable legal protection to the local commander, General Emmons.

In the face of the existing situation, the War Department had two courses of action open to it. First, it could capitulate completely to the Interior Department, evacuate the Japanese either to one of the Hawaiian Islands or to the Mainland after the fashion of the West Coast

plan and then turn strictly to military business. Second, it could hand over the maximum concessions to the Interior Department which could be made and still retain sufficient control to insure the military safety and internal security of the Islands. Thus, there were brought up the same old questions and fixed more firmly than ever the attitude that the military could not give up anything of vital importance to military security. The first solution had many disadvantages. Of paramount importance was that it would amount to a failure to keep faith with the people of Hawaii who had fully supported every single request of the military. It would be expensive in the use of shipping which was still in short supply and it would be palpably unjust to the local Japanese. Furthermore, the Governor would get little, if any, cooperation from the public and the result possibly would be that the responsibility would fall back into the lap of the military which would then be forced to operate under a tremendous disadvantage. The injustice and the impracticability ruled it out. There would remain only the matter of compromising with the Interior Department as far as it could be done without injuring the national security.

Any such compromise would be unhappy at best because of the demonstrated ineffectiveness of the Governor. His attitude was such that regardless of compromise and firm agreements there would always be large areas of disagreement, argument, and complaint. The decision was one for the War Department. General Emmons and I were merely subordinates assigned to carry out any policy our superiors decided upon, but it seemed to me that there was very little choice but to accept the

second policy. It was no surprise to me, therefore, that the second policy was adopted by the War Department. It was decided that a series of conferences would be had with the interested Departments and an endeavor made to arrive at some compromise. I had firmly made up my mind that, in the light of previous experiences with our opponents, when we were finished with our deliberations this time, there would be a minimum of opportunity for our opponents to "welch" if the terms which they insisted upon turned out to be unfavorable to their point of view. To avoid any repetition of such allegations as were made after our first agreement in August, I determined to reduce to writing every single detail in order that there could be no evasion. This, of course, would not completely stop the inevitable complaints of misunderstanding, but it would at least discourage our adversaries by putting everything possible in the record.

On my previous trip to Washington I had conferred with Secretary Ickes and on that occasion he seemed interested in facts and quite cordial. After that time, apparently he had been fed so much propaganda by his subordinates from Hawaii and in his own office that at the time of the second conference it was well known that he had developed an extreme antagonism toward the Army and more especially toward me. For that reason I did not attend the first high level conference in Mr. Ickes office, this in the hope that some broad issues could be agreed upon and a start made toward some final agreement. At that first conference, Mr. Ickes opened the discussion with the statement, "The trouble with martial law is that it is too popular in Hawaii. It shows up our

administration in Puerto Rico and Alaska." Doubtless Mr. Ickes was intending to be facetious but the fact of the matter was that his dealings with Alaska and Puerto Rico had become embarrassing to him in comparison with Hawaii. Immediately thereafter the meeting developed into an acrimonious discussion at which nothing was accomplished except an agreement to "continue conferring."

After this meeting we reassessed the situation. We concluded that we were now faced with not only the Interior Department but the Department of Justice as well. The latter, up to that time, had only been a token party to the matter. It seemed to me that it was time for me to call up reinforcements. I turned to Colonel Archibald King who was not only one of the Army's foremost scholars but one of its most able lawyers as well. He was a man of sterling courage, integrity and intelligence, and besides all that he was one of the best legal draftsmen I have ever known. I considered myself lucky when he consented to join me. He was a very outspoken man which characteristic, at times, was very helpful, as it had the effect of bringing order to a controversy and holding debate to the issues. When he wrote something on paper, it was crystal clear beyond dispute and there was no going behind it. I could not have chosen a more suitable associate. As a matter of personal interest, Colonel King had followed rather closely our trials and tribulations in Hawaii and was remarkably well versed in our problems. Accordingly, it took only a few short conferences to bring him right up to date.

On the morning of December 14th, Mr. McCloy, General Emmons, Colonel King and I had a conference to determine what were the maximum in functions which we could relinquish without endangering the war effort, this regardless of any consideration of who could do these things most efficiently. In the afternoon, we four had a conference with Mr. Abe Fortas, Assistant Secretary of the Interior, Attorney General Biddle, and Governor Stainback. The latter had been irritated over something which occurred before the meeting and was difficult during the entire session. It seemed apparent to me that there was a deep cleavage between the Interior and Justice Departments on the one hand and the War Department on the other. The War Department was interested only in furthering the war effort, while the opponents seemed interested in regaining prestige which they considered had been lost to the War Department. For want of something better they referred to it as "civil rights." Occasionally they harped on the matter of jury trials, but we knew that they were not really interested in either of these matters because they knew as well as did we that jury trials at that time would be so dangerous as to be prohibitive. Proof of their true viewpoint was that they were very careful to insist that the prohibition against the issuance of the writ of habeas corpus remain in effect. To test the sincerity of their interest I suggested that the suspension against the writ of habeas corpus be lifted. This brought immediate protest.

In answer to a question, I pointed out that all military personnel, which then numbered several millions, were denied the right to trial by jury and that they seemed to be bearing up well under the suspension of

such right. This came as a surprise to our opponents who seemed to be thinking in terms of legal theory instead of practicalities. I pointed out also that our figures showed less than five per cent of those entitled to jury trials in Hawaii applied for them in peacetime. At this conference I thought that the Interior people were not quite sure in their own minds just what they wanted other than to regain prestige which they believed could be attained by taking something from the War Department. Emotional outbursts by Governor Stainback only served to confuse the issues. I concluded that the matter was going to be a difficult one to negotiate because the parties appeared to have a different set of values. Furthermore, I sensed that the irascibility of Governor Stainback was so extreme that Interior officials had something less than full confidence in him and his regime.

On the afternoon of December 14th I sat down with General Emmons and went over the whole matter, point by point, and got his decision on those upon which he would yield and those on which he would insist upon standing firmly. Long into that night Colonel King and I labored upon a draft of General Emmons' ideas and we came up with a paper which we termed his "ultimatum." Curiously, this paper contained substantially everything finally agreed upon after subsequent weeks of useless wrangling. Basically, it was that the primary interest of the military was to retain only that which was necessary to insure military security. Everything else should be turned over to the civil authorities to function under the "M Day Bill." We had been doing that from the beginning. However, under no circumstances could we afford to

yield to Interior or the local civil authorities matters vital to internal security.

The following morning Colonel King and I had a conference with Mr. McCloy and that afternoon Mr. McCloy and I conferred with Attorney General Biddle in his office. Several of his assistants were present. We went over the whole ground again and it was nearly evening when the conference broke up. Stainback and the Interior Department were not represented. The discussion was harmonious and without any heat whatever. Mr. Biddle was obviously trying to find some middle ground, but it was evident that although reasonable enough Mr. Biddle had no desire to tangle with Mr. Ickes. Apparently for that reason he was noncommittal and declined to take a firm stand.

The conferences went on endlessly at all levels and Mr. McCloy had me move into an office next to his where I would be available whenever he had time between other conferences. It will be recalled that Colonel Stimson, the Secretary of War, though fully alert mentally, was a man in advanced years. In order to spare his chief as much as possible, Mr. McCloy shouldered much of the onerous burden of prosecuting the war. He relieved his chief of the mass of details and unimportant problems. From my vantage point of being in the room next to Mr. McCloy, I was able to take lessons on how a top flight executive and his superior operated. Every important policy matter was decided only after consultation and conference with Colonel Stimson, and all unimportant matters were routed and disposed of in a manner which relieved the Secretary of War from that burden. The more I saw of Mr.

McCloy and his method of keeping his superior informed, the more I admired him. No man could have been more loyal and considerate to his superior. I was so impressed that thereafter I tried to pattern my relations with my superiors and with my subordinates after those of Mr. McCloy.

Mr. McCloy was truly a remarkable person. He was a man of superior intelligence. He had patience in abundance, he was easy to talk to and was invariably courteous. Whatever the justification for anger, he never lost his temper. He was always pressed for time but never failed to make subordinates feel that they had full opportunity to present their views. He had a remarkable memory, and his ability to assemble facts in juxtaposition was uncanny. Like most important persons, he was not without idiosyncrasies. He had one habit which was unique in my experience. When he was in deep thought, he had the nervous habit of tossing a pencil a short distance into the air and catching it in his hand. Some times he varied the procedure by tossing the pencil end over end. I have seen him do it endlessly and never miss. This practice seemed to relax him but it was very disconcerting to opponents, who were prone to watch the pencil in the expectation of seeing it fall to the floor. Although Mr. McCloy did not look at the pencil, it never failed to come to rest in his hand.

How he kept his finger on so many projects was a mystery to me. The problem which at times occupied my full attention was merely one of many which he had under consideration. There never were enough hours in the day to suit him. He worked early and late and everyone around

him did likewise. That was not a new experience to me, and to that extent I could go along with him. Although he was an exceptionally hard worker, Mr. McCloy was not without a fine sense of humor and whenever time permitted he enjoyed relaxation and at times a bit of fun. One Sunday, I arrived for work around seven o'clock in the morning and found Mr. McCloy already there. We worked on our problems until noon had come and gone and Mr. McCloy suggested that we take time out for a bite of lunch. We came out of his office on the second floor of the Pentagon which was practically deserted except for ourselves, it being Sunday. As we walked along the hall to find a stairway or an escalator to take us to the first floor where there was a restaurant, we spied an escalator which was coming up. Mr. McCloy asked me if I had ever run down an escalator which was coming up. I informed him that I had not. He said that he had not done so either but that it must be fun. With that, he suggested that we try it and I followed him into the escalator. Running down an escalator against its upward motion is really an unusual sensation and I found that it took quite a bit of speed to overcome upcoming stairway. By running full tilt we eventually managed to reach the bottom. Our noisy laughter had attracted the attention of a civilian guard who was there to meet us. He stopped us and gave us a lecture on safety regulations and informed us that we "might easily break our fool necks" and that he had half a mind to report us. With that, he let us go. We were both apologetic and repentant and moved away like a couple of boys who had been caught in a farmer's orchard. Mr. McCloy roguishly

shrugged his shoulders, shook his head, and grinned. I replied in kind and can still laugh about the experience even though I know the guard was right.

On December 16th I had a final conference with General Emmons in which we evaluated our entire situation. We had done our best to convince the Washington authorities of our point of view but it was obvious that some sort of compromise was going to be forced upon us regardless of the merits and the effect it would have. We would have to take a drubbing to save the faces of Stainback and Ickes and no useful purpose would be served in both of us taking a beating when one would suffice. Since the procedure before defeat would be long and drawn out, General Emmons decided that he would go back to fight his war and I would stay and do battle as long as it was necessary and then take whatever had to be taken. It was clear in both our minds, though neither of us made a point of it, that in all probability I would eventually be offered up in sacrifice. It was in the cards and inevitable. In consequence, General Emmons had a final conference with Mr. McCloy the next day, then firmly shook hands with me, and left for Honolulu.

The departure of General Emmons placed upon me the burden of carrying on what in military parlance is called rear guard action. By temperament and prior training as a cavalry officer, I was well fitted for the job. There followed many conferences with Interior officials of all ranks. Colonel King and I took them on, one after the other, but both they and we knew the matter would be settled at

a level much higher than ours and upon a political basis. At one point the Interior Department advocates suggested that martial law be continued in full force and effect under the administration of the Civil Governor, the Military Governor being a subordinate for carrying out the directives of the Civil Governor. The advocates soon fled from that point of view when I inquired what had happened to all their interest in "civil rights." It was one more indication that the real interest was not actually civil rights but a desire to regain prestige.

The Washington tussle had its repercussions in the Hawaiian press where the public was lead to believe that martial law was about to be revoked. The public reaction was swift and clear. The Honolulu Chamber of Commerce sent radiograms to the President, the Secretary of Interior, the Attorney General of the United States, the Delegate from Hawaii, the United States Chamber of Commerce, and even Governor Stainback, stating in unmistakable terms that it supported the position outlined by General Emmons. Other civic organizations such as the American Legion and many individuals poured in communications of the same tenor. An expert survey conducted about that time concluded that as of December 1942, the majority of civilians, as well as defense workers, were satisfied with martial law and would support it overwhelmingly, if permitted to vote on the subject. The survey also found that the efforts of Governor Stainback and Delegate Farrington did not represent the majority sentiments of the Islands. These facts had a sobering effect upon the negotiators but their force and effect

were somewhat blunted by the fact that no Washington official directly concerned in the issue, save only Delegate Farrington, was under any political responsibility to the electorate of Hawaii.

During the frequent lulls in the so-called "negotiations," I managed to keep busy on numerous other projects concerning the welfare of Hawaii. I had innumerable conferences with many Washington bureaus and in every instance found them cooperative and helpful. Some of the personnel I had known when I had previously served in Washington were especially courteous and helpful and everywhere there was an interest in furthering the war effort. Even the lower echelons of the Interior Department who were not concerned with the making of top policy were glad to lend a hand when they felt sure that such action would not be communicated to the top echelon.

Among the most important of such projects that I urged was that of convincing the Army Staff that it was missing a bet by not employing our Japanese battalion in combat against the Germans or Italians. It was already on the Mainland but at the moment it was not acceptable to the European Theater. I managed to interest Colonel Silverthorn in the proposition. He was on duty in the Intelligence Division of the General Staff and arranged for me to talk to groups of staff officers. I knew my piece well, having given it so many times. I urged that the troops were rugged men, extremely well trained, that they had every reason to fight well, and that I could guarantee that replacements to fill up the battalion would be forthcoming. I urged that it would give the Americans of Japanese ancestry a chance to prove themselves

and that if they did well, it would give Japan something to think about. Colonel Silverthorn was a very intelligent young officer with a tremendous push. It took both of these qualities to get the staff to agree to accept the Hawaiian Japanese Battalion for duty in Europe, especially since it had once been turned down. How Colonel Silverthorn succeeded I do not know. The only important thing is that it was accomplished. It is now a matter of history how well those Japanese troops conducted themselves and it was a source of great satisfaction to me to have had a part in giving these people a chance to prove themselves. Indirectly, this knocked the demand for evacuation of the Hawaiian Japanese in the head.

The negotiations in Washington rocked along with very little progress being made. A propaganda war ensued both in Honolulu and in Washington. The Washington representative of the Honolulu Star Bulletin issued periodic newspaper blasts both in Washington and in Hawaii. Mr. Farrington, who by now had been elected Delegate to the Congress from Hawaii, pulled out all the stops and seized upon the situation to assert that "military rule in Hawaii has been irksome" and "military rule is really detrimental to the war effort." Being a newspaper owner, he had no difficulty in getting his views publicized both in Washington and in his own newspaper in Honolulu. A Washington columnist got into the act with an article couched in his usual style. As to this article, the Honolulu Advertiser of January 13th said in part: "The specially prepared story of columnist Drew Pearson on Hawaii was inspired. It was widely published on the Mainland and drew an untrue picture of Honolulu

and the morale in the Islands. Did Delegate Farrington approve of it, or if he didn't, did he make any effort to correct its nonfactual statements and exaggeration? In his editorial 'Merry Go Round on Hawaii' his newspaper in Honolulu generally applauded it, with mild exceptions. Statements in the Mainland version, entirely false, were deleted for local publication."

And so the merry battle of propaganda went on.

Secretary Ickes and his cohorts took their case to the newspapers by interviews and statements. Governor Stainback made the news by being publicized as "smiling after a talk with FDR." All this pressure would be humorous if it were not in time of war and contrary to the wishes of the people in whose rights they professed to be interested. The views of Hawaii were expressed in unequivocal terms. This seemed only to serve to spur on the Interior Department to give the residents of Hawaii not what they wanted, but what the Washington bureaucrats believed was good for them.

