

OFFICE OF STRATEGIC SERVICES

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August 3, 1942

MEMORANDUM

To: Colonel Donovan

From: Atherton Richards

Subject: CERTAIN IMPRESSIONS CONCERNING THE OUTCOME OF MARTIAL LAW ON THE ISLAND OF OAHU, HAWAII.

SEARCHED
E.O. 12958
Authority: **WNA**
By: **EAL**
7/26/79

A number of impressions derived by the writer from personal contacts and observations, during a stay in Honolulu of ten days late in July, 1942, are outlined herein. No attempt is made to present a legal discussion or detailed study of martial law and its effect. The remarks which follow, relate in most instances to matters concerning the Island of Oahu.

Martial law was proclaimed in the Territory of Hawaii following a proclamation issued December 7, 1941, by the Governor of the Territory of Hawaii, wherein he stated:

"I have called upon the Commanding General, Hawaiian Department, to prevent * * * * invasion;

"I do hereby suspend the privilege of the writ of Habeas Corpus until further notice;

"* * * I do hereby place the said Territory under martial law;

"And I do hereby authorize and request the Commanding General, Hawaiian Department, during the present emergency and until the danger of invasion is removed, to exercise all the powers normally exercised by me as Governor;

"And I do further authorize and request the said Commanding General, Hawaiian Department, and those subordinate military personnel to whom he may delegate such authority, during the present emergency and until the danger of invasion is removed, to exercise the powers normally exercised by judicial officers and employees of this Territory and of the counties and cities therein, and such other and further powers as the emergency may require; * * * *"

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CONTROL OF MILITARY GOVERNOR OVER CIVILIAN ACTIVITIES

1. Examination of the general orders issued by the Military Governor (up to July 17, 1942) discloses the promulgation of regulations, controlling in major fashion, directly or indirectly, the economic activities and well-being of the entire civilian population. The following matters dwelt with therein are cited as illustrative of the scope of these general orders, and their application to civilian affairs:

a. Civil court activities and authorities are prescribed. All criminal cases, whether affecting the military security of the Territory or otherwise, are handled by provost courts presided over by service personnel. No jury trials are permitted. Persons have been held in confinement incommunicado, for a number of days, for presumed violation of laws not affecting military security, without preferment of charges.

b. Persons are prohibited from selling, delivering, or receiving any commodity in violation of any maximum price regulation or price schedule issued by the Military Governor.

c. Many civilian wage rates are stipulated. Broad control is exercised over labor even to the extent of prescribing the following:

"Any individual now or hereafter employed by (specified employers) * * * * who fails to report within a reasonable time thereafter, to the job to which he is ordered by his employer, shall, upon conviction, be fined not more than \$200 or be imprisoned for not more than two months, or both".

d. Speed laws are established and even bus stops specified for certain streets.

e. Rentals for housing accommodations have been fixed.

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f. Rules and regulations have been enunciated covering the sale and distribution of gasoline.

g. A pork center (made up of two private corporations) has been established and designated as the sole distributing agency for the purchase, slaughter and distribution of island hogs and pork for resale in the Honolulu area.

h. A private corporation is designated as the sole supervisory agency for the production and distribution of sea food from Hawaiian waters. (A marked shortage of meat has existed on Oahu and practically all fishing from boats is prohibited except subject to these regulations. A material living cost is thus determined.)

i. The use of pork in any form in preparing hamburgers is prohibited.

2. Consideration is being given to freezing civilian employees to their current positions and rates of pay.

3. The regulation of prostitution in Honolulu has recently been assumed by the provost marshal and military police.

4. The actual administration and interpretation of general orders rests in the hands of those

a. Drawn, in many instances, from civil life (often from business institutions or with affiliations financially or otherwise affected by their decisions and activities)

b. Whose military background has, in most cases, provided little experience to cope with the economic and civilian problems ruled upon.

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An analytical review would appear to be warranted to determine whether the all-inclusive military control measures, now operating under the jurisdiction of the Military Governor, may not invite hostile criticism of Army administration in Washington and elsewhere, through

1. Citation of the pattern and outcome of martial law in Hawaii, as a reasonable forecast of what may occur to some other American community, should it chance to come suddenly within the zone of hostilities (a highly elastic area definition when viewed in the light of aerial warfare)

2. Ill-considered action of subordinate personnel

a. Temporarily absorbed into the organization of the Military Governor, and whose financial affairs and future may be influenced by the administration and interpretation of general orders

b. Unmatured and inexperienced in economic and civil administrative problems

who might cause inequities of which the Military Governor would be unaware, but for which the Army would be held responsible.

CIVILIAN BUSINESS REACTION TO MILITARY CONTROL AND THE EMERGENCY PERIOD

1. There existed little indication of any desire to question the application or inclusiveness of military control. No evidence was apparent of any group discussion, outlining conditions or future times which might be deemed appropriate for the repossession of civil rights. Many expressed a willingness to forego elections normally scheduled for the near future.

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2. By virtue of the rigid military control of all inward and outward freight movement, of local prices and through other all-inclusive regulations, local business is completely under the dominance of the Military Governor and acts accordingly.

3. Large agricultural and corporate business organizations have been outstandingly cooperative in providing personnel, equipment and other facilities, for defense activities.

4. Those small businesses which are not suffering from lack of merchandise through priority scarcities, are enjoying highly profitable operations.

5. Negligible consideration is being given by business leaders to utilize federal agencies and their capabilities, to finance and construct at an appropriate time in the future, facilities for local production of materials and supplies, needed during the current emergency, and potentially of considerable value in coping with anticipated territorial post-war employment problems.

