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STATEMENT OF JOHN N. McINTOSH, CAPTAIN OF DETECTIVES

At 8:45 Friday morning, the 8th of January, 1932, Inspector Finnegan, my first assistant, informed me that he had received a telephone message from some person at the Circuit Court to the effect that Joe Kahahawai, one of the defendants in the Ala Moana rape case, had been kidnaped from in front of the Judiciary Building by two men, and taken away in a sedan car. I sent Detective Cedarlof to the Judiciary Building to get more information and verification of this report. At the same time I ordered Rickard, the radio announcer, to call all cars to the station at once. That order was issued at 9:00 o'clock. When Radio Car No. 1 (C.&C. 308) reported in at 9:04, I told the two men in that car, Takei and Freitas, to go to the home of Joe Kahahawai and find out if he were there or if anything had happened to him. Cedarlof returned from the Circuit Court and the only information he could glean there was that an Hawaiian boy whose name he did not know at that time, told Mr. Dickson of the Circuit Court that two men had taken Kahahawai away in a sedan car and driven off in the direction of Waikiki. This boy also spoke to Detective Bettencourt who told him to report to Major Ross of the Territorial Police. I dispatched one of the radio cars, No. 2, in charge of Camacho and Black, over the Pali road, with instructions to go around Waimanalo and back to town via the new road at Koko Head. When Takei and Freitas reported back from the Kahahawai home, they informed me that Eddie Ulii had told his people that Kahahawai had been taken away by two men in a sedan car which was headed towards Waikiki. I instructed these two men to proceed to Kaimuki towards Koko Head and make inquiries about any sedan cars that might be travelling in that direction at a fast rate of speed. The other radio car, No. 3, containing Troche and Clarke, I sent around Ala Moana and the Waikiki Districts, with the same instructions. Cedarlof learned that Mrs. Fortescue,

the mother of Mrs. Massie, complaining witness in the Ala Moana rape case, had been seen in front of the Judiciary Building at the time Kahahawai was kidnaped. I left my office and went to that of Griffith Wight, deputy county attorney, to report the matter to him and get his advice by having Mrs. Fortescue brought in. Upon arriving there I found that Wight was with the Attorney General, and that they were conferring with the Governor. Miss Peters of the county attorney's staff, got in touch with Wight in the Governor's office, and told him I wished to see him. I was told to report to the Attorney General's Office and await Wight there. Mr. Hewitt called the Fortescue home while we were there, and asked if Mrs. Fortescue was at home. He said a man answered the telephone and told him that Miss Fortescue was out. Hewitt told him he wished to speak to Mrs. Fortescue, and was told by the voice at the other end that Mrs. Fortescue was at her son in law's house, and then said, "my house." Mr. Dickson had joined us at that time and gave us what information he was in possession of, and accompanied the Attorney General, Mr. Wight, Sergeant Lono McCallum and myself to the home of Mrs. Fortescue on Ko luwalu street. Upon our arrival there we found nobody home. We made inquiries at the home of Mrs. Tarleton, next door neighbor of Mrs. Fortescue, and asked Mrs. Tarleton if she had seen or heard anyone leave the Fortescue premises that morning. She said she had not. She said that some time prior to our arrival there she and her sister, Mrs. Stickney, who was in the house with her, heard a report as of a gun shot. It might have been a fire cracker, she said. In the meantime Mr. Hewitt went over and saw Mrs. Riggsby. She is the wife of a naval lieutenant living at the corner of Pamoia and Koluwalu, and learned from her that she had seen a man drive Mrs.

Fortescue's roadster out of the Fortescue driveway that morning. She saw or heard nothing unusual. From there we proceeded to the home of Lieutenant Massie at Kahawai street. On arriving there we saw Mrs. Massie and a man who was pretty much under the influence of liquor. This man was sitting on a davenport and had a glass of liquor in front of him on one of these little occasional tables. We questioned Mrs. Massie as to where her mother was, and she she said she understood that her mother had gone down town shopping. While Mr. Wight and the Attorney General and I were in the house, Officer McCallum had made an examination of a Durant roadster which was parked in front of the Massie home. While still in the Massie home I called Inspector Finnegan and asked if any report had come in about Kahahawai's whereabouts, and he told me that he had just heard that Kahahawai's body had been found out on the Koko Head road. This information I gave to Mr. Wight and Mr. Hewitt in the presence of Mrs. Massie and the man who was sitting on the davenport (Jones). When we left the Attorney General's office to go to the home of Mrs. Fortescue it would be a little after 10:00 a.m. When we left the Massie home to return to the Attorney General's office it would be getting on towards 11:00 o'clock.

Mr. Winn: I understand from a statement you made at the coroner's inquest that you did not see any gun the first time you got there.

A. No, I did not see any gun.

Q. As far as you know, did anyone see a gun the first time you got there?

A. To the best of my knowledge, no, emphatically as far as I am concerned, no.

Q. All right, go ahead.

A. On the way back to the Attorney General 's office McCallum mentioned the fact to me that the radiator of the Durant roadster was very hot and he was of the opinion that the man who was in the Massie home may know something about the abduction of Kahahawai, and that it would be a good idea to bring him in to question. I asked Wight and the Attorney General who were sitting in the back seat of the car, what they thought about it, and after deliberating I decided, after dropping them off at the Attorney General's office that we would go back and place this man under arrest. McCallum and I returned to the Massie home and found that a second man had arrived in the meantime, an enlisted man called Gilkey. Placing this first man under arrest, we searched him for fire arms but found none. I also placed Gilkey under arrest. Mrs. Massie strongly objected to my arresting them and taking them away from the house without a warrant. She told me they were there at her house as her body guards. Nevertheless we brought them to the county attorney's office where they were questioned. Jones, who appeared to be very much under the influence of liquor, was sent to police headquarters to sober up before further questioning. In the meantime the boy Eddie Ulii had reported to police headquarters, was sent to the county attorney's office, and identified Mrs. Fortescue as the woman who pointed out Joe Kahahawai to the two men who took him for the ride in the Buick sedan. He also identified Massie. He said Massie at the time of the abduction was wearing a false moustache. The following day, Saturday, the same boy identified a document which was purported to be the summons to Joe Kahahawai to appear. He also identified Jones, the first man whom I saw at the Massie home, as the man who presented this document to Kahahawai and told him to get into the sedan car. He further

identified Jones by a dragon ring which he wore on his left ring finger. After identification the defendants were all in due course charged with murder in the first degree.

Q. Were you at the Fortescue home when the home was searched?

A. No, I was not.

Q. Do you know whether or not a search warrant was obtained for the search of the Fortescue home?

A. No, to the best of my knowledge it was not. I wouldn't say for sure.

Q. As far as you know?

A. As far as I know I don't think so. As far as that is concerned, we were led to believe and are inclined to believe a crime had been committed there, and I don't think any of us at that time considered it necessary, but to the best of my knowledge there was no warrant.

Q. When you took Jones down to the City and County Attorney's office, he was examined, was he not, before he was sent to the police station?

A. Yes.

Q. And at that time he was examined--

A. That was the first occasion when I brought him from the Massie home, you mean?

Q. Yes.

A. Right to the attorney's office.

Q. He was examined by Mr. Wight?

A. Yes.

Q. And at that time he was under the influence of liquor?

A. Very much so.

Q. You then sent him down to the police station to sober him up?

A. Yes, to sober him up.

- Q. And the second time you examined him he was sober?
- A. Perfectly sober.
- Q. Was it that day or the following day that you examined him?
- A. The following day, I believe.
- Q. When you searched Jones in the Massie home did you personally search him or did McCallum?
- A. I ran my hands over his body but found no bulge of fire arms or anything like that.
- Q. Did McCallum search him at all?
- A. He may have also searched him. We were standing one on each side of him, and he may have run his hand over him casually for fire arms. He may have also frisked him. We did not put our hands in his pockets or anything like that.
- Q. Was he searched at all when you got down to the City and County Attorney's office?
- A. When he was brought in on the first occasion and sent to sober up he was not searched until he got to the cell block.
- Q. Who searched him then?
- A. Henry Chillingworth.
- Q. He is one of the detectives?
- A. One of my staff. He was a recruit at that time.
- Q. Did you see Miss Helene Fortescue that morning?
- A. No, I did not. She may have been in the house. I am sure there was some one in the back bed room but I refrained from going there, I did not know but that someone might have been sleeping there. The reason I know some one was there, there were cigarettes burning in the ash tray.
- Q. Some one took Mrs. Massie to the police station, did they not, or to the city and county attorney's office, do you know?
- A. No, I don't think so. I can not be clear on that. I think she came down when she heard her mother was there.