A poll was taken by a newspaper on the Island of Hawaii on the question whether the public approved martial law. (Hawaii Times, 7 December 1942.) It turned up the amazing result that martial law was favored by a margin of ten to one. That blew the cover sky high for the time being, but it made no lasting impression on Washington.

Eventually, we succeeded in developing our negotiations into written exchanges in order to prevent a change of position from day to day. This suited me admirably as it would close the door to incessant complaints of misunderstanding. It could go on forever and,

at times, it seemed as if it would. All of our differences could have been settled in one day of discussion if we could free it from animosities but that seemed almost impossible as the Interior conferees appeared to be more interested in venting spleen on the Army than in settling anything. On one occasion, one of the conferees informed me that he "would rather see the Japs have Hawaii than the Army." Having to sit through negotiations in the face of such silly remarks was trying.

On January 8, 1943, I had a long conference with Mr. McCloy which ended about 7:00 P.M. We went over each detail and he decided that we had reached a point where we could agree with the other conferees. It met with nearly everything General Emmons had specified in his "ultimatum" and it was the very best we could do. Mr. McCloy directed me to draft the final agreement, after which my job would be done. At that time he told me that he was very sorry to inform me that he was being compelled to have me "walk the plank," that I was to go back to Hawaii when my job in Washington had been terminated and stay there a reasonable time, and then get another assignment. I have always felt that it hurt Mr. McCloy more than it did me because it was a pretty low blow. I informed Mr. McCloy that it was not unexpected because it was in my mind when General Emmons left, that my tour of duty in Hawaii was about finished and that it was all in a day's work with me anyway. He did not inform me of the details and I did not ask for them. The facts were, however, that Secretary Ickes had gone to President Roosevelt, who in turn had issued an appropriate directive to General Marshall, the Chief of Staff of the Army. The move was

instigated by Governor Stainback whose vanity had been bruised. Presidents had removed smarter officers than I ever was for purely political reasons, and this was no surprise to me. As a matter of fact, while it was the intention of Stainback to damage me, it so happened that the change did me a great service.

Colonel King and I went about concluding our job, very happy in the expectation that the useless grind would soon be over. I made certain that the agreement was ironclad and that future complaints would be extremely difficult. We submitted our draft to Mr. McCloy on January 11th, and I managed to have final action held off until I got the approval of General Emmons. It was forthcoming in short order and on January 18th all parties signed agreements on proclamations which were to be issued on March 10th. The drafts of proclamations were submitted to the President for approval, the letter of transmittal being signed by the Secretaries of War, Justice, and Interior. Peace treaties between nations have been settled with less formality. It was pointed out that the effect of the agreement was to leave unchanged the status of martial law and suspension of the writ of habeas corpus, to restore certain civil functions to the civil authorities, but there was included an all important provision whereby the military might reclaim any and all controls should any emergency require it.

The wording of the agreement was such as to give the impression that considerable concession had been wrung from the military, but this was largely verbiage designed to placate the injured feelings of Ickes and Stainback and help restore their lost prestige. Actually, stripped

to its essentials the agreement was in substance what had been suggested by General Emmons at the beginning of our tussles.

It was snowing when I left Washington and weather conditions making flying connections dubious, I chose rail transportation to the West Coast. In the relatively cloistered seclusion of the train, I took occasion to review all of the steps taken by both sides in the two long months which had just passed. It was a useless waste of valuable time and added nothing to the war effort. I suppose, however, that it was democracy in action. The only consolation I could get from the whole affair was that I was grateful that our military proficiency was in control of men like MacArthur, Nimitz, and Emmons, and not in the hands of petty politicians and their satellites.

CHAPTER XXXI

Aloha Hawaii

The fact that I was to be relieved in a few months did not in any way reduce my duty to keep battling for our side until I was actually reassigned. I arrived in San Francisco much refreshed by my few days' rest on the train and ready to transact Hawaiian business in that city. I made my official calls on the Commanding General Sixth Corps Area and the Commandant Twelfth Naval District and that cleared the decks for the business at hand. My first call was on Mr. Clevenger, representing the Federal Surplus Commodity Corporation. It will be remembered that it was his organization which guaranteed for us the procurement of twenty-five articles of staple food. This was one of the most important contributions to the welfare of Hawaii because it insured that we would not starve. It was that helping hand which permitted us to go forward with hope for better times, which we eventually succeeded in attaining. This call was merely to iron out whatever minor problems still existed. I also called upon Mr. Fair, who represented the War Production Board, a most powerful war emergency board which was of tremendous assistance to us. The activities headed by Messrs. Clevenger and Fair were world-wide, and Hawaii was an infinitesimal portion of their area. Nevertheless, both gentlemen were very helpful to us. I came to thank them for their assistance and, as usual, I wanted something additional. I have now forgotten what it was, but asking for more was routine in those days, and the two gentlemen named always strived to accommodate us. One

of the reasons that our relations with such executives were always good was that we knew precisely what we wanted, had the figures to back up the necessity for our requests and furthermore, we asked for only what we needed.

On the next day I attended a conference of West Coast shippers. A luncheon was given at the famous Pacific Union Club by Mr. Bailey, President of the Matson Steamship Line. Among those present were Mr. Lewis Douglas of Arizona, then head of the War Shipping Board, Admiral Gross, representing the Navy, Admiral Calhoun, a warm personal friend of mine, who was the Navy Supply Officer for the Pacific, George Baker, George Montgomery and others of importance in the West Coast shipping industry. Every one of these men was a determined and efficient shipping man. All of them met to make sure that they obtained their fair share of shipping, which at that time was still in very short supply. There was intense competition between the interests that all of us represented and we all pugnatically insisted on our full rights. However, the thing that impressed me at the time and has remained in my memory was that when the Army and the Navy set up their actual minimum requirements, our civilian competitors, without exception, accepted our figures without argument or question. There were never any remarks about giving up civil or personal rights. They all wanted to stay in business and make a profit, but to every single one of them, the matter of paramount importance was to win the war. To engage in negotiation with these strong men was indeed a pleasure, not that I got everything that I asked for, but because the negotiations were straightforward and frank. We settled

our business at that one meeting which took only the better part of an afternoon. After my recent experience in haggling with the personnel of the Interior Department, dealing with these rugged shipping people was a great relief and a pleasure.

I hurried along to finish up my business, and on January 31st started on the last leg of my journey back to Hawaii. Since my arrival in San Francisco, I had been staying at the home of a friend of more than thirty years standing, Colonel Olaf Winningstad, who was stationed at the Presidio of San Francisco. He was an ordnance expert who was on duty at the Sixth Corps Area. About 5:45 on the evening of January 31st, we shook hands and said our goodbyes and I boarded a flying boat bound for Hawaii. The only other passengers were Vice Admiral Calhoun, United States Navy, and Vice Admiral Helfrish of the Royal Dutch Navy. We were loaded heavily with airplane parts. The trip was uneventful until about 12:30 a.m. At that time we were about 1100 miles over the Pacific Ocean. One engine quit but did not burn. It was as dark as pitch but we could tell that we were losing altitude rapidly. The two admirals and myself decided that there was nothing we could do about the situation except to obey promptly the directives of the assistant pilot, a young lieutenant. This we did to his apparent satisfaction. All we could do was to trust in the skill of the pilot and, fortunately for us all, he had what it took, because we managed to level off at a low altitude; and since we were 1300 miles from Hawaii and only 1100 miles from San Francisco, we turned around and made for that city. When things had calmed down a little I heard Admiral Calhoun quip, "It is lucky that we do not own

this airplane." We three chuckled and hoped for the best. With no further trouble, we limped into San Francisco Bay, our starting point of the night before, at about 6:45 a.m.

I thought it would be a good joke on my old friend Colonel Winnigstad, if I went to his house and called at his door. It seemed like a fine joke to me but it was not to him. He had seen me climb into the airplane the night before and set out for Hawaii. Here I stood, either me or my ghost. Winnigstad looked so astonished that I realized that it was a poor joke. At 7:50 p.m. that same night, the same plane, with one new engine and a new crew and the same three passengers, took off for another try at it. This time we "got over the hump" as the half-way mark was called and came in to Honolulu on schedule. As day broke I was sitting in the co-pilot's seat as we bounced along on top of a cloud bank. As the sun broke through, the sight was wonderful and, to myself, I wondered if that was anything like the pleasant way one galloped into heaven. The clouds suddenly cleared and with it came a burst of machine gun fire from several Army combat planes demanding the code signal which would let us land. I could not help thinking back to December 7th, 1941, a year before, when things were so different. We landed in a few minutes and I was on my way to report to my superior, General Emmons.

I began making plans for the changes which were scheduled to take place on March 10th in accordance with the Washington agreement. While so engaged, General Emmons informed me that he wished me not only to comply strictly with the specific terms agreed upon in Washington but to go further and turn over to the civil authorities every possible function which was not essential to military security. He said that it

was a calculated risk but that he desired that it be done at this time. He well knew that the heads of the various sections resented the proposed change over and would resist working under the new regime. Nevertheless, he directed me to "get it done and make it work so that we will not have any of it back on our hands." That was a large order to accomplish but an order is an order especially when given by General Emmons and so we went at the task at once.

When we had formulated our plans I called in the civilian heads of the various departments and informed them of what we proposed to do. As expected, there was major objection but I informed them that the die was cast and that regardless of their personal views they must make the new setup work because if it failed, the Hawaiian people and not the politicians would suffer. In some cases it was hard to sell them on certain details, but in common with all successful Hawaiian businessmen, these leaders were practical people who had learned to live with that which they could not change. In some cases it would be necessary to continue military support. In those cases it was promised that it would be forthcoming on a strictly confidential basis in order not to offend the new regime. Eventually all necessary arrangements were completed to comply with the directive of General Emmons and we were ready to proceed.

In order to prepare the press, and through it, the public, for the proposed change over, it was mutually agreed upon that a press conference be had with General Emmons and Governor Stainback as principals. Such a conference was had and it was well attended. Both principals issued press releases at this time in the hope of making the change over without

incident or too much friction. At the ensuing personal press conference, General Emmons answered all questions posed to him in his usual straightforward manner, and it was clear to be seen that he was well prepared and had complete knowledge even to some minute details. As always, he was courteous and accurate in his statements. In contrast, Governor Stainback did badly. Either he was afraid to enlighten the public as to his future plans or he did not know how to cope with the situation. His refusal to be frank had an adverse reaction in the minds of the press. They demonstrated this by the character of their questions which were unfriendly in tone.

Immediately the press conference was completed the reporters converged on my office in an effort to learn what the Governor had in mind for a program. I did not know and I refused to be drawn into any conjectural views, saying that the whole matter had been decided in Washington in detail and that I was sure that it would work out. The press seemed unimpressed with Governor Stainback's factual knowledge of the situation. One of their number remarked that "the Governor demonstrated that he knew nothing from nothing."

Dozens of people came to my office to say that they regretted that any change in controls were going to take place. Many of these callers were important, thinking people who foresaw the difficulties that were certain to follow in the path of any relaxation and uncertainty of action. I reassured all who came that it might take a little time but that I felt sure that with public support it would straighten out satisfactorily. That part of labor relations which it was contemplated would

be administered by civil control from the date of the change over immediately began to show some signs of deterioration when the news was made public. There were other indications that the policy of General Emmons in making the change over work was going to take a bit of doing. Well-wishers continued to come into my office in throngs. I informed them all that the matter had been decided in Washington and that General Emmons was going to make the deal work and that he was counting on their continued cooperation. Some callers were none too happy with that thought but it was the best we could promise. Others were truly belligerent in their attitude. One man from Maui came in to say that he was sorry to see any change in the martial law situation and said that he was going to "tell off the Governor." I tried to dissuade him but he stormed out and headed for the Governor's office. He looked as if he would be a real match for Stainback, and I am sure that it was a lively conference.

Public sentiment clearly indicated that the prospective change was unpopular and many were worried as to the success of the venture. Unrest sprung up in the public utility field. The basic reason for it was declared to be that the employees felt that the labor policy of Governor Stainback would be slanted against them. I had no knowledge of any basis for such a view, but it soon became evident that this vital situation was going to cause major trouble and that it would be the forerunner of other labor troubles. The plantation people and other large employers were perplexed and somewhat worried by the possibility of contending with dual controls. Clearly, labor difficulties were in the offing.

While engaged in our efforts to make the new order of things work, I got a tremendous lift from unexpected sources. Among the first of them was an unsolicited letter from Judge D. E. Metzger, the senior Federal Judge of the Territory of Hawaii. I suppose that everyone in Hawaii was affected by the operation of martial law in one way or another and their viewpoints were doubtless colored by their personal experiences. Persons of all walks of life were subjected to controls and when they impinge on the private rights, the opinions of the individuals were affected accordingly. Of all the people in the Territory, it is probable that Judge Metzger attempted to remain neutral since it was obvious that sooner or later the matter of the legality of martial law would come before him for official decision. His letter of March 4, 1943, was therefore of more than usual interest. In that personal letter, Judge Metzger stated that in the beginning he had some misgivings concerning martial law and its ability to preserve rights under existing laws. As to this he wrote:

"I am not saying that all of these fundamental laws have been fully adhered to, but I will say that you have done mighty well---

* * * *

"I am glad to tell you General Green, that I consider your performance a splendid and able piece of work, work which only one man in thousands would have performed so well and fine. I doubt if you ever worked harder or longer hours than you have in the past fifteen months, but you did it cheerfully and without grumble. In the language of the day, you have 'done a swell job.'"

I had hoped to move on to my new assignment unnoticed, but news of my reassignment leaked out and the public reaction was astonishing. The Hawaiian people are very strong in their loyalties and are quick to assert their feelings on public matters. They strongly favored martial law and cordially resented the appointment of Governor Stainback and his attitude toward martial law. They connected my relief with his appointment and, although they were correct in this assumption, their reaction was unexpected. Dozens of people from all walks of life came to wish me well. Their sincerity was beyond question because none could possibly profit or gain any advantage from such action. There came a deluge of commendatory letters from Fleet Admiral Nimitz and the Navy "brass," the clergy and just about everyone who represented large and small business. There were innumerable letters from people who represented only themselves and who wished to go on record as supporting the military. My thick file of such letters reads like "Who's Who in Hawaii." Both branches of the Territorial Legislature converged and passed legislation extending the thanks of the Legislature to me. Each branch sent copies of the resolutions to the War Department and formally presented copies to me. The County of Honolulu passed a resolution after the fashion of the Territorial Legislature. Territorial Senators and Representatives came in groups and individually to wish me luck. Ex-Governor Poindexter and Mayor Petrie of the City of Honolulu called in person to express their thanks. Judges and lawyers also came in large numbers. The Honolulu Advertiser published a laudatory editorial on April 2, 1943, which took me aback. All of this demonstration of goodwill was extremely

flattering and greatly appreciated, but of greater value to me was a letter from my superior, General Emmons, which to me is priceless:

Headquarters Hawaiian Department
Office of the Department Commander
Ft. Shafter, T H

Subject: Commendation

1 April 1943

TO: Brigadier General Thomas H. Green, AUS
Executive to the Military Governor
Iolani Palace, Honolulu, T.H.

1. Upon completion of your duties as Executive to me as the Military Governor of the Territory, and upon your impending return to continental United States for an emergency military assignment, I want to express to you my deep personal appreciation of your services. You have been loyal, highly intelligent and have assisted unstintingly in administering martial law in the Territory of Hawaii since the 7th of December 1941, until this date. I commend you officially for the performance of your tasks in such a superior manner as to reflect great credit upon the Army and upon yourself.