PROGRESS OF PREPARATIONS FOR DEFENSE

1. Casual observation indicated that at least one out of three persons encountered on the streets of Honolulu was a soldier or sailor. Soldiers, even off duty, carried helmets and gas masks.

2. Practically the entire beach area of Oahu is lined with barbed wire and fields of fire are cleared for machine guns and artillery.

3. Army airfields have been tripled. Many are concealed. Plane protective bays are afforded in many instances.

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4. Hidden and camouflaged artillery posts exist on many of the mountain ridges, commanding bays and beaches.

5. Every civilian home has been required to construct an air raid shelter adjacent to the house. Practically all parks and school ground areas in the City of Honolulu are also provided with extensive air raid shelters.

6. Civilian organizations, made up of many hundreds of individuals, have been developed for the handling of evacuation from congested areas, hospitalization, gas attack, fire emergency, and to provide extra police and accumulate a blood bank.

7. Over 90 percent of a computed six-months' reserve for civilian food requirements has been accumulated. A seed supply has been stored for emergency use, for local production of a number of important food products.

8. Widely scattered depots have been filled with construction supplies and materials for the Army and Navy.

9. The writer was informed that the U. S. Engineers in charge of Army construction activities had currently on their employment rolls over 20,000 persons.

10. Information was received that on other Hawaiian Islands, defense preparations were being rigorously carried on and would soon approximate Oahu's strength.

PERTAINING TO RESIDENTS WHO ARE JAPANESE ALIENS OR ARE OF JAPANESE ANCESTRY, AND ELEMENTS ASSOCIATED THEREWITH.

1.) A large proportion (possibly exceeding 50 percent) of common and artisan labor used on defense projects on Oahu, are of this class.. Defense work would be seriously hampered if such were not used. From certain jobs, the Japanese aliens are excluded.

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2. Hawaiian National Guard units which were on duty, and contained a large number of this group were withdrawn from the seashore and strategic areas during the Midway battle. Approximately 1,000 from this racial group have been sent to the midwest to serve there as a military unit in uniform.

3. A proposal, recommended by Army authorities and G-2 in Hawaii, has been forwarded to Washington to permit a volunteer force from this group to be inducted, for active military service in non-Pacific areas. No rejoinder to this recommendation has been received. It is possible that lack of an answer may arise from the non-desire of Army headquarters to provide a precedent for the handling of special racial groups (which might be embarrassing in view of the request of Jews, Poles, etc.) The transfer from the Territory of this volunteer force (which has been estimated might number 10,000) is looked upon as having major long-range implications in territorial population trends.

4. Conduct of this group has been most circumspect since December 7th. Besides the operation of normal law abiding influences, the group has been unconstrained by the known inclusion in concentration areas in the Territory, of a considerable complement from their number, the black-out and curfew laws prevailing, frequently repeated comments of recently arrived U. S. troops concerning what they were prepared to do to the group, and the publicized action of sentries, the result of whose unheeded challenges, had brought instantaneous fatal shots.

5. Young members of the group have been organized at the request of local authorities, to assist in evacuating their group from congested areas, and to handle their casualty and indigent cases.

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6. Responsible military and civil authorities voice the opinion that the situation pertaining to this group is well in hand and has been effectively handled.

TRUCK CROP PRODUCTION, TERRITORIAL ACREAGE DEVOTED THERETO, AND ELEMENTS INVOLVED THEREIN.

1. Out of approximately 250,000 acres normally devoted to corporate sugar and pineapple production in the Territory, it was reliably reported that less than 1,500 acres were allocated to producing truck crops as of July 1, 1942.

2. Approximately 2,000 acres in addition, as of the same date, is being farmed to truck crops by small growers.

3. The aforementioned acreage in truck crops (approximately 3,500 acres) represents about a one-third increase in acreage as compared with a year previous (pre-war).

4. Using the month of July as a comparison, it is estimated that July 1942 will harvest truck crop production of only approximately 10 percent greater poundage than was estimated was produced for July 1941 (approximately 5,275,000 pounds).

5. While adequate shipping facilities from the mainland are forecasted to be available, military authorities are not pressing for local production. Primary reasons given for this non-stimulation of local truck crop production, are the consequent elimination of demand for the importation of bulky fertilizer and insecticide requirements, and the local shortage of labor.

6. There has been a noteworthy non-coordination of importations from the mainland, with maturing local truck crops.

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Market over-supply has resulted, with ruinous prices a consequence, and often a large amount of wastage.

7. There appears to be no forecasting of requirements for truck crop produce by the Army and Navy. No combined purchasing agency was found. Lacking a guarantee of purchase of a given quantity, a specified price, or a period in which delivery of product would be accepted, large agricultural interests are without any incentive for producing truck crops.

8. With no reliable inter-island shipping accommodations or ship schedules afforded, considerable rotting of truck crop produce has ensued in the outside islands (other than Oahu).

9. It was reported that only small growers had the requisite experience to produce satisfactorily, truck crops.

GENERAL

1. Indications were received that the U. S. Fleet and Navy Command at Pearl Harbor does not concern itself with the policies or operations of the Military Governor.

2. Unification of the local activities and programs of G-2, C.N.I. and F.B.I. as they pertain to the Island population, has been provided for under the general guidance of G-2.

3. It was reported that activity towards amplified organization of labor on defense projects had ceased after December 7th.

4. No enthusiasm was shown on the part of citizens contacted, at the announcement of the appointment of the new Territorial Governor, Judge Stainback.

5. With the feverish civil construction activity, and organizing of civilians, mainly completed, a new cycle appears to

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be approaching where the maintenance of civilian morale in a possibly inactive zone, will constitute a considerable problem. The outcome of the recent Midway battle brought an immediate let-down.