- Q. As far as you know, she was not brought there?
- A. Oh, pardon me, just a second. I think Commander Bates and myself went up with a car to bring her and Miss Fortescue down with a view of having them sent to the Yard.
- Q. At that time she had a hand bag, didn't she?
- A. She had an overnight bag or a grip of some kind.
- Q. Was she brought to the police station or brought down to the city and county attorney's office?
- A. I believe I took her to the city and county attorney's office.
- Q. Was the bag searched at all?
- A. No, it was not searched that I know of.
- Q. Do you know whether or not anyone searched it?
- A. I could not say, but I did not search it.
- Q. Did you give any orders to have it searched?
- A. I did not.
- Q. That is all you know about it?
- A. That is all. I don't know that there is anything else.

The foregoing statement of John N. McIntosh, was taken at Detective Headquarters at 1:30 o'clock p.m., March 18, 1932, in the presence of Montgomery E. Winn and H.F. Nietert.

STATEMENT OF WILLIAM HOOPAI, ASSISTANT CHIEF OF POLICE.

March 18, 1932.

Mr. WINN: Tell us what you know about this, will you? Begin at the beginning on the 8th of January, 1932.

A. Well, all I know is that my part is very small in the matter. I was just the coroner. Some time between 9 and 10 I got word from the sheriff to proceed out to Hanauma Bay. The information was that Kahahawai was dead in a certain Buick car and they were holding the people out there. I immediately went out.

Q. Who did you go out with?

A. I went out with John Cluney, detective. I went out there and saw this Buick car and some people around the place, and I got off and they pointed out the car to me, and I peeped in the car and saw some object covered with a white cloth. There was some Manila rope in this car loosely wound around the object. I opened it up and saw a human body. I did not know Kahahawai at all but I knew it was some Hawaiian, so they pointed out and said there is Mrs. Fortescue and there is Lieutenant Massie and there is the other sailor in the other car. Some where around ten o'clock, or a little after ten the patrol wagon got there and I ordered the body removed from this car and put in the basket. I opened up the sheet, the covering, to examine the nature of the injury, and I found it apparently to be a bullet hole on the left side of the chest, I don't know now whether it was below the nipple or above the nipple, but anyway it was on the side, and he was naked, that is, he had no clothes on.

Q. Did he have any clothes on at all?

A. No clothes, just a white sheet over him, and a piece of

canvas, I believe, was underneath the body. I ordered the defendants, Mrs. Fortescue and Lieutenant Massie and this other sailor, in the patrol wagon, and brought the body to the wagon, and brought them down to the police station. I ordered the wagon to bring it down to the emergency hospital first. Then I made some inspection of the car inside and I found this empty cake box with some wet clothing in it.

Q. What kind of a cake box, tin?

A. No, paper, on the floor of the car, in the rear seat, the right hand seat. I instructed Cluney to pick up the clothing and put it in our car, and we drove back to town, and I believe these articles were turned over to Mr. McIntosh later. There was in amongst this bundle of wet clothing, I think a pair of dungaree pants, torn drawers, shirt, it may have been blue, a sleeveless undershirt, and shoes, I think a pair of shoes, and a piece of canvas. That is all I know about the matter.

Q. You did not go back with the defendants in the police patrol, did you?

A. No sir.

Q. When you went back with Cluney you took the clothing with you?

A. When we came back from Hanauma Bay, yes sir.

Q. Do you recall distinctly whether you turned them over to Mr. McIntosh or to Lau?

A. No, if I remember correctly they were brought into my office, that is where they were brought in.

Q. Who brought them in, do you remember?

A. Cluney.

Q. That is, after you got out of the car you went to your office

- and Cluney followed you with this bundle of clothing?
- A. I think I came in with him. We both got off the car and he gathered up the clothing and left it in my room.
- Q. And did you deliver the clothing and other articles to any one personally?
- A. I can not say whether I did or Cluney did.
- Q. Did you search either of the three defendants at that time?
- A. No sir.
- Q. Do you know whether or not they were searched on that day?
- A. I could not say.
- Q. They were not searched in your presence at all?
- A. No.
- Q. Did any of the defendants say anything at all that you heard?
- A. No sir.
- Q. What was the appearance of Mrs. Fortescue, did she seem excited?
- A. No. She sat on a rock off the road on the makai side.
- Q. How about Massie, was he calm?
- A. Yes.
- Q. Was the body injured at all other than this bullet hole?
- A. Not that I seen.
- Q. Was it mutilated at all?
- A. No.
- Q. The private parts were not mutilated?
- A. No sir, not at all.
- Q. There was a small scratch above his left eye, was there not?
- A. Yes, I believe there was.
- Q. Was that a very deep scratch?
- A. No, superficial, I think, I did not pay much close attention.
- Q. Did you have anything to do with the case after you returned

to the police station with Cluney?

A. No sir. I came back around Manoa. I saw Cedarlof up there, and the chief here. I think he sent Cedarlof and Stagbar up there.

Q. Were there any powder marks on the body?

A. Not that I noticed.

Q. On the shirt or undershirt?

A. No, the clothing was all wet, I couldn't see anything.

Q. Was there a hole in the outer shirt?

A. Outer shirt, yes, but not in the undershirt, it was an athletic shirt.

The foregoing statement of William Hoopai was taken at Detective Headquarters at 2:00 o'clock p.m., March 18, 1932, in the presence of Montgomery E. Winn and H.F. Nietert.

STATEMENT OF DETECTIVE JOHN C. CLUNEY

March 18, 1932.

Mr. WINN: What is your official position?

A. Detective.

Q. On Friday, the 8th of January, 1932, you went out with Mr. Hoopai, didn't you, to Koko Head road?

A. I did.

Q. Where was this Buick car, was it on the rough road?

A. To my knowledge it was on the macadamized road but with the two front wheels facing to the bank. It is all road, no sidewalk or gutter. It is a grade, about two hundred yards from the fork.

Q. Was it facing towards Koko Head?

A. It faced towards the sea, it was around the bend. The car was facing towards the sea.

Q. When you got there the three defendants were out of the car?

A. When I got there Mrs. Fortescue was sitting on the side of the road up on a kind of an embankment. Mr. Massie was in one of our patrol cars, and the third defendant, Lord, was in another patrol car.

Q. Then what did you do?

A. When we got there we looked into the car and saw this body of a man wrapped up in a sheet.

Q. Then what happened?

A. A few minutes after that the patrol wagon came and they lifted the body out of the car into the basket and the basket was put into the patrol wagon.

Q. Did you see the body at all?

A. I just saw the feet.

- Q. Were you present when Mr. Hoopai took the sheet from around it?
- A. I wasn't present when they took the sheet off the man. I saw his bare feet tied in this position (indicating). I could not see his face on account of the sheet. They did examine him but I didn't get close enough to see his face. I knew the boy.
- Q. There was a box taken out of the front compartment, wasn't there, a bundle of clothes wrapped up in a cake box?
- A. Yes, a bundle of wet clothes and a large piece of canvas was in Mrs. Fortescue's car.
- Q. What happened to these?
- A. I took possession of them.
- Q. And what did you do with them?
- A. I brought them here to the police station and segregated them and marked each piece of evidence and gave a description of of the evidence, the clothing and the marks on them, whether they were wet, blood stained, etc.
- Q. Then what did you do with them?
- A. I still had them in my possession, and Lord's coat, a blue serge coat and a black vest. I went through his coat and took out several articles and some money, I believe, and different things, handkerchiefs, and there was a newspaper clipping of Kahahawai's picture in the vestpocket.
- Q. Do you remember anything else that you took out?
- A. I don't know. I made a typewritten list of the articles there and tied them up and gave one copy of the list to Mr. Hoopai and one copy was sealed in a sealed envelope and attached to the bundle and the other copy I left in the detective office.