2. As Department Judge Advocate you prepared with great initiative and skill detailed plans to meet the situation which actually confronted the Territory on December 7th, 1941. Thereafter as Executive of the Military Governor, you were charged with the manifold duties of organizing the Office of the Military Governor and conducting its affairs. The great success with which you have attained under unprecedented circumstances and your accomplishments are recognized by Army and Navy personnel and are well known also to Federal officials who have served here, to the officials of the civil government and to the entire people of Hawaii. I am confident that when the full story of your accomplishments in Hawaii is written it will reveal you as an honest, fair, able, patient and competent administrator who established an unusually successful record. You have the great satisfaction of knowing that you leave behind a great multitude of sincere friends and well wishers.

Delos C. Emmons
Lieutenant General, U. S. Army
Commanding

On April 2, 1943, General Emmons called a press conference to announce officially that I was being reassigned to the Mainland. The public was invited and it seemed to me that all in Who's Who in Hawaii were there. General Emmons made a very flattering formal statement and then the press took over. In a very friendly and good-humored way the press twitted me concerning some of the embarrassing moments during my service as Executive to General Emmons and then asked me to give a resume of the history of martial law. I did so briefly, referring to the most famous case in our history, namely, that of General Andrew Jackson, at New Orleans. Dick Haller, who represented the International News Service, and who was considered the unofficial dean of the correspondents, asked the question, "General, who was the Governor of Louisiana at that time?" I did not remember his name and no one else in the room did either. That brought a hearty laugh. Mr. Haller quipped, "But we all remember General Jackson, don't we?"

On April 3rd, I sailed away from Hawaii on the SS Lourline which traveled without convoy of any kind. I felt certain that General Emmons would soon follow me because his job, like mine, in Hawaii, had been completed. With me as passengers were 2800 soldiers of Japanese ancestry who were replacements for the all Japanese American 442nd Infantry Battalion which was soon to do so well in combat. As I looked back over the ever-widening azure water to the strategic kingdom of King Kamehameha, King Kalakeua and Queen Liliokulani, I felt that General Emmons deserved a place in the Valhalla of the great Hawaiian leaders.

Hawaiian legend has it that when leaving Hawaii, if a traveler drops overboard a lei, and the lei floats to the shore, he is destined to return. As our ship passed Diamond Head, I waved Aloha and cast overboard my best lei, hoping some day to return.

CHAPTER XXXII

The Aftermath

General Emmons continued to administer martial law until June 1, 1943, when he was relieved and assigned to command the Aleutian Combat Command. His successor was Lieutenant General Robert C. Richardson, Jr., who was affectionately known by the sobriquet of "Nellie" by his classmates and thousands of former cadets at the United States Military Academy where he was Commandant of cadets for some years. General Richardson was an experienced administrator of proven ability. Colonel Morrison, one of my able assistants, was promoted to brigadier general and was assigned as Executive. Except for appropriate and helpful changes, the policies of General Emmons were continued. In view of the success of our military forces on the land, the sea and the air, the threat of invasion and air attack on Hawaii, though possible, was becoming increasingly remote. Accordingly, every effort was made to relax the irksome restrictions on the Hawaiian public consistent with security.

The local population and big business recognized the necessity for continuation of reasonable but diminished security measures and continued to support martial law, while adopting a way of life commensurate with the times. Tension between the Stainback administration and the martial law authorities continued to smolder but with somewhat reduced intensity. Things rocked along in an uneventful manner until a rupture occurred when General Richardson and Judge Metzger, the senior Federal Judge, arrived at an impasse as to jurisdiction. The

general and the judge each issued directives indicating that each had jurisdiction over the other. The controversy raged until the Department of Justice attempted to mediate the dispute and sent a representative from Washington to Hawaii for that purpose. General Richardson had some reservations concerning the neutrality of the mediator but nevertheless agreed to negotiate. With considerable effort, the mediator managed to persuade the parties to agree to withdraw their directives. The thought behind the agreement, at least to General Richardson, was that both sides would withdraw and that the controversy would then disappear. To his surprise, after the agreement was consummated, the judge adjudged General Richardson in contempt of court and fined him a sizable amount. Thereafter, the military authorities in Washington countered by urging, successfully, that General Richardson receive a Presidential pardon.

The incident was unfortunate and was one of a number of minor controversies which indicated the growing public impatience with the continuation of restrictions which, from a military standpoint, seemed to be still essential to security. These incidents were not lost on the local politicians who took full advantage of each one to polish their political image. Nevertheless, martial law rocked along in a reduced form until October 24, 1944, when after nearly three years of operation, it was terminated by a Presidential Proclamation on that date. It had served its purpose admirably well, and probably no other substitute would have sufficed.

The public reaction to the operation of martial law in Hawaii may be gleaned from an editorial which appeared in The Garden Island, a newspaper published in Lihue, Kauai, in 1945, when martial law was under attack by a Washington columnist. A portion of the editorial read as follows:

"Military Government Ends.

"December 1 marked the formal ending of military government in Hawaii. Born of war, the Territory's experience of military rule was unique. Some of its phases were painful, possibly unnecessarily so. Others then, and even in retrospect, appear to have been of incalculable value to both the nation and to the people of the Islands.

"Since the war is at an end we learn from outsiders who did not share the experience that we were a terribly abused people, enslaved to the whim of dictatorial authority. Maybe we were. But at the time it was a slavery that had a comfortable and compensating feeling of security that we would not willingly have gone without.

"So it is with sincerity that we offer our aloha to the men and women who, entrusted with trying responsibilities of applying strange procedures in a time of emergency, did their best and made a good job of the effort."

The legality of martial law in Hawaii came under scrutiny very early in the war in the case of Hanz Zimmerman. For a considerable period before the attack on Pearl Harbor, the FBI had under observation a large number of persons who for one reason or another were considered as possible subversives. Immediately after the attack all such persons were taken into custody and were promptly brought before civilian hearing boards for recommendation as to whether they should be detained. Hanz Zimmerman was one such. German born,

Zimmerman, a naturalized citizen, had made certain trips to his native land and was reported to have had made many public utterances which the FBI considered as indicating that he was a possible subversive. At his hearing before the Hearing Board, Zimmerman testified and presented witnesses on his behalf. The FBI presented its case against him. Thereafter, the Hearing Board recommended that Zimmerman be detained.

As in all cases where detention was recommended, in addition to the reviewing process provided, I personally reviewed the evidence against Zimmerman. He was a naturopath who practiced his profession in Honolulu. Among his clients were persons of prominence, including Judge Metzger who interceded for Zimmerman and assured me that he believed Zimmerman was fully loyal to the United States. I conferred with Judge Metzger on the matter several times. As I reviewed the evidence against Zimmerman it seemed to me that the adverse conclusions as to his loyalty were based on circumstantial factors concerning which the FBI was best qualified to judge. I discussed the case with Mr. Shivers, the agent in charge of the FBI, on several occasions. He took the view that although the case against Zimmerman was based on circumstantial matters and perhaps weak, he had concluded that Zimmerman was potentially dangerous to the security of the Islands. I brought the matter to the attention of General Emmons who agreed that the evidence against Zimmerman was circumstantial but decided to follow the recommendation of the Hearing Board. Zimmerman was ordered detained.

Subsequently, Mrs. Zimmerman retained Mr. Frank E. Thompson, one of the most outstanding and respected lawyers in Honolulu, to attempt to gain the release of Zimmerman. Mr. Thompson was well and favorably known to me. We discussed the case several times. Mr. Thompson called my attention to the fact that Judge Metzger had every faith in the loyalty of Zimmerman and that both believed that "Zimmerman's trouble was that he talked too much." After a further conference with Mr. Thompson I went back to see Mr. Shivers, but his views remained unchanged. Mr. Thompson pointed out that although he favored martial law in Hawaii his only remedy to protect his client's interests was to test the validity of martial law in the courts. I knew that to be so and offered no objection to having the legality determined. After a further conference, on February 19, 1942, about two months after the declaration of martial law, Mr. Thompson filed a petition in Judge Metzger's court on behalf of Mrs. Zimmerman in which he raised the question of the validity of martial law and asked that Zimmerman be released on habeas corpus proceedings.

Judge Metzger apparently believed in the loyalty of Zimmerman, but as a matter of law he felt impelled to deny the issuance of the writ of habeas corpus. After the decision to that effect, Mr. Thompson came to see me concerning the prosecution of an appeal from Judge Metzger's decision to the 9th Circuit Court in San Francisco. I believed that it would be of value to have the validity of martial law settled once and for all and with the approval of General Emmons I arranged for transportation for Mr. Thompson and his local associate from Honolulu to San Francisco.

The case was heard and decided in the 9th Circuit Court of Appeals (Zimmerman v. Walker, 132 F.2d 442) on December 14, 1942. The array of counsel on both sides was stupendous. They included the Solicitor General, Charles Fahey, the War Division, Attorney General's Office, Edward J. Ennis, U. S. Attorney for Honolulu, Mr. Angus Taylor, and several assistants to each. By special arrangement I was able to have Colonel Archibald King, JAGC, represent General Emmons and me. A battery of representatives of the Civil Liberties Union appeared amicus curiae. Also, Mr. Earl Warren, the Attorney General of California, and Mr. Herbert Wenig, his assistant, appeared amicus curiae. It should be remembered that at that time California was urging the detention of all persons of Japanese ancestry on the West Coast.

In upholding the validity of martial law in Hawaii, the court said, in part:

"It is settled that the detention by the military authorities of persons engaged in disloyal conduct or suspected of disloyalty is lawful in areas where conditions warranting martial rule prevail. Measures like these are essential at times if our national life is to be preserved. Where taken in the genuine interest of the public safety they are not without, but within, the framework of our Constitution."

Thereafter, Mr. Thompson consulted with me with a view to taking an appeal to the Supreme Court but to the distress of all concerned, he died before he could arrange for such an appeal. This was unfortunate because the world lost a brilliant lawyer and there being no successor or associate willing to undertake the appeal at that time, the matter of the validity of martial law, for the time being, rested with the decision of the 9th Circuit Court in the case.

In light of the decisions of the Supreme Court in the Hirabayashi (Hirabayashi v. United States, 320 U.S. 81 (1943)) and Yasui (Yasui v. United States, 320 U.S. 116 (1943)) cases, which sustained the constitutionality of the action of the President under which Americans of Japanese ancestry on the West Coast were arrested, transported to detention camps and confined therein, there seems every reason to believe that had the Zimmerman case been appealed to the Supreme Court in due course, the views of the 9th Circuit Court would have been followed.

Between December 7, 1941, and February 25, 1946, several cases involving the emergency powers of the President and Congress in time of war came before the United States Supreme Court. The first of such cases was Hirabayashi v. United States, supra. The essential facts in this case were as follows. On December 8, 1941, one day after the bombing of Pearl Harbor by the Japanese Air Force, Congress declared war against Japan. On February 19, 1942, the President promulgated Executive Order No. 9066. The order recited that "the successful prosecution of the war requires every possible protection against espionage and against sabotage of national defense material, national defense premises and national defense utilities"

By virtues of authority vested in him as President and as Commander in Chief of the Army and Navy, the President purported to "authorize and direct the Secretary of War, and the Military Commanders whom he may from time to time designate, . . . to prescribe military areas in such places and of such extent as he or the appropriate military authorities may determine, from which any and all persons may be excluded"

On February 20, 1942, the Secretary of War designated Lieutenant General J. L. DeWitt as Military Commander of the Western Defense Command "to carry out there the duties prescribed by Executive Order 9066"

On March 2, 1942, General DeWitt promulgated Public Proclamation No. 1. After declaring the area a geographical location "particularly subject to attack," the proclamation stated that "such persons or classes of persons as the situation may require" would by subsequent proclamation be excluded from certain areas. The areas included the southern part of Arizona, all the coastal region of the Pacific Coast states.

The War Relocation Authority was created by Executive Order of the President (No. 9102, dated March 18, 1942) for the purpose of effecting a program for the removal, relocation, maintenance, and supervision of persons designated by Executive Order No. 9066.

On March 24, 1942, General DeWitt issued Proclamation No. 3, which required "all alien Japanese, all alien Germans, all alien Italians, and all persons of Japanese ancestry residing or being within the geographical limits of Military Area No. 1, to be within their place of residence between the hours of 8:00 P.M. and 6:00 A.M." Then followed Civilian Exclusion Orders which excluded all persons of Japanese ancestry from a specific portion of certain military areas. There followed orders for the evacuation and resettlement of all of Japanese ancestry.

The plaintiff, Hirabayashi, an American of Japanese ancestry, admitted failing to obey the curfew order. At his trial he contended that the orders of the military commander were unconstitutional because the Fifth Amendment prohibits the discrimination made between citizens of Japanese descent and those of other ancestry. He was convicted and sentenced on two counts.

In a unanimous opinion by the Supreme Court, the conviction was upheld. In its opinion the Supreme Court noted that the attack on Pearl Harbor was made at the very hour when Japanese diplomatic representatives were conducting negotiations with our State Department, that reasonably prudent men charged with the responsibility of our national defense had ample ground for concluding that they must face the danger of invasion, that the challenged orders were defense measures and were at a time of threatened air raids and invasion by the Japanese forces and from the danger of sabotage and espionage and that the curfew was a proper protective measure.

In a concurring opinion, Mr. Justice Rutledge said: "Given the generating conditions for exercise of military authority and recognizing the wide latitude for particular applications that ordinarily creates, I do not think it is necessary in this case to decide that there is no action a person in the position of General DeWitt here may take, and which he may regard as necessary to the regions or the Country's safety, which will call judicial power into play. The officer of course must have wide discretion and room for operation"

In the companion case of Yasui v. United States, supra, decided in 1943, one Yasui was convicted and sentenced to one year imprisonment for having violated the curfew law. Yasui was born in Oregon in 1916 of alien parents. When he was eight years old he spent a summer in Japan. He attended the public schools in Oregon and also about three years as a student at the Japanese language school. He later attended the University of Oregon from which he graduated with A.B. and LL.B. degrees. He was a member of the bar of the State of Oregon and a second lieutenant in the United States Infantry Reserve. He was employed by the Japanese Consulate in Chicago but resigned on December 8, 1941, and immediately offered his services to the United States military authorities. He discussed with an agent of the FBI the advisability of testing the constitutionality of the curfew law and then violated it and requested that he be arrested in order to test the constitutionality of that law. The United States Supreme Court sustained the conviction (320 U.S. 115, decided June 21, 1943). Such was the judicial attitude of the Supreme Court in 1943.

The next case to come to the attention of the Supreme Court on this subject was Ex parte Endo (323 U.S. 283, decided in 1944). This case involved a citizen of Japanese ancestry who was held in a relocation center after having been evacuated from Sacramento, California, in 1942 under an exclusion proclamation. She was removed to Tule Lake Relocation Center in central Utah and when the case was heard was detained in the Central Utah Relocation Center. There was no question presented as to the citizenship or the loyalty of the petitioner. The

only issue was delay in determining whether she should be permitted to go to the place she preferred which was outside the exclusion area. The Court held that the power to detain a concededly loyal American citizen may not be implied from the power to protect the war effort against sabotage and espionage. The Court concluded that the Relocation Authority was without authority to subject to its leave procedure a concededly loyal and law abiding citizen. This case was decided on October 12, 1944.

The principles here under consideration next came before the Supreme Court in the case of Korematsu v. United States (323 U.S. 214, decided in 1944). The petitioner, an American of Japanese ancestry, was convicted in a Federal district court for remaining in San Leandro, California, contrary to an exclusion order. Among other contentions, the petitioner urged that the exclusion order prohibiting him from remaining in his home was unnecessary, and that by May 1942 when the exclusion order was promulgated, all danger of Japanese invasion of the West Coast had disappeared. In answering this assertion, the Court said, "After careful consideration of these contentions we are compelled to reject them." In the majority opinion written by Mr. Justice Black, it was stated, "There was evidence of disloyalty on the part of some. The military authorities considered that the need for action was great, and time was short. We cannot-- by availing ourselves of the calm perspective of hindsight--now say that at that time these actions were unjustified." The legality of the exclusion order was sustained by a majority of the Court, but there were dissenting views.

Mr. Justice Roberts dissented, stating that exclusion went further than curfew and that it was a violation of the constitutional rights of the defendant.

Mr. Justice Murphy dissented and asserted that "this exclusion of all persons of Japanese ancestry, both alien and non-alien from the Pacific Coast area on a plea of military necessity in the absence of martial law ought not to be approved. Such exclusion goes over 'the very brink of constitutional power' and falls into the ugly abyss of racism.

"In dealing with matters relating to the prosecution and progress of a war, we must accord great respect and consideration to the judgment of the military authorities who are on the scene and who have full knowledge of the military facts

"At the same time, however, it is essential that there be definite limits to military discretion, especially where martial law has not been declared"

Mr. Justice Jackson also dissented, saying: "Korematsu was born on our soil of parents born in Japan. The Constitution makes him a citizen of the United States by nativity and a citizen of California by residence. No claim is made that he is not loyal to this country. There is no suggestion that apart from the matter involved here he is not law abiding and well disposed"

Mr. Justice Jackson also pointed out that had Korematsu been of German or Italian heritage he would have committed no crime. He went further and said: "It argues that we are bound to uphold the conviction of Korematsu because we upheld one in Hirabayashi v. United States

(320 U.S. 81), where we sustained these orders insofar as they applied to a curfew requirement to a citizen of Japanese ancestry. I think we should learn something from that experience."

After the Zimmerman case was decided by the Ninth Circuit Court in Zimmerman v. United States, on December 14, 1942 (Zimmerman v. Walker, 132 F.2d 442), the specific issue of the legality of martial law in Hawaii remained dormant for nearly three years when it again came before the same court on November 1, 1944, in the cases of Duncan v. Kahamamoku and White v. Steer. Both cases arose from an appeal from the U. S. District Court in Hawaii sustaining a petition for the writ of habeas corpus and ordering the discharge of the prisoners.

In the White case, the petitioner, on August 20, 1942, while engaged as a broker in Honolulu, was tried, convicted, and sentenced by a Provost Court in Hawaii upon charges of having violated Chapter 1831, Revised Laws of Hawaii, 1935 (embezzlement). On April 15, 1944, he filed a petition for release on habeas corpus.

In the Duncan case, the petitioner, a civilian employee of the Navy at Pearl Harbor, was on February 24, 1944, convicted of having committed an aggravated assault on two marine sentinels while on duty at the main gate and was sentenced to six months' confinement.

In sustaining the declaration and operation of martial law in Hawaii, the Ninth Circuit Court said: "We intimate no criticism of what was done. Without doubt Governor Poindexter, the President and the Generals in command proceeded in the bona fide belief that the establishment of complete military rule was a course dictated by

necessity. Nor are the courts entitled to set themselves up as boards of strategy to judge, after the event, whether the belief was warranted by the emergency (*Hirabayashi v. United States*, 320 U.S. 81, 93). Certainly they may inquire no further than to consider whether the executive proceeded on reasonable grounds."

In passing, the court said: "There is nothing in the showing made in either of these cases which would warrant release on habeas corpus grounds having to do with the fairness of the trials in the provost courts. Nor did the court below make any findings of unfairness in the conduct of the trials. The writs should have been discharged and the petitioners remanded to custody."

The Duncan and White cases were appealed to the U. S. Supreme Court and were decided on February 25, 1946. The decision was rendered more than three years after martial law in Hawaii had been instituted and approximately a year after it had been terminated by a Presidential proclamation dated October 27, 1944.

A majority of the Court held that the petitioners, Duncan and White, were unlawfully tried, convicted, and imprisoned by military tribunals in Hawaii during a period of martial law when the privilege of the writ of habeas corpus had been suspended and were entitled to their freedom on writs of habeas corpus--at least after the privilege of the writ had been restored.

The opinion of the majority was written by Mr. Justice Murphy. Among the reasons cited for the decision, the opinion recited the fear and "opposition to the kind of subordination of executive,

legislative and judicial authorities to complete military rule which according to the Government, Congress has authorized here. In this country that fear has become a part of our culture and political institutions and abhorrence of military rule is ingrained in our form of government. Those who founded the nation knew full well that the arbitrary power of conviction and punishment for pretended offenses is the hallmark of despotism.

"There can be no question but that when petitioners White and Duncan subjected to military trials on August 25, 1942, and March 2, 1944, respectively, the Territorial Courts of Hawaii were perfectly capable of exercising their normal jurisdiction had the military allowed them to do so In short, the Bill of Rights disappeared by military fiat rather than by military necessity

"There is no evidence of disorder in the community which might have prevented the courts from conducting jury trials"

The majority opinion went on to say that there was no recorded acts of sabotage, espionage or fifth column activities by persons of Japanese descent in Hawaii on and after December 7, 1941, and that there was no security reason for excluding them from juries. The majority opinion concluded by quoting as follows from the famous case of Ex parte Milligan: "The Constitution of the United States is a law for rulers and people, equally in war or in peace, and covers with a shield of its protection all classes of men at all times and under all circumstances."

(Note: Mr. Justice Murphy apparently was under the mistaken impression that the military seized power in Hawaii on the basis of military necessity. In point of fact the military was merely obeying the directives of the President of the United States and the request of the Governor of the Territory of Hawaii, both of whom were acting under the specific authorization of the Congress in the Organic Act. It is to be noted also that the cases of Hirabayashi and Korematsu and Yasui, decided by the court in 1943, were not included in the cases cited.)

Chief Justice Stone concurred in the majority opinion, stating: "I take it that the Japanese attack on Hawaii on December 7, 1941, was an 'invasion' within the meaning of Section 67. But it began and ended long before these petitioners were tried by military tribunals in August 1942 and February 1944. I assume that there was a danger of further invasion of Hawaii at the times of those trials. I assume also that there could be circumstances on which public safety requires, and the Constitution permits, substitution of trials by military tribunals for trial in civil courts. But the record here discloses no such conditions in Hawaii at least during the period after February 1942 and the trial court so found."

In a dissenting opinion, Mr. Justice Burton, with whom Mr. Justice Frankfurter concurred, said, in part: "The controlling facts in the case before us are the extraordinary conditions created by the surprise Japanese invasion by air of Pearl Harbor on December 7, 1941. Visualizing the devastating success of that attack and the desperate conditions

resulting from it, the primary question is what discretionary action by the executive branch of our Government, including the Army and Navy, was permissible on that day and the period following it.

Pearl Harbor and the Hawaiian Islands were the key to America's defenses in the Pacific. The attack of December 7th destroyed more of America's naval forces than our Government felt it safe to announce. America's first line of defense was pierced. The attack demonstrated that it was part of a carefully planned major military operation against not only Hawaii but the United States. Presumably would be pressed further. It might well be followed by a land invasion of the Islands and by aerial attacks on the centers of population.

"Handicapped by major losses of air and sea power, the commander of this isolated outpost was faced with imminent danger of further invasions under conditions calling for desperate defense of the Islands. The Islands had suddenly become a focal point of a major action which converted them into an outpost of critical military importance to the world in general and to the United States in particular. Their invasion was possible capture overshadowing every other consideration. The Islands were a white hot center of war ready to burst into flames.

"Military attacks by air, sea and land were to be expected. The complete disregard of international law evidenced by the first attack and possible presence on the Islands of many Japanese collaborators gave warning that the enemy's next move might take the form of disastrous sabotage and terrorism among civilians. The extraordinary breach of international law evidenced by the attack made it essential to take

extraordinary steps to protect the Islands against subversive action that might spring from deeply laid plans as severe, well aimed, and destructive as the original attack.

"On December 7th and in the period immediately following, every inch of the Territory of Hawaii was like a frontier stockade under savage attack with notice that such attack would not be restrained by the laws of civilized nations. Measures of defense had to be taken on the basis that anything could happen. The relations of the Constitution to such a situation is unimportant. Of course, the Constitution is not put aside. It was written by a generation fresh from war. The people established a more perfect union, in part, so that they might better defend themselves from military attack. In doing so, they centralized far more military power and responsibility in the Chief Executive than previously had been done. The Constitution was built for rough as well as smooth roads. In time of war the nation simply changes gears and takes the harder going under the same power.

"It is well that the outer limits of the jurisdiction of our military authorities is subject to review by our courts even under such extreme circumstances as those of the battlefield. This, however, requires the courts to put themselves as nearly as possible in the place of those who had the constitutional responsibility for immediate executive action. For a court to recreate a complete picture of the emergency is impossible. That impossibility demonstrates the need for a zone of executive discretion within which courts must guard themselves with special care against judging past military action

too closely by the inapplicable standards of judicial or even military hindsight.

"It is all too easy in this post war period to assume that the success which our forces attained was inevitable and that military control should have been relaxed on a schedule based upon such actual developments. . . . Those were the critical days when the United States could afford no military mistakes and when the safety and control of the Hawaiian key to the Pacific was essential. It was the responsibility of the military commanders not only to do the right thing in the interests of safety but to take no chances of error or surprise. It was the obligation of our military commanders to insure safety rather than risk it. Acting as they were in the 'fog of war,' they were entitled to a wide range of discretion if they were to meet the obligations imposed upon them. It is not justifiable to tear Hawaii out from the context of the war as a whole. Our military policy there, as elsewhere, had to be guided by its relation to the global war."

One way to test the soundness of a decision today that the trial of petitioner White on August 25, 1942, before the Provost Court on a charge of embezzlement, and the trial of petitioner Duncan on March 2, 1944, before a similar court on a charge of maliciously assaulting marine sentries, were constitutional procedures is to ask ourselves whether or not on those dates, with the war against Japan in full swing, the Court would have, or should have, granted a writ of habeas corpus, an injunction or a writ of prohibition to release the

petitioners or otherwise to oust the Provost Courts of their claimed jurisdiction. Such a test emphasizes the issues. I believe that this Court would not have been justified in granting the relief suggested at such times. Also, I believe that this Court might well have found itself embarrassed had it ordered such relief and then attempted to enforce its order in the theater of operations, at a time when the area was under martial law and the writ of habeas corpus was still suspended, all in accordance with the orders of the President of the United States and the Governor of Hawaii issued under their interpretation of the discretion and responsibilities vested in them by the Constitution of the United States and the Organic Act of Hawaii by the Congress."

Better than any statement thus far written, the foregoing quotation from the opinion by Mr. Justice Burton sums up the case for the action of the President, Governor Poindexter, General Short, Admiral Kimmel, Fleet Admiral Nimitz, General Emmons, General Richardson and a host of civilian and military subordinates of all of them, who, by virtue of the authority of martial law, succeeded in bringing order and victory out of chaos following the attack on Pearl Harbor on December 7, 1941, and as an incident thereto, managed to save the economy of the Hawaiian Islands from almost certain destruction.

(Note: On the date of the decision of the Supreme Court in the cases of Duncan and White (February 25, 1946), military necessity for martial law in Hawaii had long since disappeared and the declaration of it had been rescinded by a proclamation of the President on October 27, 1944, Hawaii had energetically resumed its civil pursuits. The

reaction of the public to martial law, in retrospect as of February 1946, may be gleaned from the following editorial of the Honolulu Advertiser published on March 16, 1946:

"They Did It - And We Liked It.

"There was a decision to be made and it was made on the afternoon of December 7, 1941. It was not questioned then, nor was its necessity, or efficiency questioned in the days and months that followed. We had been suddenly plunged into an awful emptiness and we looked to disciplined organization to pull us up, so to speak, by the boot straps.

"It came in, spurs clicking here and there, with the rigid supervision that the times and manners called for. We were a real, live war front. We were in the front lines. In 24 hours, we had gone from a Saturday night of gaiety to a Sunday night of gloom, homes blacked out, no car headlights, no smoking on the streets at night, no trespassing here and there, nervous sentries and a hundred and one 'noes and mustn'ts.'

". . . .

"It is a long way back to the nervous Sunday more than four years ago. In security now, it may not be too easy to remember the growing exhilaration we felt when we first sensed that all was right, our bombers roaring overhead, ships once again in fighting trim, the snouts of aircraft guns pointed and lines of garrulous tanks digging up macadam roads by night. The feeling was that it was good to be an American.

"What decision would the Supreme Court have made, if faced by the awful realities and not academic thesis?

"For the military the decision was not tough. There was in their minds only one answer. They did it. And we liked it."

CHAPTER XXXIII

THE INVESTIGATIONS

The Roberts Report

The American public was stunned with the news of the Pearl Harbor tragedy. The President appeared before the Congress and made his famous "day of infamy" speech. The Congress promptly declared war, and so we were off to World War II. The newspapers and the Congress clamored for information and the fixing of responsibility for the debacle. Full investigation was promised on all sides. Secretary Knox of the Navy Department made a hurried trip to Hawaii, and upon his return the newspapers quoted him as saying that the damage was less than had first been supposed. On December 18, 1941, President Roosevelt, by Executive Order, appointed a board to "investigate and report the facts relating to the attack made by the Japanese Armed Forces upon Pearl Harbor." The members of the board were Associate Justice of the Supreme Court, Owen J. Roberts, Admirals W. H. Stanley and J. M. Reeves, and Generals Frank J. McCoy and Joseph T. McNarney. This board, later to be known as "The Roberts Commission," met on December 18th in Washington, D. C., for a few days and then proceeded to Pearl Harbor, arriving there on December 22nd, just fifteen days after the attack. Some 127 witnesses were called and a large number of documents were examined.

It was evident that this board was aware of the fact that the Japanese code had been broken and apparently a considerable number of the intercepts were made available to it. Both Admiral Kimmel and

General Short testified before this board in the same manner as 125 other witnesses who were called. Although both stood in a position of being held responsible, neither of them were permitted to be present during the proceedings or to cross-examine witnesses or refute any testimony adduced. The board returned to Washington on January 16, 1942, and on January 22nd made its report to the President. The text of the report was not made available to the public immediately, but a portion of the conclusions was seized upon by the press and wide publicity resulted. Apparently, paragraph 17 of the conclusions was the basis of much of the publicity. That paragraph read as follows:

"17. In the light of the warnings and directions to take appropriate action, transmitted to both commanders between November 27 and December 7, the obligation under the system of coordination then in effect for joint cooperative action on their part, it was a dereliction on the part of each of them not to consult and confer with the other respecting the meaning and intent of the warnings, and the appropriate measures of defense required by the imminence of hostilities. The attitude of each, that he was not required to inform himself of, and his lack of interest in, the measures taken by the other to carry out the responsibility assigned to such other under the provisions of the plans in effect, demonstrated on the part of each a lack of appreciation of the responsibilities vested in them and inherent in their positions as commander in chief of the Pacific Fleet and commanding general, Hawaiian Department."

Both Admiral Kimmel and General Short were shocked at the conclusion and resulting publicity which fixed upon them the entire blame for the catastrophe of Pearl Harbor. Admiral Kimmel made countless demands to be permitted to read the evidence upon which such a conclusion had been reached. These repeated demands were refused or ignored for a number of years thereafter. Both men believed that they had been treated harshly and had been convicted without a trial or an opportunity to refute the charges. There was not at that time any forum where they could defend themselves. For the time being, therefore, their cases were suspended. Both officers were placed on the retired list, which action they acceded to because they believed it to be in the interest of the war effort, but each anticipated the eventual day in court and voluntarily signed an agreement to forego their rights and submit to court-martial within six months after the termination of the war.

Admiral Kimmel and General Short were fighters, and it was a pity that their experience was to be denied their country in time of need. They had been dealt a bitter and unfair blow, but they refused to sit down and grieve. Each of them promptly found a position in war industry and worked as never before. They felt that eventually they would have their day in court, but in the meantime they would make whatever contribution they could.