- Q. Then what did you do with the exhibits?
- A. I told Deputy Hoopai at the time "I am turning these over to you and have no further responsibility with these articles, I am leaving them in your possession," and he said O.K.
- Q. Did you take them in his office?
- A. They were segregated in his office, I had them right on the floor.
- Q. Then you had nothing further to do with the articles at all?
- A. No, I never seen the articles again since that time. Everything was left there. The bullet and so forth was brought in by someone and turned over to Deputy Sheriff Hoopai. That is supposed to come from the doctor's office. There was a bullet and several other articles, wrist watch, I think, taken off his wrist. I marked them for identification and also put them in a separate envelope and made a list of the contents. That was also turned over to Deputy Hoopai.
- Q. After you got back here did you have anything more to do with the case at all?
- A. I did not. After leaving there I and Bill Hoopai drove up to Mrs. Massie's residence in Manoa.
- Q. Did you go in?
- A. No sir, we met Stagbar and Val Cedarlof on the premises, in the yard. We were going, that is, I was going in, but we got further orders from them that they had instructions to take care of that part of it and they were handling it, so we left. I also wanted to search the Durant roadster supposed to be the car of Mrs. Fortescue in front of Mrs. Massie's residence in Manoa, but we were told they had instructions to see that nobody touched anything so we left

things how it was and turned back to the police station.

Q. And that is the end to your part in the affair?

A. Yes.

Q. Do you know of anything else?

A. Not a thing. That is all I know so far. Maybe I could refresh my memory if you asked me something. I had nothing to do with the case, never saw the shooting, I just saw the body out there.

Q. Did you ever see the body?

A. No sir, I didn't see the body at all, I just saw his legs or feet, they said it was Kahahawai.

Q. You did not talk to any of the defendants at all?

A. I didn't say one word to none of the defendants, I just looked at them.

Q. How did Mrs. Fortescue appear, excited?

A. No, she appeared to be calm, with a satisfied look on her face, half grinning and smiling. She didn't seem to be worried.

Q. How about Massie?

A. Massie was very stern. He was sitting up in a straight upright position, and he never said a word, just looked right straight up.

Q. And Lord?

A. Lord was the same way in the car, sitting down. He looked kind of tired to me, as if he had been out all night. His hair was all out of place and he looked tired to me. I didn't say a word to him.

Q. Do you remember how Massie was dressed?

A. When I saw Massie he had a white shirt on, that's all I can remember.

Q. Do you remember how Mrs. Fortescue was dressed, what color dress she had on?

A. I couldn't tell what color dress, but she had on-- let's see, I couldn't describe it. I know she had a small little hat on, but she was dressed in regular house clothes, regular down town clothes, nothing extra, an ordinary woman's dress. I didn't say a word to her.

Q. How about Lord, how was he dressed, do you remember?

A. Blue serge trousers, white shirt. He had his coat in the car. It was taken off. I don't know how it got in the Buick sedan.

Q. Was there any blood on the floor of the sedan, do you remember?

A. No blood to my knowledge. I didn't examine it, but I don't think there was any blood in the car because they were on towels and canvas.

Q. Any blood on the towels?

A. Yes.

Q. Very much, or spotted?

A. Not spotted, because the towels had been washed and you could see the blood, and they were torn in strips and so forth.

Q. The towels were?

A. Yes. I don't know whether to get rid of the blood or not. Some were blue and white towels with U.S.N. on.

Q. You did not go to the Fortescue home at all?

A. No.

Mr. WINN: I think that is all.

The foregoing statement was taken at detective headquarters on March 18, 1932, at 2:15 o'clock p.m., in the presence of Montgomery E. Winn and H.F. Nietert.

STATEMENT OF Mrs. VICTORIA AKANA

Taken at Detective Headquarters, on March 18, 1932, at 2:40 o'clock p.m., in the presence of Montgomery E. Winn and H.F. Nietert.

Mr. WINN: You were the Police Matron on January 8, 1932, were you not?

A. Yes sir.

Q. You tell us, will you, in your own words just what you know about the case?

A. Nothing much, only I searched her and found a piece of sheeting in her coat pocket.

Q. That is Mrs. Fortescue?

A. Yes.

Q. Was she excited when you first saw her?

A. A little bit, her hands were shaking now and then.

Q. Where did you see her?

A. At the City Hall.

Q. Did you see either of the other defendants, Lord or Massie?

A. I did, yes.

Q. Did you see Jones also?

A. Yes.

Q. Did you talk to them at all?

A. No.

Q. You did not have anything to do with searching them, I suppose?

A. No, only Mrs. Fortescue.

Q. Did you have any conversation with Mrs. Fortescue?

A. Very little.

Q. Do you remember what she said and what you said?

A. Just a conversation about the town and how nice the weather

- was, nothing about the case at all.
- Q. The only time you talked to her was that morning?
- A. I talked to her when they had her upstairs one night.
- Q. When I asked you whether or not you talked to her, did you talk to her that morning at all, the morning she was arrested?
- A. Well, I was there about half past eleven, I think, and I stayed until half past four.
- Q. Did she talk about the case at all?
- A. No, nothing at all.
- Q. Was she excited all that time, from half past eleven to half past four?
- A. She was quiet, only her hands would shake now and then, when she put her hand up.
- Q. She would bite her fingers?
- A. Something like that (indicating) and they would shake when she did that way.
- Q. Was there anything in her appearance to make you believe she was laboring under any nervous strain?
- A. No, she was pretty calm.
- Q. But her hands shook a little?
- A. Yes, but she was very calm.
- Q. She did not talk about the case at all?
- A. No.
- Q. Do you know anything, Mrs. Akana, that you have not told me? I do not want to ask a lot of questions, but if there is anything about this particular case that you know just tell me without my asking you questions.
- Q. I don't know anything except what we read in the papers, that is all.

- Q. The only time you talked to her was upon this particular occasion, from eleven-thirty to four-thirty on January 8th?
- A. And the one night that we had her upstairs, when she slept upstairs, but nothing about the case at all. We sat down and played cards and joked.
- Q. You searched Mrs. Fortescue, you say, and found a piece of sheet in her pocket?
- A. Yes.
- Q. In the pocket of her dress?
- A. Yes.
- Q. Was it a torn piece?
- A. Yes, it was about four inches wide and the length of the sheet.
- Q. Where was she searched, at the City and County Attorney's office?
- A. Yes, in the City Hall, the County Attorney's office.
- Q. Was anyone present when you searched her?
- A. No, she and I were alone, and Mr. McIntosh came in afterwards.
- Q. Were you there when her statement was taken by Mr. Wight?
- A. I was not in the room with them, no.
- Mr. WINN: I think that is all, Mrs. Akana.
-

STATEMENT OF LOUIS CAMACHO

Taken in the offices of Thompson & Winn, at 2:45 o'clock p.m., March 18, 1932, in the presence of Montgomery E. Winn and H.F. Nietert.

Mr. WINN: What is your full name?

A. Louis Camacho.

Q. You are a detective in the police department?

A. Yes sir.

Q. Are you with the radio patrol?

A. I was, for a couple of weeks.

Q. Do you remember the Kahahawai incident which happened on January 8th last?

A. I do.

Q. Tell us what you know about it, will you?

A. I was on radio patrol doing special duty that morning.

Q. On No. 1, 2 or 3?

A. Either 1 or 2.

Q. Who was with you, do you remember?

A. Thomas Black, the two of us.

Q. Then what happened?

A. We got a call to come in and report to Captain McIntosh. He told us that Kahahawai was taken in a Buick sedan from in front of the Judiciary Building, and to be on the lookout for a Buick sedan with a woman and two or three men in it. The instructions we got were to go to Hanauma Bay by way of the Pali. We went over the Pali, over the new Waimanalo road to Hanauma Bay and met a radio car there.

Q. Going which way?

A. It was coming from Hanauma Bay. We headed for that, and this car was coming up, going in the opposite direction, so there was nothing doing there so we turned around and

headed for town.

Q. Both of you started for town?

A. Yes. I turned around and followed. I turned up the road that leads to the Lunalilo Home, drove up a little ways and turned around and headed for the highway. Just then a Ford roadster went by going fast and someone on the right side of the driver was signalling and motioning for me to turn around and come. There was another ^{radio} ~~xxx~~ car following them. They motioned us to come, and we followed.

Q. Did you see this Buick sedan?

A. No, I did not. I must have been heading up at the time they passed. I saw the Ford roadster come but I did not see the Buick.