During the course of the remainder of 1942 and 1943, except for the slogan "Remember Pearl Harbor," public interest in the disaster gradually became dormant. There were, however, occasional outbursts by the press and some members of Congress. This slight sporadic publicity continued through 1943. Gradually thereafter, the public began

to show renewed interest in the subject. Numerous questions began to be presented in the public press and there arose a feeling that perhaps all of the facts concerning the Pearl Harbor incident had not been made public and that the Admiral and the General should have their day in court. This was the day that the two accused men lived in hopes for, but it was a long time in coming.

The Interlude

I returned to Washington in April of 1943 for an important prospective assignment in the Mediterranean Theater of Operations, but for reasons not here important that particular assignment never materialized. In the interim, I was assigned as Assistant Judge Advocate General and took an office adjoining that of Major General Myron C. Cramer, The Judge Advocate General. I was experienced in my new job and I was soon hard at work. It was difficult for me to reduce my stride to the somewhat moderate tempo of wartime Washington after my hectic experience in Hawaii. However, there was no gainsaying that on this seemingly moderate basis the greatest production in our history was being accomplished. Many did not take advantage of any opportunity for relaxation and there were a considerable number of executives who worked fully as hard as I had in Hawaii. By this time the war had been in progress for about eighteen months, and America's industrial giant was fully aroused and supplies were being catapulted forth at a rate which astonished even the optimists. Military planners were confident that we had turned the corner and that victory for our forces on all fronts was merely a matter of time. Industry was in full support of

the military and amazing production records were being made on all sides. Important problems were being solved out of hand and impossible obstacles seemed to fade away. America was rolling.

The United States found itself in the unenviable position of being compelled to supply the needs of our allies as well as our own. This was a tremendous undertaking, and as production increased the paramount problem of priorities began to appear. It had been a serious problem with us in Hawaii. There we solved it by the appointment of a single control having final and complete responsibility in the matter. It was of great interest to me to observe the manner in which it would operate on the international level. After the fashion of our Hawaiian experience, a single control was attempted, but since on the international level diplomatic considerations played such an important part, a single control was subject to unusual pressures and exceptions, both of which magnified the difficulties attending the administration. There was for consideration the requirements for the European Theater, the Pacific Theater, and the supply of all our allies as well. Everyone wanted everything and they wanted it "right now." Pressures of all types were applied. Not infrequently the requirements of the British were stressed by notes or a visit to President Roosevelt by Sir Winston Churchill, the Prime Minister of Britain. On such occasions, favorable consideration of the British requirements was not unexpected. However, rumor had it that on some occasions, a considerable portion of the supplies promised to the British strangely seemed to disappear. On these occasions a corresponding amount of

supplies mysteriously seemed to become available to the Pacific Theater. From my position on the totem pole of authority, I had no knowledge whether this is in fact true and if it was how it happened. For what it is worth, a Navy confidant who was on my own level explained that our Navy was bound to wipe out the stigma of Pearl Harbor thoroughly, completely, and at the earliest possible moment, and that as long as Admiral Leahy remained as Aide-de-Camp to President Roosevelt, the Navy could expect to get whatever supplies were necessary to attain that goal. Whether this explanation is actually true, I have no knowledge, but having a personal score to settle with the Japanese, I hoped it was true and I was all for it.

General Short was employed in the Dallas, Texas, branch of the Ford Motor Company at Dallas. He made regular trips to the home office of the company in Detroit, Michigan. In the early part of 1944, he wrote me and asked me to meet him in Detroit while he was on one of these trips. I met him as planned and at that meeting he informed me that he had received information to the effect that the Congress was contemplating a full scale investigation of some sort concerning the Pearl Harbor disaster. He explained that in any such investigation he and Admiral Kimmel would be among the principals, and that the probabilities were that the Washington authorities would attempt to shift their responsibility to them. He said that I had served him well in Hawaii and that he would appreciate it if I would consent to serve as his counsel. In line with his ever present consideration for others, he suggested that before giving my answer, I consider the risk

to my future that I would be taking. He pointed out that there would soon be a vacancy as head of my Corps, that I was eligible for selection to that office, and if I accepted the appointment as his counsel, it would be unpopular with the War Department and higher authorities, and that it might adversely affect my chances for future promotion. He was that kind of a man who was more concerned for the possible adverse effect on a subordinate than he was with his own future. Long before he had finished, I had made up my mind. I informed him that the future could take care of itself and that I would take his case, come what might. From that moment, I became his counsel and confidant as long as he lived. I have never regretted my choice, even for an instant.

My appointment as counsel for General Short was made official by War Department orders, but it was in addition to my other duties as Assistant Judge Advocate General. We began immediately to assemble all available facts rather than prepare the defense of General Short. Shortly after December 7, 1941, I had assisted General Short in preparing a statement of the events leading up to December 7th and his action just prior and subsequent to that time. Tips and hither to unknown information began to drift in from various sources, mostly from friends and well wishers. We were in touch with Admiral Kimmel and his attorneys. We exchanged information on every phase of the matter then known to us. General Short came into possession of a rumor that the Japanese code had been broken prior to the war and that Washington authorities had been fully advised of the Japanese

moves by this means. We pursued the matter further and were astonished with what we learned. This was the first intimation that General Short had concerning the "Purple Code" and the "Magic" messages. This was a "Top Secret" matter about which it was very difficult to obtain any reliable information. We thought we had our side of the controversy well in hand but since this vital information was classified we were at a loss to prepare a defense to what might be charged. We had only unconfirmed rumors as to what the classified information consisted of and there was no way of preparing to meet charges until we were in possession of this classified data.

The Investigations and Subsequent Action

Congress Directs Army and Navy to Investigate

On June 13, 1944, the Congress passed Public Law 339 by the terms of which the Army and the Navy Departments were directed to investigate the Pearl Harbor matter. Pursuant thereto, the Navy Department appointed a Court of Inquiry by an order dated July 8, 1944, and the War Department appointed the Army Pearl Harbor Board. The latter board was directed to "ascertain and report the facts relating to the attack made by the Japanese Armed Forces upon the Territory of Hawaii on December 7, 1941, and to make such recommendations as it may deem proper." The members of the Army board were Lieutenant General George Grunert, president, Major General Henry D. Russell, and Major General Walter A. Frank, members.

The Navy Department, by an order issued July 13, 1944, created a Court of Inquiry which directed it to "inquire into the attack made by the Japanese Armed Forces on Pearl Harbor, Territory of Hawaii, on

December 7, 1941," and to "include in its findings a full statement of the facts it may deem established. The Court will further give its opinion as to whether any offenses have been committed or serious blame incurred on the part of any person or persons in the Naval Service, and in case its opinion be that offenses have been committed or serious blame incurred will specifically recommend what further proceedings shall be had." The members of the Navy Court of Inquiry were Admiral Orin G. Murfin, Retired, president, Admiral Edward C. Kaltbus, Retired, and Vice Admiral Adolphus Andrews, members.

The Army Pearl Harbor Board

The Army Pearl Harbor Board began its proceedings on July 20, 1944, and the Navy Court followed four days later. Both proceeded concurrently as to time but each acted independently as to procedure and purpose. There was no doubt in any one's mind that General Short was on trial before the Army board and that Admiral Kimmel was at last having his day in court before the Navy Court of Inquiry.

General Grunert, president of the Army board, was a distinguished officer who was known to us to be strict but fearless and fair. The reputation of the other two members of the board was equally fine. We felt confident that they would go into the whole matter fearlessly and that they would report the facts as they found them. At the outset, the board took the position that it was investigating the Pearl Harbor disaster and all the facts connected with it, but that since General Short was not an accused, he was not entitled to the rights usually

afforded to an accused person. Our arguments and requests to be present and to examine witnesses were denied on that ground.

At the start of the proceedings we were not even permitted to read the testimony after it had been reduced to writing. While it was technically true that the board was concerned only with determining the facts, actually General Short was on trial before this board and it might well be his only tribunal. In vain we argued the injustice of such a position, but the board denied our pleas. General Short was convinced that this position was one imposed upon the board by higher authority. We did not despair, however, and we persisted to the point where I was permitted to read the testimony after it had been reduced to writing, but at that time I was prohibited from communicating the information I got to my client. A further appeal resulted in permitting me to communicate with General Short concerning the testimony by personal interview. We persisted in our point of view and it was plain to be seen that the board recognized the justice of our position. Later, a further concession was made which resulted in giving us a copy of all of the testimony which had been taken. These concessions were obtained in successive steps but we never reached the point where we were permitted to cross-examine witnesses. The reason for this unusual restriction did not appear until very late in the proceedings.

At the beginning we were at a loss to prepare a defense since we were totally unaware of what charges General Short would be called upon to meet. Early in the proceedings we came into possession of information tending to confirm the rumor that prior to the beginning of the war

the Japanese code had been broken and that a number of valuable intercepts were available to the War Department. If this were true, it would be vital to General Short's case. As the proceedings progressed we were convinced of the truth of these rumors and we began to get further rumors as to the information which was available from that source. We presumed that the board was in full possession of all such information and eventually would make it available to us in view of its importance to our case. Since the war was still in progress and since the information was top secret, we had no way of determining what it was. We waited in vain for the board to make some reference to the matter and when none appeared, it dawned on us that the board was not aware of the fact that the Japanese code had been broken. It was inconceivable to us that this vital information had been intentionally withheld from the board but that nevertheless was the fact. That the information was not then known to the board seems clear from the testimony of Major General Sherman Miles, the Chief of Military Intelligence, given before a Congressional investigating committee at a later date (1946), in which he stated that prior to testifying before the Army Pearl Harbor Board, he was instructed by General Marshall, the Chief of Staff, not to testify on the subject of the breaking of the code or its intercepts, this in the face of the fact that the board was directed to "ascertain and report the facts."

Obviously, the contents of the intercepts were information which should have been in the hands of the board and in ours also. How to bring this about without violating secrecy regulations was a major

problem which was made even more difficult because, at that time, we were not aware of precisely what we were looking for. From sources best known to himself, in February 1944, more than two years after the war, Admiral Kimmel learned of the breaking of the "Purple Code" and had an inkling as to some of the "magic" intercepts, but even when he faced the Navy Court of Inquiry I doubt if he had anything like the complete disclosure which later came out in the Congressional investigation.

When Admiral Kimmel appeared before the Naval Court of Inquiry which was hearing the matter, he made repeated requests to the Navy Department for the release of all intercepts. Each day the request was repeated, but in each instance the request was denied by the Navy Department. Now, a mere denial is far from sufficient to deter a man like Admiral Kimmel. It only made him more persistent and he continued to a point where in exasperation, he intimated that he intended to hold a press conference and state to reporters that important information was being withheld from the Court of Inquiry by the Navy Department, which information was essential to the determination of the responsibility for the Pearl Harbor catastrophe. Apparently, that was reported to the Navy Department, and the next day certain of the intercepts were made available to the Court of Inquiry. Such disclosure was vital to Admiral Kimmel, but since it was still top secret it was no help to us before the Army Pearl Harbor Board which was currently sitting.

How to get this information before the Army Pearl Harbor Board was still a problem. We met the need by suggesting that Admiral Kimmel

be called as a witness before the board. After having answered all questions put to him, in accordance with normal procedure, he was asked if he had any further statement to make. That was the opportunity we prayed for and the opening having been made the Admiral stepped into the breach with all guns blazing. For the first time, the members of the board were apprised of the fact that the Japanese code had been broken.

Thereafter, the War Department changed its policy and followed that of the Navy. On the basis of the disclosure of Admiral Kimmel the Army Pearl Harbor Board substantially began its proceedings all over again, this time requiring the witnesses to disclose whatever they knew about the breaking of the code and the "magic" messages. Although there was not a complete disclosure of all information, what was brought out seemed to surprise the board as well as General Short. The change of front of higher authority in no way corrected the testimony given previously by witnesses who were under restrictions from higher authority not to disclose that the "Purple Code" had been broken or disclose the contents of any messages which had been intercepted and translated. It was not until the Congressional investigation that a full disclosure was made that we learned the character and the extent of the information which was available to official Washington prior to the Pearl Harbor attack. Had we been granted the right to be present and afforded the right of cross-examination at least some of this information could have been developed, but as it was both the board and General Short were woefully unaware of many vital details and circumstances.

Conclusions of the Army Pearl Harbor Board

The Army Pearl Harbor Board completed its investigation and submitted its report under date of October 20, 1944. It made two conclusions, namely:

1. That the attack on Hawaii was a surprise to all concerned--the Nation, the War Department, and the Hawaiian Department. It was daring, well conceived and well executed, and it caught the defending forces practically unprepared to meet or minimize its destruction.

2. The extent of the Pearl Harbor disaster was due primarily to two causes:

a. The failure of the Commanding General of the Hawaiian Department adequately to alert his command for war; and

b. The failure of the War Department, with knowledge of the type of alert taken by the Commanding General, Hawaiian Department, to direct him to take adequate alert, and the failure to keep him adequately informed as to the developments of the United States-Japanese negotiations, which in turn might have caused him to change from the inadequate alert to an adequate one.

Assessment of Responsibility by Army Pearl Harbor Board

The board went on to assess responsibilities in part as follows:

1. The Secretary of State. The action of the Secretary of State in delivering the counter proposals of November 26, 1941, was used by the Japanese as a signal to begin the war by the attack on Pearl Harbor. To the extent that it hastened the attack it was in conflict with the

efforts of the Army and Navy Departments to gain time for preparations for war.

2. The Chief of Staff of the Army failed in his relations with the Hawaiian Department in the following particulars:

a. To keep the Commanding General fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparations for war, of which information he had abundance and General Short had little.

b. To send additional instructions to the Commanding General of the Hawaiian Department on November 28, 1941, when evidently he failed to indicate clearly that General Short had misunderstood and discounted the message of November 27 and had not adequately alerted his command for war.

c. To get to General Short on the evening of December 6th and the early morning of December 7th the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this.

d. To investigate and determine the state of readiness of the Hawaiian Command between November 27th and December 7th, 1941, despite the impending threat of war.

3. The Chief, War Plans Division, War Department General Staff, failed in his duties in the following particulars:

a. To keep the Commanding General, Hawaiian Department, adequately informed in the impending war situation by making available to him the substance of the data being delivered to the War Plans Division by the Military Intelligence Division.

b. To send the Commanding General, Hawaiian Department, on November 27, 1941, a clear, concise directive; on the contrary he approved a message of November 27, 1941 (# 472), which contained the confusing statements.

c. To realize that the state of readiness reported in General Short's reply to the November 27th message was not a state of readiness for war, and he failed to take corrective action.

d. To take the required steps to implement the existing joint plans and agreements between the Army and the Navy to insure the functioning of the two services in the manner contemplated.

4. The Commanding General of the Hawaiian Department failed in his duties in the following manner:

a. To place his command in a state of readiness for war in the face of a war warning by adopting an alert for sabotage only. The information which he had was incomplete and confusing, but it was sufficient to warn him of the tense relations between our Government and the Japanese Empire and that hostilities might be momentarily expected. This required that he guard against surprise to the extent possible and make ready his command so that it might be employed to the maximum and in time against the worst form of attack that the enemy might launch.

b. To reach or attempt to reach an agreement with the Admiral commanding the Pacific Fleet and the Admiral commanding the 14th Naval District for implementing the joint Army and Navy plans and agreements then in existence which provided for joint action by the two services.

c. To inform himself of the long distance reconnaissance being conducted by the Navy.

d. To replace inefficient staff officers.

Brief Summary of Conclusions of
Army Pearl Harbor Board

Analyzing the foregoing findings and conclusions, it seems apparent that the board concluded that the disaster was caused by the failure of the Hawaiian Commander to adequately alert his command for war and that the failure was caused by the War Department to adequately inform him as to developments which might have caused him to change the character of his alert. It fixed responsibility upon the Secretary of State for hastening the attack in conflict with the efforts of the Army and Navy to gain time for preparation. It fixed responsibility on the Chief of Staff for failure to keep General Short informed, for failure to reply to Short's radiogram of November 28th, to get in touch with Short on December 6th and the early morning of December 7th when there was an indication of an almost immediate break with Japan. The Chief of the War Plans Division was held responsible for failure to inform General Short of intelligence, for approving the sending of radiogram # 472 which contained confusing statements, and to take appropriate action on General Short's reply of November 28th. The board held General Short responsible for failure to place his command in a state of readiness for the worst that the enemy was capable of, his failure to reach an agreement with the Navy authorities for joint action, and his failure to inform himself of the action of the Navy concerning long

distance reconnaissance and his failure to replace inefficient officers.

Board Report Referred to The Judge Advocate General

The Report of the Pearl Harbor Board was not made public but instead was handed over to The Judge Advocate General for an opinion. The research for the opinion was made by Colonel William J. Hughes, Major Henry C. Clausen, and others, all of whom were high powered civilian lawyers who had been active in preparing the case against General Short for the Government. As Assistant Recorder of the Pearl Harbor Board, Major Clausen had been a member of the prosecution.

The opinion of The Judge Advocate General was forwarded to the Secretary of War on November 25, 1944. It was a carefully prepared legal document which selected facts from the record in support of its conclusions. These conclusions were at substantial variance from those of the Pearl Harbor Board. It took up, in sequence, the responsibilities assessed by the board and concluded that, as to General Marshall, none of the conclusions of the board were justified. As to General Gerow, it determined that (a) he erred in not sending General Short more information than he did and (b) in not checking on Short's reply to the November 27th message signed "Marshall." As to General Short, the opinion agreed fully with the assessment of culpability against him except that which dealt with his failure to remove inefficient staff officers, as to which the opinion held that it was not sustained by the evidence.

The opinion wound up with two conclusions, namely, (1) that in order to complete the picture and in fairness to certain personnel, certain leads should be further investigated "by an individual officer familiar with the matter" and (2) that the matter be disposed of other than by trial by court-martial of General Short and suggesting that the Secretary of War make a public statement pointing out that General Short was guilty of errors of judgment for which he was properly removed from command.

The Action of the Secretary of War

The Secretary of War followed the advice of The Judge Advocate General and on December 1, 1944, issued a press release announcing that he agreed with some but not all of the views of the Army Pearl Harbor Board, that errors of judgment of General Short were such as to demand his relief from a command status, that steps had been taken to correct inadequacies, that he had decided that his own investigation should be continued until all facts had been made as clear as possible, and that he had given the necessary directions to accomplish this end. The final statement in the press release states: "Finally, I am absolutely clear that it would be highly prejudicial to the successful prosecution of the war and the safety of American lives to make public during the war the report of the Army Pearl Harbor Report or the record on which it is based."

Presumably, this action was on the basis that it would be against the best interests of the country to permit information to be published

to the effect that the "Purple Code," the Japanese diplomatic code, had been broken prior to the Pearl Harbor attack.

In carrying out the recommendation of The Judge Advocate General that in fairness to certain personnel these leads should be further explored "by an individual officer familiar with the matter," Major Henry Clausen was selected for that duty. Having been assistant prosecutor before the Pearl Harbor Board and a collaborator in the preparation of the opinion of The Judge Advocate General, Major Clausen was fully qualified as "an individual officer familiar with the matter." It would be naive indeed to believe that the further exploration contemplated had any purpose other than to develop information which would refute the conclusions of the Army Pearl Harbor Board in certain particulars, more especially to obtain statements which would tend to absolve General Marshall and condemn General Short.

Major Clausen Investigates

Major Clausen was a competent investigator with long experience as a prosecutor. His investigation was wholly partisan and ex parte. Substantially everyone who had ever given a statement concerning the matter was interviewed and many affidavits were obtained. There was much confusion in the testimony adduced and there were many instances of specific contradiction. This should not have been unexpected, in view of the long period of time since the happening of the events and the further fact that the matter was almost certain to be one which the Congress would investigate. A considerable number of persons interviewed doubtless believed that they might be implicated in some

manner and possibly succumbed to the human tendency of self-preservation. In general, the investigation added to the already voluminous record, but for the most part it was merely a rehash of facts and circumstances already known. It also served to further confuse many facts which were already beyond solution by reason of their controversial and contradictory nature.

Memoranda by The Judge Advocate General

On September 14, 1945, nearly four years after the attack on Pearl Harbor, The Judge Advocate General addressed two memoranda to the Secretary of War confirming verbal reports made to him. The memoranda discussed certain of the affidavits produced by Major Clausen and especially certain contradictory testimony, but the burden of the memoranda was to the effect that the findings of the Army Pearl Harbor Board were erroneous as to General Marshall and correct as to General Short.

Report and Proceedings Not Available to General Short

The Report of the Army Pearl Harbor Board was not made available to General Short at that time nor were the opinions and memoranda of The Judge Advocate General. All of these reports and information concerning them were withheld from him until they were brought out in the Congressional investigation which began its hearings in November of 1945, substantially four years after the attack.

In 1944 it became known that Governor Dewey of the State of New York, who was running for President on the Republican ticket, had

received information concerning the breaking of the Japanese code. General Marshall sent two letters to Governor Dewey requesting him to refrain from divulging the fact that the Japanese code had been broken because it would have an adverse effect on the war effort of the United States. The messenger carrying those letters was Colonel, later General, Carter Clarke, aide to General Marshall. Governor Dewey declined to receive the first letter because of certain blanket restrictions suggested before reading the letter. He accepted to read the second. In his unsuccessful campaign for the Presidency, Mr. Dewey made no mention of the breaking of the code.

General Clarke Investigates

In 1944, and again in 1945, General Clarke made private investigations for General Marshall concerning the handling of top secret matters pertaining to the "magic" messages and the handling of the message General Marshall sent to General Short on the morning of December 7, 1941, concerning the "One O'clock Message."

General Short learned of these investigations only when information concerning them was brought out in the Congressional hearings.

The Navy Court of Inquiry

The Navy treatment of the situation was, in a general sense, substantially similar to that afforded by the Army except that under Navy regulations Admiral Kimmel was permitted to be present at all proceedings and cross-examination by counsel was authorized. Admiral Kimmel was represented by former Assistant United States Attorney General Rugg.

Both Admiral Kimmel and his counsel took full advantage of all rights accorded them, but it was not until after a long and aggressive series of demands that any substantial number of intercepts were made available to them.

General Short was called as a witness by the Navy Court of Inquiry. I appeared with him as his counsel. Both of us were accorded every courtesy. It was a red carpet affair. General Short was permitted to make a full statement without interruption and he was permitted to consult with me before answering questions posed to him by the Court. The decorum was everything that it should have been, and while it was formal, as all such proceedings are, it was obviously an inquiry into the facts with no regard as to who might get hurt. I was impressed with the high rank of the members of the Court and the other officials who were present as a matter of interest and courtesy. I counted the number of stars present and it added up to seventy-three, my lone star accounting for the odd one. I had the feeling that these officers, like the members of the Army Board, would fearlessly do justice as they saw it and that it was up to Admiral Kimmel and General Short to produce the evidence.

Findings of the Navy Court of Inquiry

In its report filed on October 19, 1944, the Court of Inquiry found, among other things, that the Chief of Naval Operations had failed to display the sound judgment expected of him in that he did not transmit to Admiral Kimmel important information which he had regarding the Japanese situation and added, "The Court is further of the opinion that, had this important information been conveyed to Admiral Kimmel,

it is a matter of conjecture as to what action he would have taken." The Court went on to express the opinion that no offense had been committed nor serious blame incurred on the part of any person in the Naval service. The findings of the Court of Inquiry were reviewed by The Judge Advocate General of the Navy and by the Commander in Chief, United States Fleet, Fleet Admiral King, and by the Secretary of the Navy.

Admiral Hart Investigates

On February 12, 1944, Admiral Thomas C. Hart, USN, was directed by Secretary of the Navy Knox to examine witnesses and take testimony "pertinent to the Japanese attack on Pearl Harbor." In compliance with that directive, Admiral Hart made an extensive investigation, and on June 15, 1944, submitted a report containing some 560 pages of printed matter.

Admiral Hewitt Investigates

On July 6, 1945, Admiral H. Kent Hewitt, USN, was directed to study the previous investigations and conduct such further investigations as might seem necessary and make a report of the findings and conclusions reached. The report was a very comprehensive and complete survey of previous reports and actions by the Navy. It wound up with general findings and twenty-nine specific conclusions. Number seventeen of the conclusions was to the effect that a carrier attack on Pearl Harbor could not, with certainty, have been prevented for the following reasons:

"(a) Certain prevention of such an attack requires interception and destruction of the carriers before attack planes can be launched.

"(b) The forces necessary to insure such interception and destruction, anywhere in the vast area which would have had to be covered, were not available, and could not have been expected to be available.

"(c) If the Japanese task force had been detected at nightfall the probability of its successful interception and destruction prior to the following dawn would have been small."

The foregoing goes to the heart of the question of whether under all of the circumstances, last minute warning would have been useful and helpful.

Conclusions of Secretary of the Navy

On July 12, 1945, the Secretary of the Navy, by a fourth indorsement on the proceedings of the Court of Inquiry and the Hewitt Report, concluded among other things that Admiral Kimmel and Admiral Stark, the Chief of Naval Operations, had failed to demonstrate superior judgment necessary for exercising command commensurate with their rank and their assignments and that public disclosure be made "as soon as it can be done without jeopardizing national security."

As in the case of the War Department, the Navy Department withheld the results of its investigation and other actions. Similarly, Admiral Kimmel was not apprised of the results.

The Congress Investigates

When the Army and the Navy had completed their investigations, it appeared that the book had been closed on the whole affair. However, certain members of Congress and the press continued to demand that General Short and Admiral Kimmel have their day in court. On November 15, 1945, substantially four years after the attack, the Congress appointed a Joint Committee to investigate the whole matter. The committee consisted of Senator Barkley (Kentucky), Chairman, Representative Cooper (Tennessee), Vice Chairman, and Senators George (Georgia), Lucas (Illinois), Brewster (Maine), Representatives Clark (North Carolina), Murphy (Pennsylvania), Gerhart (California), and Keefe (Wisconsin).

All prior investigations of the subject had been confidential in nature and a minimum of information had been given to the public. This investigation was to be an open public hearing where the widest possible scope was to be given all parties in interest. As is usual in such instances the political aspects of the investigation were preserved by giving the administration party a majority of membership. It was especially important in this instance since the action of the administration itself was being scrutinized. However, the minority members saw to it that many matters which might be considered derogatory to the administration were dragged out into the open where they were fully and fearlessly aired.

General Short and Admiral Kimmel welcomed a full investigation, and both were happy at the prospect of being able for the first time to learn in an open hearing of the facts upon which they had been

convicted. Both they and the public were astonished at the revealing information which was disclosed.

For the next seventy-two days after November 15, 1945, open hearings were held. Each day the committee found itself with an overflow audience. The volume and intensity of the public interest in the inquiry was a surprise to all concerned. On each of the sessions there was a scramble for seats and many spectators were glad of a place to stand.

Fifteen thousand pages of testimony were recorded and one hundred and eighty-three voluminous exhibits were perused. Forty-three witnesses were interrogated at length and the more important ones were questioned exhaustively. The records of all previous investigations were considered. In sum, the total record involved 9,000 printed pages of testimony from 318 witnesses and 469 exhibits. The total record amounted to about ten million words. Admiral Kimmel, Admiral Stark, and General Short were afforded an opportunity to be examined by their personal counsel. The counsel appointed to assist the committee were experts and delved into many phases of the matter hitherto untouched by examination. Former Secretary of War Stimson, whose testimony would have been extremely important, was not called because of the state of his health. However, he submitted a statement and informed the committee concerning certain passages in his diary having to do with the matter. His diary and that of former Ambassador Drew, who had been stationed in Japan prior to the war and had made certain reports in the nature of warnings, were not permitted to be furnished, this on the ground

that they were confidential. Secretary of State Hull appeared as a witness but was forced to withdraw by reason of health. Thereafter, he responded to interrogatories submitted to him by members of the committee.

General Short Pleads to the Charges Drawn Against Him

During the course of the hearings, many surprises occurred and innumerable facts were disclosed which had hitherto been kept under strict secrecy. Among those well guarded secrets was the fact that charges had been drafted against General Short. These were drawn by The Judge Advocate General at the direction of the Secretary of War under date of April 20, 1942, which was the date upon which the Secretary of War announced the relief of General Short from active duty. Although The Judge Advocate General drafted the charges, he recommended against trial upon them. The fact that charges had been drawn up against him was a complete surprise to General Short. When he was a witness before the committee and was being interrogated by Senator Ferguson, General Short was asked to plead to the charges and specifications. He was glad to accept this opportunity to answer to the charges. His pleas to the charges and specifications, perhaps better than any other document, gives a picture of the broad issues and the attitude of General Short toward them. The charges and his pleas to them are as follows:

Specification 1. Failure to provide an adequate inshore patrol.

General Short: "Not guilty. I did have an adequate patrol. The air people were satisfied and had full control. The purpose was anti-

submarine defense, and the patrol was not designed for air defense. We had only one observation squadron, six planes in commission, and we were operating them several hours a day. I would say we were using them all we could use them. In addition to that, there was a lot of observation that accomplished the same thing because our pursuit training was all over Oahu, pretty much around the perimeter, and they were all given to understand that they should learn to observe for submarines."

Specification 2. Failure to provide adequate aircraft defense.

General Short: "Not guilty. We would have had an adequate anti-aircraft defense if the War Department had given us the equipment, and had given us the information which indicated imminent attack. Or, if they had replied to my report and indicated any desired modification."

Specification 3. Failure to set up an interceptor command.

General Short: "Not guilty. We were training personnel as fast as we could to operate an effective interceptor command, and it was set up and operating as effectively as it could be."

Specification 4. Failure to provide a proper aircraft warning service.

General Short: "Not guilty. We were training our personnel as fast as we could set up an effective aircraft warning service. It was in operation."

Specification 5. Failure to provide for the transmission of appropriate warnings to interested agencies.

General Short: "Not guilty. We were restricted by direct order from Marshall from transmitting the November 27th warning to any other than the minimum of essential officers."

Specification 6. Failure to establish a proper system of defense by cooperation and consulting with the Navy.

General Short: "Not guilty. We had full, complete plans for defense in cooperation with the Navy which had been approved by General Marshall and Admiral Stark, and they would have been carried out 100 per cent if they (Marshall and Stark) would have given us the information they had."

Specification 7. Failure to issue adequate orders to his subordinates as to their duties in case of sudden attack.

General Short: "Not guilty. I could not tell subordinates to expect a sudden attack which neither I nor the War Department nor anyone else expected. Our information regarding impending possible action was, by direction of the Chief of Staff, limited to a minimum of essential officers. Our standard operating procedure of November 5, 1941, prescribed the duties of all personnel in event of any sudden attack." (General Short alluded to the standard operating procedure which became effective immediately the attack occurred.)

Specification 8. Failure to take adequate measures to protect the Fleet and Naval base at Pearl Harbor.

General Short: "Not guilty. I took every measure I thought necessary to protect the fleet and naval base against sabotage. I so reported to the War Department. Marshall testified that I was reasonable in

assuming that I was doing exactly what he wanted, because otherwise he would have notified me that he wanted more measures taken."

Specification 9. Failure to have his airplanes dispersed in anticipation of a hostile attack, after having been warned of the danger thereof.

General Short: "Not guilty. I was never warned of any imminent danger of an air attack, the planes were therefore grouped for more protection against hostile action in the form of sabotage."

Specification 10. Failure to have his airplanes in a state of readiness for attack.