Q. Did you turn around and follow the Ford roadster and the other radio patrol car?

A. Yes, I followed the radio patrol car, he was ahead of us.

Q. And then what happened, did you ever catch up with the sedan?

A. Yes, I did.

Q. Who caught up with it first?

A. The Ford roadster.

Q. The second or third patrol car?

A. Yes.

Q. And then your car?

A. Yes.

Q. When you got up to the Buick sedan was it stopped?

A. Yes, I would say about ten seconds.

Q. Were there people in the sedan or had they gotten out?

A. Yes, Mrs. Fortescue was at the wheel.

Q. And who was sitting at her right?

- A. Lieutenant Massie.
- Q. And who was in the back?
- A. Mr. Lord.
- Q. Just tell us what you did after that?
- A. Officer Harbottle, he got there first. He got off the car and rushed to the sedan with a gun in his hand, and about that time we just arrived, so he went up to the sedan and said "this is the car," and we got out and rushed over there and they were all in the car there, and there was a dead body lying on the back floor of the car.
- Q. Was anything said by anyone there, do you remember?
- A. Nothing was said, so I ordered up the car and they were searched.
- Q. Did you find anything on them?
- A. Nothing.
- Q. No guns or anything?
- A. Nothing at all, so I took Mr. Lord in my radio car, and he sat in the back until Mr. Hoopai and the patrol wagon came.
- Q. What became of Mrs. Fortescue?
- A. She was there.
- Q. Was she seated in the car?
- A. She was sitting on a rock.
- Q. What happened to Massie?
- A. He was sitting in the other patrol car.
- Q. Did Mrs. Fortescue look excited?
- A. No, she was calm.
- Q. How about Massie?
- A. He was calm too.
- Q. Was Lord calm?

- A. Yes, very calm.
- Q. Did you see any packages or anything in the sedan, or did you search the car?
- A. I did not search the car.
- Q. You did not see anything but this body which was in the back, you say?
- A. Yes, it was wrapped up in a piece of canvas.
- Q. And after Hoopai got there, what happened?
- A. We took the body off. That is, I didn't see the body myself, I had Lord in the car and I was watching him, so I did not get close up to the body at all after it was taken out of the sedan.
- Q. Then what happened? Did Lord, Mrs. Fortescue and Massie go back in the patrol wagon with the body?
- A. Yes.
- Q. And what did you do after that?
- A. I followed the patrol car back to the station.
- Q. Did you have anything else to do with the affair at all after that?
- A. No sir.
- Q. Did you go up to the Fortescue house or the Massie house?
- A. No sir.
- Q. And that is all you know about it?
- A. That is all I know about it.
- Q. You never saw the body naked, did you?
- A. No.
- Q. Did you see the body after the sheet had been removed from it?
- A. No, all I saw was the feet up to the ankles.
- Q. You did not have any conversation with any of the defendants,

did you?

A. No sir.

Q. Did you hear anyone else have any conversation with them?

A. No sir.

Mr. WINN: That is all.

STATEMENT OF YOSHIE ADACHI

Taken in the offices of Thompson & Winn, at 10:45 o'clock a.m., on March 23, 1932, in the presence of Montgomery E. Winn and H.F. Nietert.

Mr. WINN: Your name is Yoshie Adachi?

A. Yes.

Q. Have you talked to Mr. John C. Kelley, the Public Prosecutor?

A. I don't know who he is, but I talked to a Japanese man.

Q. When did you talk to this Japanese man?

A. Oh, I don't remember, it was about one month ago, I think.

Q. Where did you talk to him?

A. At the City Hall.

Q. Do you know whether or not his name is Tsukiyama?

A. Yes.

Q. Have you talked to Mr. Wight?

A. No.

Q. Have you talked with anybody else about this?

A. No.

Q. Did you testify before the Grand Jury?

A. Yes.

Q. How old are you, Yoshie?

A. I am 16 now.

Q. Haole style or Japanese style?

A. What do you mean-- yes, haole style.

Q. Then you would be 17, Japanese style?

A. Yes.

Q. Do you go to school?

A. Yes, McKinley.

Q. You were maid for Mrs. Fortescue, were you not?

A. Yes.

Q. Did you work mornings and afternoons?

A. Just afternoons.

- Q. Did you work every day?
- A. Except Sundays.
- Q. You did not work at all on Sundays?
- A. No.
- Q. What time did you go to work in the afternoons?
- A. About three o'clock.
- Q. What did you do there?
- A. I washed the dishes and cleaned house, and did some washing and ironing.
- Q. Did you get dinner?
- A. No.
- Q. What time did you leave at night?
- A. About five.
- Q. Where do you live?
- A. Moilili.
- Q. On what street?
- A. King street.
- Q. What number?
- A. 2553.
- Q. Are your parents living?
- A. My mother.
- Q. What is your mother's name?
- A. Riye Adachi.
- Q. Is your father dead?
- A. Yes.
- Q. Does your mother work?
- A. Yes.
- Q. Where does she work?
- A. She works for Mr. Bush.
- Q. What is his first name, do you know?

A. Allen Bush.

Q. What business is he in?

A. He works for the University of Hawaii.

Q. Do you know what he does up there?

A. He is superintendent of the yard, I think.

Q. What day does Mrs. Fortescue pay you, or what day did she pay you?

A. On Thursdays.

Q. How much did she pay you a week?

A. \$3.50.

Q. Do you remember when Kahahawai was killed?

A. Yes.

Q. That was on Friday, the 8th of January?

A. Yes.

Q. You did not work that day, did you?

A. No.

Q. Were you paid on the 7th, on Thursday?

A. Yes.

Q. Did Mrs. Fortescue say anything to you on that day?

A. She told me not to come on Friday because she wouldn't be home on that day.

Q. You never work in the mornings, do you?

A. On Saturdays I do.

Q. Had she ever told you before not to come on any day?

A. No.

Q. How long had you been working there before Kahahawai was killed?

A. Since November 27th.

Q. Do you know Mr. Jones?

A. I don't know him but I seen him once.

Q. What color hair has he?
A. Blond.
Q. Is he a tall man or a short man?
A. Not so tall, medium I think.
Q. How old a man is he?
A. I don't know.
Q. What would you say?
A. About 39.
Q. Would you say he is of medium height?
A. Yes.
Q. Is he heavy set?
A. No, not so heavy.
Q. Slender?
A. I don't remember.
Q. How many times have you seen him?
A. Once.
Q. What time was that?
A. On Friday, sometimes they have dinner over there and I serve at the table.
Q. Does Jones have dinner with Mrs. Fortescue?
A. Once only.
Q. Do you remember when that was?
A. I don't remember.
Q. Was it on Thursday night before Kahahawai was killed?
A. No, about three weeks or a month before that.
Q. Was Jones a guard up at the house?
A. I don't know.
Q. Who else stayed for dinner that night?
A. Mrs. Massie and Jones, Mrs. Fortescue and her daughter, Miss Helene.

Q. Did anyone else stay for dinner?

A. No.

Q. Did they all eat at the same table?

A. Yes.

Q. Did Jones have anything to drink that night, do you remember?

A. No, others came afterwards though, some other people came afterwards.

Q. Where was Lieutenant Massie that night, do you remember?

A. I don't know.

Q. He was not at dinner?

A. Oh, Jones came twice, I think, and once Lieutenant Massie was with him too.

Q. Was Mrs. Fortescue there also?

A. Yes.

Q. When was this other time?

A. I don't remember.

Q. Was it before or after the time that Lieutenant Massie was not there?

A. After, I think.

Q. Do you know whether or not Mrs. Fortescue had a gun?

A. Yes, she had.

Q. What kind of a gun was it?

A. I don't know, a small one like that.

Q. A small one, about eight inches long? (indicating)

A. Yes, about that.

Q. Was it an automatic pistol, do you know?

A. I don't know.

Q. Do you know the difference between a pistol and a revolver, did it have a cylinder in it where you put bullets in?

A. I think so.

Q. Where was that gun kept?

A. Sometimes in the parlor and sometimes in Mrs. Fortescue's bed room.

Q. Did she ever sleep with it so far as you know?

A. I don't know.

Q. Did Helene have a gun?

A. Yes, that was her gun, she had a license to carry it.

Q. Helene did?

A. Yes.

Q. Did Mrs. Fortescue have any other gun?

A. No.

Q. There was only one gun in the house?

A. Yes.

Q. Do you know whether or not Helene carried the gun with her when she went out?

A. No.

Q. What do you mean by no, you don't know?

A. I don't know.

Q. Did they ever do much drinking up there?

A. They had some cocktails for dinner.

Q. Did you ever see anybody drunk up there?

A. No.

Q. Do you know Lord?

A. No.

Q. You never saw Lord?

A. No.

Q. You of course know Lieutenant Massie?

A. Yes.

Q. Now you say Jones was up there twice. After dinner what did he do the first time he was there?

A. I guess they went out together.

Q. Who went out together?

A. Mrs. Fortescue, Helene and Mrs. Massie.

Q. And Jones went with them?

A. I think he went home a little earlier, I think.

Q. He did not go with them?

A. No.

Q. Do you know whether or not Jones was guarding Mrs. Massie's house?

A. I don't think so.

Q. I am talking about the Massie house now, not Mrs. Fortescue's.

A. I don't know.

Q. Did you ever see any rope around the house?

A. No.

Q. Had Mrs. Fortescue any chest up there, a big chest?

A. Yes.

Q. She bought a couple of big chests recently, didn't she?

A. Yes, about Christmas.

Q. She bought them from some army officer who returned from the Orient?

A. It was an oriental chest.

Q. How big a chest was it?

A. It was about this big, I think, indicating, and another one about that big. (indicating). One was smaller.

Q. About three feet long by two feet wide?

A. Yes.

Q. How big was the other one?

A. The other was about six inches bigger, maybe more.

Q. Were these wooden chests?

A. Yes.

- Q. What did she do with those chests, do you know?
- A. Just kept them in the parlor.
- Q. Did she keep anything in the chests?
- A. No.
- Q. Did she have any trunks there?
- A. Yes.
- Q. Did Helene have any trunks?
- A. Yes.
- Q. How many trunks did they have in the house?
- A. One, I think.
- Q. Didn't Helene have a trunk?
- A. Yes, Helene had one.
- Q. Did Mrs. Fortescue have another one?
- A. No.
- Q. Only one trunk in the house?
- A. Yes.
- Q. What kind of clothes line do you use up there, rope or wire?
- A. Wire, I think, I don't remember.
- Q. Did you do the washing?
- A. Yes.
- Q. Did you ever see Mrs. Massie carry a gun?
- A. No.
- Q. Did you ever see Jones carry a gun?
- A. No.
- Q. Did you ever see Lieutenant Massie carry a gun?
- A. No.
- Q. The only person who had a gun as far as you know is Helene Fortescue?
- A. Yes.
- Q. Did you ever hear Mrs. Fortescue talk about Kahahawai?
- A. No.
- Q. Did you ever hear anybody in the house talk about him?

A. No.

Q. Do you remember the time that Ida was taken over there on the other side of the Pali?

A. Yes.

Q. Did you hear Mrs. Fortescue or anybody in the house talk about that?

A. No.

Q. What time did you leave the house on January 7th?

A. Five o'clock.

Q. Didn't they have dinner there?

A. No.

Q. They did not?

A. No.

Q. Where did they have dinner, do you know?

A. I don't know.

Q. You came about three o'clock that afternoon and left about five o'clock?

A. Yes.

Q. Who did you see at the house that afternoon?

A. First when I went, two ladies and Mrs. Massie and Mrs. Fortescue playing bridge, and afterwards they went home and Miss Helene came home and Lieutenant Massie and Mrs. Fortescue and two men came.

Q. Did you see these two men who came?

A. Yes, I saw them.

Q. Was Jones one of them?

A. I didn't notice them very much.

Q. Where were they when you saw them?

A. They came in the kitchen door and went in the living room.

Q. You saw them though, didn't you?

A. Yes.

Q. If one of them had been Jones you could have remembered?

A. No.

Q. You don't think so?

A. I don't think so.

Q. What is your best recollection now, was it Jones or not, one of the men?

A. I don't know.

Q. Were they tall men?

A. No, not very.

Q. Did one of them have blond hair?

A. I don't remember.

Q. Did one of them have dark hair?

A. I don't know.

Q. You know that Lieutenant Massie came in?

A. Yes.

Q. He came in the kitchen door?

A. He came through the kitchen door.

Q. Then what did he do?

A. Went in the living room and had some cocktails.

Q. Who was there then?

A. Miss Helene was in the living room then.

Q. In the same room as Lieutenant Massie and the other two men?

A. Yes.

Q. Did you hear any conversation between them?

A. No.

Q. Then what happened?

A. Then I went home.

Q. And when you left, Lieutenant Massie and and two men and Miss Helene were still there in the living room?

A. Yes.

Q. How many cocktails did they have?

A. I don't know.

Q. Who made them?

A. Lieutenant Massie.

Q. Did they have more than one round of cocktails?

A. I don't know, they were just starting when I went home.

Q. Where was Mrs. Fortescue?

A. In the living room.

Q. Was there anybody else in the living room?

A. No.

Q. Mrs. Fortescue, her daughter Helene Fortescue, her son in law Lieutenant Massie and the two men, five people in all?

A. Yes.

Q. And where was Mrs. Massie, do you know?

A. I don't know.

Q. Then Mrs. Fortescue told you you could go home, that they were not having dinner today?

A. Yes.

Q. Did she say where they were going?

A. No.

Q. She told you she wouldn't be at home the next day?

A. Yes.

Q. And that you need not come?

A. Yes.

Q. Did she say where she was going?

A. No.

Q. Did they do anything at all that afternoon, at all suspicious?

A. No.

- Q. Did you hear them talking about Kahahawai at all?
- A. No.
- Q. Did you see any gun that afternoon?
- A. No.
- Q. How was Lieutenant Massie dressed, do you know?
- A. He was dressed in a business suit.
- Q. He did not have on his uniform?
- A. No.
- Q. How were the other two men dressed?
- A. In business suits.
- Q. Did each one of them have on a coat?
- A. Yes.
- Q. All were sober when they came in?
- A. Yes.
- Q. About what time was it when they got there?
- A. A little before five.
- Q. Did you hear Lieutenant Massie speak to either one of the other two men?
- A. No.
- Q. Did you hear Mrs. Fortescue speak to them?
- A. No.
- Q. Did you hear Miss Helene speak to them?
- A. No.
- Q. You did not hear anybody call anybody else by his or her first name, did you?
- A. No.
- Q. Has Mrs. Fortescue always been kind to you?
- A. Yes.
- Q. Do you like her?

A. Yes.

Q. She is a pretty nice lady to work for?

A. Yes.

Q. How about Miss Helene Fortescue, has she always been nice to you?

A. Yes.

Q. And Lieutenant Massie?

A. Yes.

Q. You like them all?

A. Yes.

Q. Is there anything else, Yoshie, that you know about that I have not asked you?

A. No.

Q. Are you sure of that?

A. Yes.

Q. Now you think a minute. Did they ever have any wild parties up there?

A. No.

Q. You never saw anyone drunk in the house, did you?

A. I don't know when they are drunk, or not.

Q. Do you think you saw someone drunk up there?

A. No.

Q. You don't believe that you did?

A. No.

Mr. WINN: All right, I think that is all.

STATEMENT OF DETECTIVE THURMAN E. BLACK

Taken in the offices of Thompson & Winn, at 2:10 o'clock p.m., on March 23, 1932, in the presence of Montgomery E. Winn and H.F. Nietert.

Mr. BLACK: I would rather not make any statement.

Mr. WINN: Did you call up Mr. Kelley?

Mr. BLACK: No.

Mr. WINN: Mr. Kelley and Mr. Weeber have told all of the men that it would be perfectly all right to make a statement. However, that does not mean that you have to make one, it is up to you. If you would rather not make one of course we can not force you to make it.

Mr. BLACK: That is true.

Mr. WINN: You would rather not do it?

Mr. BLACK: No.

Mr. WINN: All right, sir. Thank you for coming up anyway.

STATEMENT OF RALPH BUERK TAKEN AT
EIGHT-THIRTY A.M. ON THURSDAY, THE
17th DAY OF MARCH, 1952, IN THE PRESENCE
OF M. E. WINN AND E. T. KONG.

Q How do you spell your name?

A B-u-e-r-k.