General Short: "Not guilty. My aircraft were not in a state of readiness for a surprise attack, but were protected against sabotage as directed by the War Department in the sabotage alert messages of November 27 and 28, and as reported to the War Department by me. If they had been equipped with ammunition, grouped as they were, and a sabotage attack had been made, there would have been much more damage by exploding ammunition."

Specification 11. Failure to provide for the protection of military personnel, their families, etc., and civilian employees on various reservations.

General Short: "We made a quite elaborate plan for evacuating the families of civilians on military reservations. We asked the War Department for money to establish a camp some four miles east of Schofield. I wrote a personal letter to the Chief of Staff and told him that we were

asking for money to establish those camps on the basis of recreation camps, and the different units, different families, would be assigned to different locations, but the real purpose was to get ready for possible attack and this would give us a chance to acquaint everybody with the details without advertising what we were doing. He answered my letter and stated that funds were needed worse for other purposes."

Conclusions of Congressional Majority Committee

After seventy-two days of intensive effort the Congressional investigation came to a close and on May 31, 1946, more than four full years after the tragedy, after considering testimony of some 10 million words, the committee filed its report. There was a majority report, a dissent by Congressman Keefe, and a further dissent by Senators Brewster and Ferguson who rendered a minority report.

The majority view contained twelve conclusions of which the following seem the most pertinent to the matter here under consideration.

1. The December 7, 1941, attack on Pearl Harbor was an unprovoked act of aggression by the Empire of Japan.

2. The ultimate responsibility for the attack and its result rests upon Japan, an attack that was well planned and skillfully executed.

3. The diplomatic policies and actions of the United States provided no justifiable provocation whatever for the attack by Japan on this nation.

4. The committee had found no evidence to support the charges made before and during the hearings, that the President, the Secretary

of State, the Secretary of War, or the Secretary of Navy tricked, provoked, incited, cajoled, or coerced Japan into attacking this nation in order that a declaration of war might be more easily obtained from the Congress.

5. The President, the Secretary of State, and high government officials made every possible effort, without sacrificing our national honor and endangering our security, to avert war with Japan.

6. The disaster of Pearl Harbor was the failure, with attending increase in personal and material losses, of the Army and Navy to institute measures designed to detect an approaching hostile force, to effect a state of readiness commensurate with the realization that war was at hand, and to employ every facility at their command in repelling the Japanese.

7. Virtually everyone was surprised that Japan struck the Fleet at Pearl Harbor at the time she did.

8. Specifically, the Hawaiian Command failed:

a. To discharge their responsibilities in the light of the warning received from Washington, other information possessed by them and the principle of command by mutual cooperation.

b. To integrate and coordinate their facilities for defense and to alert properly the Army and Navy establishments in Hawaii.

c. To effect liaison on a basis designed to acquaint each of them with the operations of the other, which was necessary for their joint security, and to exchange fully all significant intelligence.

d. To maintain a more effective reconnaissance within the limits of their equipment.

e. To effect a state of readiness throughout the Army and Navy establishments designed to meet all possible attacks.

f. To employ the facilities, materiel, and personnel at their command, which were adequate at least to have greatly minimized the effects of the attack, in repelling the Japanese raiders.

g. To appreciate the significance of intelligence and other information available to them.

9. The errors made by the Hawaiian command were errors of judgment and not dereliction of duty.

10. The War Plans Division of the War Department General Staff failed to discharge its direct responsibility to advise the Commanding General he had not properly alerted the Hawaiian Department, when the latter, pursuant to instructions, had reported action taken in a message that was not satisfactorily responsive to the original directive.

11. The Intelligence and War Plans Division of the War and Navy Departments failed:

a. To give careful and thoughtful consideration to the intercepted messages from Tokyo to Honolulu of September 24, November 15, and November 20 (the harbor berthing plan and related dispatches) and to raise a question as to their significance.

b. To be properly on the qui vive to receive the "one o'clock" intercept and to recognize in the message the fact that some Japanese military action would very possibly occur somewhere at 1:00 P.M., December 7. Properly appreciated, this intelligence should have suggested a dispatch to all Pacific outpost commanders supplying this information, as General Marshall attempted to do upon seeing it.

12. Notwithstanding the fact that there were officers on twenty-four hour watch, the committee believes that under all the evidence, the War and Navy Departments were not sufficiently alerted on December 6 and 7, 1941, in view of the imminence of war.

In summary, the majority report cleared the President and the Secretaries of War, Navy, and State Departments of all imputations of having brought on the attack for the purpose of making a declaration of war, by the Congress, easier. It went a step further and stated that all evidence indicated that all of those officials had discharged their responsibilities with distinction. The War Department War Plans Division and the Army and Navy Intelligence Divisions were chided for failure to act in a manner approved by the committee. General Marshall was singled out for commendation because of his alertness in taking prompt action concerning the "one o'clock" message upon seeing it. The primary, and substantially the entire burden of the responsibility, was placed upon the shoulders of Admiral Kimmel and General Short. Having thus condemned them, the committee went on to assert that their offenses were errors of judgment and not derelictions of duty. Such a conclusion was doubtless intended to remove much of the onus which had been fastened upon General Short and Admiral Kimmel. However, this did not face up to the duty of determining who was responsible for the disaster. General Short and Admiral Kimmel asserted that the action which each of them took was in compliance with the directives received from their respective superiors and that they were given no opportunity to determine the action which was to be

taken. Both contended that had they been given the information which was available to their superiors and which was intentionally withheld from them, they would have been completely responsible but since the only responsibility given them was to carry out their respective directives, the final responsibility rested wholly with their superiors. Both asserted strongly that they could not be guilty of errors of judgment because the right duty and opportunity to exercise their respective judgments was intentionally denied them.

Congressman Keefe's Report

In the "Additional Views of Mr. Keefe," which was made a part of the committee report, Congressman Keefe made some interesting comments concerning the facts presented and the conclusions in the majority report. The following samples of them seem pertinent.

"A careful reading of the committee report would indicate the analysis of orders and dispatches is so made as to permit criticism of our commanders in Hawaii while at the same time proposing a construction which would minimize the possibility of those in charge in Washington"

"The committee report, I feel, does not with exactitude apply the same yardstick in measuring responsibilities at Washington as has been applied to the Hawaiian commanders. I cannot suppress the feeling that the committee report endeavors to throw as soft a light as possible on the Washington scene"

"The chief intelligence officers of the Army had the 'one o'clock' message by 9:00 A.M., Washington time, immediately appreciated its

significance, but did not succeed in bringing it to General Marshall's attention until nearly several hours later. Marshall was horseback riding in Virginia. No action was taken by the Army until he saw and read the 1:00 P.M. message and related intercepts, at which time he sent a message to General Short which went over commercial facilities and was received after the Pearl Harbor attack"

"General Marshall and the 'Pilot Message' available to him on the afternoon of Saturday, December 6. This placed on him an obligation to make sure he would promptly receive the subsequent information which the pilot message indicated would be soon forthcoming. He did not do so. In placing himself outside of effective contact with his subordinates for several hours on Sunday morning, he failed to exercise that care and diligence which his position required."

"The 'bomb plot' (Consul General Honolulu to Tokyo messages re ships) messages and related intercepts would have been of incalculable value both to General Short and Admiral Kimmel. Yet they were given no intimation of their existence."

"Neither General Marshall, General Gerow, nor Secretary Stimson made any criticism or suggestion to General Short about the condition of his alert in Hawaii in the ten-day period prior to the attack."

"When the Roberts Report by-passed the facts about the intercepted messages, it nearly buried the truth about Pearl Harbor. Its report became the indictment of two officers based upon incomplete evidence."

"The high civilian and military officials in Washington who skillfully maneuvered Kimmel and Short into the position of exclusive blame

knew at the time all the hidden facts about Pearl Harbor, at least as much and probably more than this investigation has been able to uncover."

"The administration had ample opportunity to record and preserve all of the facts about Pearl Harbor, even if their public disclosure needed to wait upon the war's end. This was not done. The policy adopted was to place the public responsibility for the disaster on the commanders in the field to be left there for all time. The policy failed only because suppression created public suspicion, and the Congress was alert."

"Those who find in various instances of poor coordination between the services the cause of Pearl Harbor are satisfied with a superficial explanation. The state of readiness of our armed forces in the field was a reflection of overall policy adopted on the highest level in Washington. The President had delivered to him the Japanese intercepted messages and possessed much more information about Japanese plans and intentions than any field commander. He gave most minute directions to commanders in the field, even as to scouting positions of individual ships, when he thought such direction necessary. A merger of the armed forces and unity of command in Hawaii in November and December 1941 could not have eliminated the dangers in the policy of maneuvering Japan into striking the first blow. That policy would still have shaped the orders given, as well as the information sent to a single commander."

"On the evidence before us I concur in the findings of the committee with respect to responsibilities of our commanders in Hawaii. I believe

that the 'mistake of judgment' referred to in the committee report is directly related to the failure of the high commands in Washington to have their organizations fully alerted and on a war footing, and that those in command at the Washington level must bear their full share of the responsibility for the tragedy of Pearl Harbor."

Minority Committee Report

There was a further report submitted by Senators Ferguson and Brewster which was submitted in the form of a minority report. It was prefaced by the following statement:

"We, the undersigned, find it impossible to concur with the findings of the committee's report because they are illogical, and unsupported by the preponderance of the evidence before the committee. The conclusions of the diplomatic aspects are based upon incomplete evidence.

"We, therefore, find it necessary to file a report setting forth the conclusions which we believe are properly sustained by the evidence before the committee.

Homer Ferguson
Owen Brewster"

This minority committee report went on to state the conclusions of fact and responsibility which they deduced from the evidence before the committee. A sampling of the conclusions of fact is of interest.

"2. By November 7, 1941, President Roosevelt and his Cabinet had reached the unanimous conclusion that war tension had reached such a point as to convince them that the people would back us up in case we struck at Japan down there (in the Far East). They then took under

consideration 'what the tactics would be.' Unless Japan yielded to diplomatic representations on the part of the United States, there were three choices on tactics before the President and the Cabinet: They could wait until Japan attacked; they could strike without a declaration of war by Congress; or the President could lay the issue of peace or war before the Congress."

"5. The appropriate high authorities in Washington had the organization for working in such close cooperation during the days immediately prior to the Japanese attack on December 7 that they had every opportunity to make sure that identical and precise instructions warranted by the imminence of war went to the Hawaiian commanders."

"7. Army and Navy information which indicated growing imminence of war was delivered to the highest authorities in charge of national preparedness to meet an attack, among others, the President, the Secretaries of State, War, and Navy, the Chief of Staff, and the Chief of Naval Operations."

"10. The knowledge of the Japanese designs and intentions in the hands of the President and the Secretary of State led them to the conclusion at least ten days before December 7 that an attack by Japan within a few days was so probable as to constitute a certainty and, having reached that conclusion, as Commander in Chief of the Army and Navy, was under obligation to instruct the Secretary of War and the Secretary of the Navy to make sure that the outpost commanders put their armed forces on an all out alert for war."

"11. The decision of the President, in view of the Constitution, to await the Japanese attack rather than ask for a declaration of war by Congress increased the responsibility of high authorities in Washington to use the utmost care in putting the commanders at Pearl Harbor on a full alert for defensive actions before the Japanese attack on December 7, 1941."

"12. The messages sent to General Short and Admiral Kimmel by high authorities in Washington during November were couched in such conflicting and imprecise language that they failed to convey to the commanders definite information on the state of diplomatic relations with Japan and Japanese war designs and positive orders respecting the particular action to be taken--orders that were beyond all reasonable doubt as to the need for an all out alert. In this regard the high authorities failed to discharge their full duty."

"15. The failure of the Washington authorities to act promptly and consistently in translating intercepts, evaluating information, and sending appropriate instructions to Hawaiian commanders was/a considerable measure due to delays, mismanagement, noncooperation, unpreparedness, confusion, and negligence on the part of officers in Washington."

"19. The defense of Hawaii rested upon two sets of interdependent responsibilities: (1) the responsibility in Washington in respect of its intimate knowledge of diplomatic negotiations, widespread intelligence information, direction of affairs and constitutional duty to plan the defenses of the United States; (2) the responsibility cast upon the

commanders in the field in charge of a major naval base and the fleet essential to the defense of the United States to do those things appropriate to the defense of the fleet and outpost, Washington failed in (1) and the commanding officers failed in (2)."

The minority report then went on to pinpoint the evidence which was produced before the committee which the minority believed sustained its findings and conclusions. Summarizing the conclusions of the minority, it assessed responsibility for the failures upon the President, the Secretaries of War, Navy, the Chiefs of Staff of both the Army and the Navy, the Chief of the War Plans Division of the Army General Staff, and the commanders at Pearl Harbor.

From the foregoing, it is apparent that three groups of Congressional investigators were widely divergent in their conclusions which were deduced from the same evidence. A great mass of testimony was produced, which together with the records of prior investigations and exhibits, amounted to something over ten million words. Some of the testimony was admittedly emphasized for the purpose of substantiating one side or the other of the controversy but the important factor was that at long last and for the first time a complete investigation was made and the record of it was available for public examination. The various conclusions may well have been colored by political partisanship, but the record was there so that all interested persons could weigh the evidence for themselves and arrive at their own conclusions.

Conclusions To Be Drawn

The question whether the President brought on the war to avoid the necessity of going to the Congress for a formal declaration of war was the subject of extensive exploration and debate in the Congressional investigation and elsewhere. Since the matter had taken on a strong political tinge at the time of the Congressional investigation it is small wonder that diametrically opposed conclusions were reached. The majority report concluded that the allegation was without factual foundation. The minority report concluded that the President intentionally chose to bring on the war rather than submit the factual situation to the Congress.

The basis for the minority conclusion seemed to be that the President was cognizant of every detail of intelligence, that he actively assumed the position of Commander in Chief of the Armed Forces by issuing specific directives to them, including instructions to certain ships, and that he intentionally pressed the Japanese to a point where he expected that they would retaliate by acts of violence and thus begin the expected war.

There is evidential support for the conclusions of both reports. There is not much question that we pressed the Japanese hard for the purpose of deterring them from continuing the action which we considered inimical to our interests. The President and the Secretary of State had every reason to believe that the terms upon which we insisted would not be acceptable to the Japanese. This belief was amply confirmed in November and early December 1941 during the alleged negotiations between

the Japanese Ambassadors and our State Department which were taking place in Washington. At that time the position of the Japanese was well known to our negotiators because communications between the Japanese negotiators and their government were being intercepted and read. Those intercepts clearly indicated that the Japanese Government was wholly dissatisfied with our proposals and considered them "humiliating." During the latter part of the negotiations, the Japanese negotiators were directed by their government to present a false front to the American State Department. An examination of the intercepts shows beyond dispute that the Japanese considered themselves being gradually pressed to the point where they must lose face with their people, or fight. The choice, and the intercepts so intimate, was inevitable.

The President established the policy that we would continue on our political course and that if war could not be avoided as a result of such action, the Japanese commit the first overt act. This policy was communicated to the military authorities in Washington and was by them passed on to the lower echelons, including the commanders at Pearl Harbor. What the state of mind of the President was at that time probably will never be known. Since there has never been any contention that the President acted beyond the scope of his powers or took any illegal action, it seems to me that whether or not he intended to circumvent Congress is unimportant. Whether wisdom should have dictated consultation with the Congress will perhaps be debated indefinitely. Likewise debatable may be the prudence of his policy

decision and whether the future of the United States was advanced by catapulting us into the war with Japan on the side of the Allies at that time. These are political questions involving policy which are properly for determination by historians and future generations. The fact remains that the President acted within the scope of his authority.

The decision of the President not to consult the Congress, if such were the case, had little bearing on the Pearl Harbor disaster. Conceivably it could have occurred after full consideration by the Congress. It was an unexpected result of the operation of our national policy which involved pressing the Japanese, taking precaution to avoid any incident or action which the Japanese could consider a provocation for going to war and by restraining our military forces to the end that if war came it would be by an overt act of the Japanese. The embarking on this national policy and the consequent military directives involved taking certain calculated risks which those in authority had the right and duty to take. These were command decisions which must have given consideration to the capabilities of Japan. As of that time the following possibilities were among those which the military authorities considered most prominent.