Q And your first name is what?

A Ralph.

Q You work for E. O. Hall?

A Dimond-Hall.

Q You worked for them on January 8th of this year?

A Yes, sir.

Q When did you start to work for them?

A I started the day after the Olympic club left. I think about the first week in December.

Q Do you remember now having sold a gun to Jones?

A Well, I remember, at the time it came out in the paper that he bought a gun from Dimond-Hall.

At that time I recall the boys I was living with saying something about it and I said I wonder

if that's the navy man that I sold it to. The next day his picture came in the paper and I said it didn't look like the man I sold the gun to.

I commented to the boys that he didn't look like the one I sold it to. I remember the man. He was a little fellow. Of course, you can't tell from a newspaper picture.

Q Did anything happen at the time you sold the gun to him which would make it clear to you now?

That is, anything happen which impresses itself upon your mind?

A Well, I remember this, that he came in, I think

he came in one day. He came in the day before he bought the gun and asked to look at the guns and I took him over to the drawer, the display, and right away he was interested in automatics and I saw, I think he picked up an automatic. I told him he had to get a permit to buy it. He didn't seem to know the procedure so I told him to go down to the Police Department and get a permit. He thought it was some sort of license. I said no, it wouldn't cost him anything. He said he was in the navy and that helped me recall and I told him that if he is in the service he also would have to get a permit from his superior officer. So at the time I read in the paper that sort of helped me to recall.

Q Did he tell you at the time why he wanted to buy the automatic?

A I thought that he probably -- the police would probably demand a permit and his superior officer. I remember that he said he was guarding the Massie place. He didn't say it was the Massie place but the home where the girl was raped. At that time I didn't know the name of the people at all. I wouldn't have recognized the name anyway.

Q He came back the following day with the permit?

A I can't remember whether he came back that same day or whether he -- I believe it must have been the next day. I told him it had to be a day old before we could deliver the gun to him.

Q Do you remember what sort of gun he bought?

A Well, I think it was a 32 caliber automatic.

Q What make?

A Golt.

Q Buy the shells at that time, do you remember?

A I couldn't recall that. You can find that out at the store. I made him sign the sales tag.

Q When you buy shells do you have to sign that sales tag also?

A Yes.

Q How about holster?

A No.

Q Do you remember whether or not he bought a holster?

A I think he wanted a holster for his 32 caliber automatic and I don't think we had it at that time.

Q So far as you recall he did not buy a holster?

A No, I don't think we had any at that time.

Q If you buy a holster do you have to sign a slip at all?

A No, sir, unless I am wrong about that. I am thoroughly sure you don't.

Q Is there anything else, Mr. Buerk, that you know about this affair?

A No, I don't think so.

Q Have you talked to anybody at the City and County Attorney's office?

A No.

STATEMENT OF MR. VASCO ROSA, 2584 KOLOWALU STREET TAKEN IN THE PRESENCE OF MONTGOMERY E. WINN AND E. T. KONG ON WEDNESDAY, MARCH 16th, 1932, AT 9:30 A.M.

- Q Mr. Rosa you live at 2584 Kolowalu Street?
- A I do.
- Q You live next door to the Tarletons?
- A The Tarletons.
- Q And on the same side of the street?
- A Same side of the street.
- Q And the Fortescue home is next to the Tarletons, isn't it?
- A Next to the Tarletons.
- Q So you are two houses away?
- A Yes.
- Q You work for Dimond-Hall, do you not? And were working for Dimond-Hall at that time?
- A Yes, I was.
- Q How long did you work there?
- A It will be sixteen years in August.
- Q What department?
- A Sporting goods.
- Q What time do you go to work?
- A I generally leave home at 7:30.
- Q On the morning of January 8th did you leave home at about 7:30?
- A It was between twenty-five after and twenty-five to. It was not any later than twenty-five to and not earlier than twenty-five after.
- Q Do you drive to East Manoa Road and take the road to town?
- A Yes.

Q On that particular morning you drove past the Fortescue home?

A Yes.

Q What did you see there?

A I saw a green Buick sedan parked in the driveway.

Q Was it driven in the garage or was it parked on the curbing?

A It was just parked just inside of the sidewalk. In the yard, of course.

Q With its back facing the street?

A With the back facing the street.

Q Anybody in the car?

A I didn't see anybody.

Q Were the blinds pulled down?

A No. I didn't notice the car close enough to notice whether the blind was pulled down or anything. I glanced at the car about one hundred fifty feet away.

Q Was there anything unusual that called your attention to the car?

A No, I didn't see anything, only I've never seen that car parked there before.

Q Did you hear any noise in the house at all?

A No disturbances of any kind.

Q Was there any other car parked near there?

A I didn't see any.

Q Did you see anybody in the car?

A Didn't see anybody in the car.

Q Did you see anybody around the house at all?

A Didn't see a person in sight.

Q Did you hear anybody in the Fortescue home?

A No.

Q Was there anything either about the car or about the

grounds or the house that called your attention?

A No, sir.

Q You know Mrs. Fortescue?

A Not to speak to. I know who she is. I have never seen her in the premises but I saw her twice in the store when she bought the firearm.

Q And she purchased a firearm?

A That's the only time I saw her.

Q Did you sell her the gun?

A I did not. I took charge of the registration of the gun.

Q What kind of gun did Mrs. Fortescue buy?

A It was a 32 Iver Johnson.

Q Do you remember when she bought that?

A- It was a long time before this thing happened. Maybe a month or so. It was a few days before Christmas. She had bought the gun and the application on the permit called for twenty-four hours before delivery. It was dated the day she bought the gun. The law requires twenty-four hours. She didn't come the next day so I took it home but there was nobody home so I brought the gun back and she called for it at the store.

Q Was it an automatic?

A No, it was just a revolver -- just a cylinder.

Q She buy the shells?

A Yes, sir.

Q What kind of shells did she buy?

A- Box of fifty - thirty-two.

Q Were they steel jackets?

A Lead.

Q Do you know whether or not you ever sold a gun to

Mrs. Massie?

A No, sir.

Q Did you ever sell a gun to Lord?

A No, sir.

Q Did you ever sell one to Jones?

A Yes.

Q When did you sell one to Jones?

A I think it was December 17th or 18th, something around that.

Q What kind did you sell him?

A 32 colt automatic.

Q Did you personally sell it to him?

A Well, I didn't personally sell it to him but the salesman who waited on him was a new man.

Q What was his name?

A Buerk.

Q What was his first name?

A I think Ralph. Ralph Buerk.

Q He is still working there?

A He is still there.

Q Did you know that his name was Jones at the time he bought the gun?

A Yes, because the permit called for Jones and when the gun is sold it requires signature on the slip and on four copies of the registration blanks.

Q Tell me just what procedure a person has to go through when he wants to buy a gun.

A He is required to get a permit from the Police Department.

Q Does that permit show the reason for his buying the gun?

A No reason at all.

Q Then what happens?

A When the permit is presented to us, if it reads one 32 revolver -- in most cases we sell him what it calls for. In some cases they can change but he can not buy a rifle or a shot gun on the same permit.

Q He can buy any sort of small firearm?

A Any sort of caliber.

Q When on the permit calling for a 32 he could purchase a 45?

A He can purchase a 45.

Q Tell me what Jones did the day he bought the gun.

A As far as I can remember the permit called for the day he was there and I asked him to call the next day. We can't deliver the same day. It requires twenty-four hours. The day he came in I didn't wait on him. When he came for the gun that's when I helped the salesman. Had him sign his name on the four blanks which the law requires.

Q When you first go in to buy a gun you present the permit?

A Yes.

Q To one of the clerks in the store?

A Whoever waits.

Q Do you have to sign anything that day?

A Well, as a rule we make them sign the permit. As a rule we make him sign. He picks his gun; we take that gun and make him sign four registration blanks.

Q What do these registration blanks say?

A You have to give your name, address, occupation,

business address, race, nationality, color, place of birth, and it reads date of sale, caliber, maker, model of firearm and number, and has something -- I hereby certify I have not been convicted of any felony -- and he signs under that.

Q What happens to those blanks?

A The original of that is with us, the duplicate copy is sent to the Police Department, triplicate copy is sent to the Treasurer and the fourth copy is sent to the party who bought it. That is record of the registration.

Q Jones came back the following day to get the gun?

A The following day.

Q And you delivered the gun to him?

A No, the other salesman did.

Q You saw the other salesman deliver the gun to him?

A Yes, sir.

Q It was a 32 colt automatic?

A Automatic.

Q Did you have any conversation with Jones at all?

A No. The only thing I told him was to sign his name. That was all.

Q Do you know whether or not the other salesman had any conversation?

A I can't say.

Q Will you ask Mr. Buerk to come in to see me?

A He won't be back until nine tomorrow morning. He is an outside salesman. Goes to Schofield.

Q You've never seen Jones before or since then?

A No. If he stepped in front of me I wouldn't know him.

Q Have you made any statement to anyone else?

X Not in regard to the purchase of the firearm.
Just about the automobile that's all.

Q Did you appear before the Grand Jury?

A I did.

Q And testified?

A I did.

Q Have you testified before any other body?

A No, sir. First when they called me up to the
Attorney's office I was questioned by McIntosh.
Other than that before the Grand Jury that's all.

Q Do you know anything about the case that you haven't
told us, - any additional facts?

A Not that I recall.

STATEMENT OF MASAO OSEDO
March 15, 1932.

- Q Where do you live, Mr. Osedo?
- A 4353 Waiialae Road.
- Q How long have you lived there?
- A About four years.
- Q How old are you?
- A Sixteen
- Q You work?
- A No, I go caddying.
- Q Whereabouts? Waiialae?
- A Waiialae. Yes.
- Q How long have you worked out there?
- A I stayed there about four years.
- Q You live with your family?
- A Yes.
- Q Your mother and father both living?
- A Yes.
- Q What does your father do?
- A Yardman.
- Q Does your mother work at all?
- A My mother works at the golf club.
- Q What is your father's name?
- A Takematsu.
- Q Did you testify before the Grand Jury at all?
- A I went there but they didn't question me.
- Q Did they call you into the room at all?
- A No.
- Q You've talked to Mr. Wight?
- A No.
- Q Have you talked to anybody in Mr. Kelley's office?
- A No.

Q Have you talked to anybody in Mr. Gilliland's office about the case? Who did you talk to?

A Yes. Mr. Gilliland and the sheriff.

Q What day did you talk to them, you remember?

A No, it was a long time.

Q On the day Kahahawai was killed? That was Friday January the 8th?

A Yes.

Q Were you working that day?

A No.

Q What time do you go to work ordinarily?

A About ten in the morning.

Q And work all morning and all afternoon?

A Yes.

Q Usually get through work about what time.

A Forty thirty or five.

Q What do you know about this particular case? That's all we want to know.

A Nothing. I don't know anything about it.

Q Why did they call you before Mr. Gilliland, do you know? Did they ask you any question up there?

A No.

Q Did Mr. Gilliland ask you any question on January 8th?

A No.

Q How did you happen to be called up by the County Attorney's office?

A Because I went with Harbottle.

Q Were you in Harbottle's car when the defendants were caught?

A Yes.

Q What kind of a car was it?

A Ford roadster.

Q When did you first hear that Kahahawai was kidnapped?

A I don't know anything about that. I was standing there and Harbottle called me so I went with him. I don't know anything about it. I was standing by George's Inn.

Q That is at the intersection of Waiialae and Isenberg Roads?

A Yes.

Q About what time in the morning was that, do you remember?

A I don't know.

Q Before you went to work?

A Before.

Q How did you happen to be standing there?

A I help them clean up the place in the morning.

Q Was anybody else in the car with Harbottle?

A No.

Q You had known Harbottle for sometime had you?

A Yes.

Q All right, tell us just what happened after you got in the car with Harbottle. What did Harbottle say to you?

A Nothing.

Q Did he tell you where he was going?

A He was going to chase a car.

Q He didn't know what car he was going to chase at that time, did he?

A I don't know because they knew something about Kahahawai being kidnapped in a sedan car.

Q He told you to watch for the sedan car?

A No.

Q After you got in the car you drove out toward Niu?

A Yes.

Q When did you first see this sedan?

A When we followed them up.

Q Where was that?

A Almost to Wailupe naval station.

Q You caught up with the car then?

A Yes.

Q What kind of a car was it?

A Buick sedan.

Q What color?

A Green.

Q How fast was it going when you first saw it?

A I don't know.

Q Was it going fast or slow?

A Oh, about twenty-five to thirty miles.

Q How fast were you people going?

A About that.

Q When you saw the car what did Harbottle do?

A You know the grade going up Koko Head? He passed the car there. He told me to look in the Buick sedan and I saw something white and then I told him I saw a white bundle.

Q You were on the righthand side of the Ford?

A Yes.

Q Now, you say you first saw the car at Wailupe naval station --

A I saw a sedan car pass by George's Inn and we caught with them at Wailupe.

Q You saw the sedan when you were standing by George's Inn?

A Yes.

Q How fast was it going then?

A Oh, about thirty miles.

Q Who was driving the car, do you know?

A A lady.

Q Who was in the front seat with her, anybody?

A A man.

Q One man?

A Yes.

Q That was when it passed George's Inn?

A Yes.

Q Where was Harbottle when it passed George's Inn?

A He was right by the intersection of Isenberg and Waiialae.

Q Did he see the car too?

A Yes.

Q Then you caught up with the car at Wailupe station?

A Yes.

Q Did you pass the car there?

A No. Just followed it.

Q How fast was it going?

A Twenty-five to thirty.

Q When you first saw the car it was a woman driving the car; a man in the front seat?

A Yes.

Q How many men in the back seat?

A One man.

Q Did you look in the car at Wailupe? You didn't pass the car until you came to the Koko Head rise?

A Yes.

Q And then you looked into the car?

A Yes.

Q Did Harbottle shoot at the car at all?

A Shot at the car when we reached the grade. Harbottle took out his badge and told the car to stop and they didn't stop.

Q You caught up with the car and passed the car when you got to the Koko Head road?

A Yes.

Q And the road going out to Hanamu Bay? Did you pass the car then?

A Yes. Going up the grade.

Q Then did Harbottle drive off the side of the road and stop?

A Yes.

Q He got off his car and held up his badge and told them to stop?

A Yes.

Q They didn't stop?

A No.

Q What did Harbottle do then? Take a shot at them?

A Shot at the tire.

Q Did he hit the tire?

A No.

Q Did they stop then?

A No.

Q Kept going?

A Yes.

Q Then what happened next.

A Two radio patrol was back of us.

Q Two radio patrol cars?

A Yes.

Q Who were in those two cars -- radio patrols?

A I don't know.

Q Did you say there were two radio patrol cars?

A Yes.

Q What did these cars do?

A These radio patrol cars were going back toward town on Koko Head side and then we were going to Koko Head and Harbottle stuck his hand out so they turned back.

Q Two cars?

A Yes.

Q And then what happened.

A The Buick sedan kept on going and Harbottle got down from his car and chased the car until he came to the turn.

Q At the top of the turn?

A There is a new road going around the island.

Q Where did they catch the sedan car?

A By the turn.

Q Right at the top?

A No, passed the top.

Q On the new road?

A Yes.

Q You know where the new road begins?

A Yes.

Q How far was it on the new road from the place the new road begins?

A I don't know.

Q It was on the rough road?

A Yes.

Q Who got to the car first, the Harbottle car or the radio patrol cars?

A Harbottle's car.

Q How did he make the sedan stop?

A Well, the sedan was going around the turn and he pulled against the car.

Q Did the radio patrol cars come up then?

A Yes.

Q Do you know the officers who were in the radio patrol?

A No, I don't.

Q What did Harbottle say when the sedan stopped?

A He got off from his car and then he opened the door of the Buick sedan and saw a leg sticking out. And then he told them they were arrested.

Q What did they say, anything?

A No.

Q Did he make them get out of the car?

A Yes.

Q Did you hear anybody say anything?

A No, sir.

Q Was it a woman driving the car?

A Yes.

Q And a man sitting in the front seat with her?

A Yes.

Q And a man sitting in the back seat?

A Yes.

Q You saw this white bundle in the back seat?

A Yes.

Q Was it lying on the floor?

A Yes.

Q Which way was Kahahawai's feet pointing? Was his head on the righthand side or the lefthand side?

A I don't know.

Q Was it completely bound up?