1. Japan could proceed with renewed vigor in the policies to which the United States objected.
2. Japan could threaten or actually launch an attack upon the Philippine Islands or other Pacific Islands.
3. Japan could either threaten or attack cities on our West Coast, the Aleutians, or the Panama Canal.

4. Japan could threaten or attack Hawaii and as an incident of either could induce insurrection and sabotage by the large population of persons of Japanese ancestry living there.

The action suggested in 1 and 2 seemed most probable because in pursuing their activities in Asia they would not necessarily commit an overt act of war against the United States, and for many years our military planners had considered the Philippines difficult, if not impossible, to defend against a determined enemy attack. An attack on the West Coast cities, the Aleutians, or the Panama Canal, though possible, was believed improbable because of the distance from Japan and also there was interposed between the Japanese Fleet and its prospective objective, the United States Fleet. An attack on Pearl Harbor was considered a possibility as maneuvers had frequently demonstrated the feasibility of such an action. However, it was anticipated that a naval force sufficient to accomplish the purpose could not get within striking distance without detection. The internal security of Hawaii seemed to be of major importance. The presence there of 170,000 persons of Japanese ancestry, of which 35,000 were alien nationals, gave rise to the view that in the event of war with Japan these persons, if so disposed, could present a serious problem in the way of subversive activities. The fact that Japan claimed all of these persons as Japanese nationals made the problem more acute. It was concluded that any unusual military activity in Hawaii might be seized upon by Japan as an unfriendly act and an excuse to go to war. It must be borne in mind that at this time Japan was completely dominated by a military clique which was bent on

expansion at any cost. Under all of the circumstances it was concluded that, pending hostilities, the military operations of the Hawaiian Command should be restricted to a defense against sabotage or insurrection.

On November 25th, Admiral Nagumo was at sea and proceeding at all speed in the direction of Hawaii for the purpose of attacking Pearl Harbor in the event the negotiations failed. Although our Washington authorities were not aware of this fact the consensus was that war was in the offing. In consequence of our national policy, therefore, on November 27th war warnings were dispatched to the Pacific commanders. The warning to General Short, the Army commander at Hawaii, included special instructions. In part, the warning to him read as follows: "Negotiations with the Japanese appear to be terminated to all practical purposes with only the barest possibilities that the Japanese might come back and offer to continue. If hostilities cannot, repeat cannot, be avoided the United States desires that Japan commit the first overt act. This policy should not, repeat not, be construed as restricting you to a course of action that might jeopardize your defense. Prior to hostile action, you are directed to undertake such reconnaissance and other measures as you deem necessary but these measures should be carried out so as not, repeat not, to alarm the civil population or disclose intent"

In view of the conflicting instructions contained therein, this message was subsequently referred to as the "Do or Don't Message."

What the Washington planners had in mind when they inserted the restriction in the orders to the Army Commander at Pearl Harbor has been the subject of much conjecture and controversy. Their motives would seem to be rather clear when one considers the factual situation as they saw it at the time and the action they took to meet it. Three factors seem to have dominated the action taken. First, there was fear of serious sabotage in Hawaii. Second, it was believed essential that nothing be done in the way of mobilization there which the Japanese could seize upon as an excuse to go to war. Third, on the basis of probabilities it was believed that the Japanese attack would be made at some point in the Far East.

Supporting the first factor was the presence in Hawaii of 170,000 persons of Japanese ancestry whose loyalties were unknown. The second factor was borne out by a statement given by Mr. Stimson, Secretary of War, to the Congressional investigating committee which, in part, read as follows: "In Hawaii because of the large numbers of Japanese inhabitants, it was felt desirable to issue a special warning so that nothing would be done, unless necessary to defense, to alarm the civil population and thus precipitate an incident and give the Japanese an excuse to go to war and the chance to say that we had committed the first act." The third factor is indicated in the warning message to Admiral Kimmel which stated, in part: "An amphibious expedition against the Philippines, Thai, or Kra Peninsular or possibly Borneo, is indicated by the number and equipment of Japanese troops and the organization of their naval task force Guam, Samoa and Continental Districts have been directed to take appropriate measures

against sabotage. A similar warning is being sent by the War Department." All three of these factors taken together would seem to sustain the view that the Washington authorities intended that pending hostilities elsewhere, Hawaii should be alerted against sabotage only and that when hostilities should commence, the Hawaiian Commander would be free to take such further action as the local situation might require.

The Island of Oahu, upon which is located Pearl Harbor, is a relatively small one which measures about forty miles long and about twenty-six miles wide. Among the inhabitants of this Island were more than 75,000 persons of Japanese ancestry, many of whom were living in close proximity of Pearl Harbor and other military installations. Any sizable troop movement, and certainly one involving a general mobilization, could not possibly be concealed from the public and would, therefore, be proscribed by the directive from the War Department. General Short decided that an alert against sabotage would meet the requirements of the directive and he immediately put that alert into effect and reported his action to the War Department.

On the following day, November 28th, he received a directive from The Adjutant General, the administrative spokesman for the Army, which contained directives concerning subversive activities. This contained the restriction, "This does not, repeat not, mean that any illegal measures are authorized." This puzzled General Short and in order to insure that his troops were disposed in the manner desired by the War Department, he replied by setting forth in detail the status of his command. Other directives were received from other subordinates of the War Department conveying directives concerning sabotage but none contemplated any change in the disposition of his troops.

For several days preceding December 7th, hostile action by the Japanese forces against the United States on or before that date was so probable as to make substantially a certainty to everyone in official Washington who was concerned with the matter. The "bomb plot" messages which were being sent by the Consul General of Honolulu to Japan directly pointed to Pearl Harbor. This intelligence or any hint of it was never forwarded to General Short. The intercepts coming to the attention of official Washington in the form of the "fourteen part" message, thirteen parts of which were delivered on December 6th, clearly indicated the imminence of war and yet it did not sufficiently impress official Washington to change its policy concerning the state of alert in Hawaii. The "fourteenth part" message came and no one was impressed with the need to inform the Hawaiian Commanders. Then came the "one o'clock" message early on Sunday morning, December 7th. This message pinpointed the very hour of hostile action. This did impress the War Department General Staff, but those in control sat on their hands awaiting the availability of General Marshall who was on his famous horseback ride until 2:30 that fatal morning. Immediately upon receipt of this message General Marshall sprang into action. The tragic results of his efforts to warn General Short are now history. Curiously, however, he did not direct a change in the character of the alert in Hawaii. A call on the scrambler telephone to General Short or Admiral Kimmel, even at that hour, might have changed history. Furthermore, if instead of sending a courteous informative message, that warning message had read "Urgent, repeat urgent, place all Pacific Commands on full alert," the result might have been different all along the line.

It is a relatively simple matter to review, in retrospect, facts and factors concerning the Pearl Harbor matter and fix blame on the basis of what should or should have not been done in the various situations. This seems to have been done repeatedly in the numerous official investigations and by the many writers on the subject. For this reason the findings and conclusions were understandably at considerable variance.

To question the capabilities of General Marshall, the Army Chief of Staff and his opposite number, Admiral Stark, the Chief of Naval Operations, would be idle indeed because both were outstanding men of proven character and ability. In their places in the chain of command both officers had absolute responsibility to their respective superiors, the Secretaries of War and Navy. On the other hand, their duty to their subordinates at Pearl Harbor and the men under their commands was plenary. To suggest that either of these officers intentionally submitted their subordinates to the fearful drubbing they received at Pearl Harbor is too absurd to contemplate. Both were merely in the chain of command in the execution of our national policy.

The personnel of the General Staffs of both the Army and the Navy and those of the intelligence services of both departments were outstanding men, many of whom distinguished themselves in the war which followed. Some of these men were charged with the duty of keeping the field commanders informed as to intelligence and examining in the first instance the plans of those commanders to meet the emergencies which

might be expected. There were abysmal failures in both respects but here again these men were bound by the national policy and the command decision concerning Hawaii.

That Admiral Kimmel and General Short were fully qualified and competent men has never been disputed. Both were specially selected for the duty which they were performing at the time of the attack. There is nothing which either could have done except act in accordance with the orders they had received from higher authority. This they did. In the case of General Short, he not only complied with his orders but specifically reported, in detail, the action he had taken. To have gone on an all out alert would have been in contravention of his instructions and would have been in direct conflict with the Washington policy of avoiding any action which the Japanese might seize upon as an excuse to go to war.

The decision to hold to our national policy, even if it meant war with Japan, was a political one. What would be the Japanese reaction to that policy was an unknown quantity and Washington took military steps which it believed would be sufficient to meet any probable action. This was a command decision taken on the basis of the overall situation. In so doing, Washington retained command control and issued directives to Pacific Commands, including Hawaii. This was the right of the Washington authorities and they exercised it. In assuming that prerogative the Washington authorities relegated all subordinates to strict compliance with directives. The restriction placed upon the Hawaiian Commanders was wholly within the authority of the Washington superiors. These

restrictions were calculated risks based upon known probabilities. This is always the prerogative of the superior commander. The results of the Japanese sneak attack on Hawaii was regrettable, but the fact that we suffered losses there does not call for the fixing of blame either upon the Washington authorities who issued the directives or the commanders at Pearl Harbor who carried them out. It was a calculated risk that failed. War always contemplates temporary setbacks and inevitable losses of life. Such will always be the risks in the fortunes of war. The catastrophe at Pearl Harbor was one such instance.

The Pearl Harbor incident became the subject of public indignation and as is usual in such cases the fixing of responsibility for the occurrence was demanded. On the theory that a public explanation would be inimical to the prosecution of the war, Washington made no public explanation. Instead a high powered investigating board, headed by Mr. Justice Roberts of the United States Supreme Court, was sent to Hawaii. A hurried investigation was had and a portion of the conclusions of this board was released to the public. From this portion, the public came to believe that the sole responsibility for the debacle was a failure on the part of the Hawaiian Commanders. This belief was strengthened by the prompt removal of Admiral Kimmel and General Short from the active list. Rumors to the effect that Admiral Kimmel and General Short were drunk, that they were not on speaking terms, and other equally fanciful allegations were permitted to go unchallenged. This resulted in a general condemnation of these two officers which official Washington never sought to refute. Both officers were driven

into ignominious retirement at a time when officers of their attainments were few. The subsequent policies of official Washington concerning the Pearl Harbor matter and the efforts of these two officers to attain vindication was unusual and unique in our history.

It is unfortunate that the investigation by the Roberts Commission was so hastily conducted and that Admiral Kimmel and General Short were not afforded an opportunity to be present, cross-examine witnesses, and present evidence on their own behalf. The fact that they were denied such privileges made an adverse impression on the public, and by the time their day in court arrived much important testimony had slipped away from the recollection of men who were busy fighting a war. To attempt to defend this action on the basis that the Commission was looking into the whole matter and was not concerned in investigating the commanders at Pearl Harbor was a very thin theory which cannot readily be justified. Equally unfortunate was the publicity attending the release of a portion of the report which had the effect of saddling the entire blame for the catastrophe upon the commanders at Pearl Harbor. No one in authority attempted to acquaint the public with the details, nor was there any full scale investigation conducted to determine and preserve the facts until it was done in compliance with Congressional directives, when memories of men had been dimmed by the passage of almost four years of war. All of this gave rise to the view that there was something being hidden and that skullduggery was at the bottom of the matter. The withholding from the commanders at Pearl Harbor of the evidence upon which they had been convicted by the

Roberts Commission was a most unusual procedure. To attempt to justify such action on the basis of secrecy falls short of the mark when one considers that the accused officers were equally good security risks as anyone connected with the investigation.

Amazing as it may seem, there was a denial to the Pearl Harbor Board and the Navy Court of Inquiry testimony concerning the "magic" messages as well as other intercepts. Apparently, at least a portion of this information was available to the Roberts Commission. That evidence went to the very vitals of the Army and Navy inquiries, and accurate conclusions could not possibly have been determined without a consideration of it. To attempt to justify the concealment of this information from the court and the board on any basis of secrecy is unrealistic since all members of the deliberating bodies were trusted public servants who were in possession of hundreds of top secret matters. Information concerning the breaking of the Japanese code was known by Governor Dewey of New York who was under no obligation whatever to hold it in secret save that of being a patriotic American citizen. I know of no reason why the members of the board and the court, as well as General Short and Admiral Kimmel, were not entitled to the same consideration. Moreover, since General Short and Admiral Kimmel were on trial before a tribunal which might well be their last and only trial, they, as well as the tribunal, were entitled to have presented every scrap of material evidence. The fact that by persistent efforts of the accused officers, this information was eventually made known to them and to the tribunal, in no way mitigates the fact that it was for a time successfully withheld from both. The action of the War

and Navy Departments in this connection is difficult to justify by reason of secrecy or any other basis. Whatever the reason was has never been revealed, but it seems unique in our system of justice.

Higashi No Kazeame (East Wind Rain)

Typical of many unexplained mysteries which were never cleared up by the Congressional investigation or elsewhere was the inquiry concerning the "Winds Execute Message." It will be remembered that the "Winds Code" was one which was to be inserted in the daily news and weather broadcast by short wave from Tokyo and repeated with such a definite pattern of words as to indicate that war with Britain, Russia, or the United States, or all three, was about to take place. Upon the receipt of the "Execute" message all Japanese officials wherever located were to destroy their codes and burn all confidential papers. The Japanese words concerning war with the United States were "Higashi No Kazeame," which translated into English means "East Wind Rain."

The Army Pearl Harbor Board found that the "Execute" message was received in both the War and Navy Departments on December 3rd, but that the records had disappeared at the time of the investigation.

The Judge Advocate General believed that the "Execute" message was received by the Navy Department subsequent to the attack on Pearl Harbor.

The Navy Court of Inquiry decided that the code message was received in the Navy Department but that the "Execute" message was never received.

The minority of the Congressional committee pointed out that contradictions in testimony existed on the question whether the "Execute" message was received but intimated that the members of the committee were impressed by the testimony of senior officers to the effect that they did not know until 1945 about the allegation that there had been no "Execute" message. The committee went on to say, "If, however, the receipt of the activating 'Winds' message be wholly discounted, such discounting in no way effects the other items of unmistakable evidence which demonstrated that high authorities in Washington had sufficient knowledge of Japanese designs to convince them before the attack that war with Japan was an imminent certainty."

The majority report of the Congressional committee went to considerable lengths to ascertain the facts in this particular. It concluded that Captain Safford, who steadfastly maintained that the "Execute" message had been received prior to the war, "is honestly mistaken when he insists that an 'execute' message was received prior to December 7th." It adds significantly, "Considering the period of time that elapsed, this mistaken impression is understandable." It also concluded that "such facts would have added nothing to what was already known concerning the critical character of our relations with the Empire of Japan."

The divergence of opinions, testimony and conclusions on the question of whether or not the "Execute" message "Higashi No Kazeame" (East Wind Rain) was received points up eloquently the difficulty in determining the facts and accurately assessing responsibilities after

the passage of four years of war. Had a full scale investigation been undertaken at the time, perhaps this and many of the imponderables which appeared in 1946 would have been avoided. As the matter now stands, the records are full of discrepancies, contradictions, and inconsistencies on vital matters which can never be determined with any degree of certainty.

I venture to guess that for the next thousand years or more, the subject of the Pearl Harbor attack will continue to be of interest to the American public. All of the facts concerning this important military disaster have not yet been brought to light and perhaps many will never be revealed. However, the continued public interest may serve to prevent the recurrence of a similar incident. If it does that, something of value will have come out of this, our most tragic military blunder.