A I don't know anything about that. I was on the car.

Q Didn't you get out of the car?

A No.

Q Did you get out at all after you got out there?

A I got out of the car.

Q When you got out what did you see?

A I saw the legs sticking out of the bundle.

Q Was the body still in the car when you got out?

A Yes.

Q The body was wrapped up in some cloth wasn't it?

A Yes.

Q Was there any blood on the cloth?

A Yes.

Q Very much?

A No.

Q Where was the blood, down by the feet or up toward the head?

A In spots.

Q What sort of a cloth was that?

A I don't know.

Q Did you see anybody unwrap the body?

A No, sir.

Q Was the body tied with ropes at all?

A I don't remember.

Q You don't remember whether or not there were any rope around the body?

A No.

Q Did you ever see them take the cloth off of the body?

A No, sir.

Q How did you get back to town?

A I got in Harbottle's car.

Q Did any other car come up after you and Harbottle stopped?

A Yes.

Q The radio patrol cars come up?

A Yes.

Q Were you there when they took the body back to town?

A They took it back in a patrol.

Q Were you there when the patrol came?

A Yes, sir.

Q Were you there when they put the body in the patrol?

A No, I didn't go near the scene. I was on the other side.

Q Didn't want to go near?

A No.

Q Were you near enough to see them put the body in the patrol?

A No.

Q How do you know they put it in the patrol? Did you see them put the body in the basket?

A When they carried it in the patrol wagon I saw the basket.

Q You are sure that none of the defendants said anything at all.

A I don't know.

Q You didn't hear them say anything?

A I don't know.

Q What do you mean by I don't know?

A I mean I did not hear them.

Q Did you see anybody do anything to the defendants at all -- touch them?

A No.

Q Did anybody say anything to them?
A No.
Q What became of the defendants? Tell us in your own language what happened.
A They took them on the police patrol and took them back. I don't know what happened.
Q Took all three of them?
A I don't remember.
Q Is there anything else that you know about it at all?
A No, sir.
Q Did you testify at the coroner's inquest?
A No.
Q You've never testified?
A Where?
Q Down in the new City and County Jail building.
A No.

Statement taken in the presence of M. E. Winn
and E. T. Kong on March 15th, 1932, at 1:30 p.m.

STATEMENT OF MRS. JOS. B. STICKNEY
TAKEN AT ONE O'CLOCK ON WEDNESDAY, THE
16th DAY OF MARCH, 1932, IN THE PRESENCE
OF M. E. WINN and E. T. KONG

Q Your name is Mrs. Jos. B. Stickney?

A Yes.

Q Where do you live Mrs. Stickney?

A I am out Niu now. But I was on Beckwith Street then.
We moved there about -- we moved on the first.

Q You moved to Niu on the first of this month?

A Yes.

Q What number did you live on Beckwith?

A 2354.

Q You are the sister of Mrs. Colby Tarleton?

A Yes.

Q And Mrs. Tarleton lives on the same side of the
street and next door to the Fortescue home, does she
not?

A On the same side. Yes.

Q And next door?

A Yes.

Q On the morning of January 8th --

A I don't know what date it was.

Q On the morning of January 8th you were visiting
Mrs. Tarleton?

A Yes.

Q Had you spent the night there?

A No.

Q What time did you call at the house?

A Well, I don't know the exact time. It was,-
well, it was say around eight or so. It may have
been a little before. I left soon after my husband

left.

Q Did you drive to the Tarleton house by yourself?

A Yes.

Q Did you pass Mrs. Fortescue's house?

A I don't remember which way I went because there are two ways of going. I don't really remember but I usually go by that way.

Q Did you notice any cars in Mrs. Fortescue's driveway?

A No, I didn't. I don't think I looked over that way.

Q I believe your sister told me that that morning she heard a report. That she did not know whether it was a firecracker or not. At that time she assumed that it was a firecracker.

A Yes.

Q Because it was near Christmas and had heard firecrackers being fired around there at that time.

A Yes.

Q Do you recall having heard a report of some kind?

A Yes, I do.

Q Can you give us any idea about what time you heard that?

A No. I really don't know. I really can't tell. I didn't pay any attention don't you know.

Q Did you make any remark about the report?

A Yes, I did.

Q Do you recall the substance of what you said?

A I heard the report and I was a little nervous anyway and when I heard it it sort of frightened me and I said, I think, "was that a shot or did somebody shoot", and then Mrs. Tarleton spoke up and she said

"don't be so silly it was nothing but a firecracker."

Q Did you see any cars over there?

A No, I didn't.

Q Did you see any people over there?

A No, I didn't.

Q When did you first hear of what happened that morning?

A I don't remember. I don't remember whether we got an extra. I think Mr. McIntosh -- really I can't tell you -- he came over to Mrs. Tarleton's and asked a few questions about who the people were or something like that.

Q You didn't talk to Mr. McIntosh that morning?

A I came out I believe and I don't believe I said anything.

Q Did you see anybody around the house at all?

A No one at all because we were inside all the time.

Q Did you see anybody drive up to the house?

A No.

Q The only thing at all unusual that you heard was the report?

A Yes.

Q Have you made a statement to any of the attorneys for the prosecution?

A I was called down the following morning and I just told them. They asked me questions and I answered them. I told them what I knew.

Q Did you appear before the Grand Jury?

A Yes. I had to.

Q Testified before the Grand Jury?

A Just what they asked me.

Q You don't know anything else at all about what occurred?

A I really don't. I would gladly state if I knew. I don't know the Fortescues and Mrs. Tarleton never associated with them. We never bothered. We just didn't know them and then there is a lot of shrubbery around there.

Q When you arrived at your sister's house had her husband left for work?

A Yes. He wasn't there, if I remember correctly. Do you think we'll have to go?

Q I don't think so.

Q Your name is Henry A. Chillingworth?

A Henry A.

Q Are you in the Police Department now?

A Yes.

Q In the Detective Bureau?

A Yes.

Q On January 8th of this year you were, I believe, student detective, weren't you, or were you full fledged?

A I was full fledged.

Q How long have you been in the Police Department?

A This is my 7th -- 6th month.

Q As I recall your part in the case was that you found a clip and summons on Jones, didn't you?

A Yes.

Q Where was Jones at the time you searched him?

A In the Police Station.

Q Was he in the cell?

A Well, he was downstairs first and later he was transferred to the cell.

Q Where was he when you searched him?

A Downstairs.

Q In what office?

A In the receiving -- along side of the receiving desk.

Q Put down you mean in the basement?

A That's where the temporary receiving station is.

Q Who else was with you, do you remember?

A Captain Poha. I'm not sure.

Q Anybody else?

A Officer Zane.

Q Anybody else?

A There was some other people there but my mind wasn't

on them. It was on Jones.

Q You don't remember exactly who was there. You think that Captain Poha and Officer Zane was there.

A Yes.

Q Do you remember what time during the day or night you searched him?

A No, I think just before lunch.

Q On what day, the day of the homicide?

A The day of the homicide.

Q Was he still drunk at that time?

A I wouldn't say he was drunk. He was pretty well under the influence of liquor.

Q Did you have him take off his clothes?

A Yes.

Q His shirt?

A Shirt.

Q His trousers off?

A Didn't take it completely off. Lowered his trousers.

Q Where did you find this clip?

A It was under his shirt next to his skin under the belt, on the right hand side.

Q Next to his skin under his belt on the right hand side?

A It was just about covered by the wide belt.

Q Did he have on an undershirt?

A Regular navy undershirt.

Q This clip was under his undershirt, next to his skin?

A Was wrapped around the so-called summons they used.

Q The summons was wrapped around it?

A Yes. The clip was wrapped in the paper that was supposed to be the summons.

Q Jones say anything when you took it out?

A No, he didn't.

Q Anybody help you take it out?

A Immediately after finding that I took him to the cell and then I searched him further and questioned him up there and then called Lieutenant of Detectives, Jardine, so there wouldn't be any doubt about my mistreatment.

Q He made no statement?

A No, he didn't, except when I asked him about the keys he had on his person,- the automobile and house keys. He said the house key was to his house and that the key he had was his automobile's.

Q Make any other statement?

A No. In answer to my questions?

Q Yes.

A I asked him where the gun was. It was down at Pearl Harbor, down in his locker.

Q How many shells were left in the clip?

A Seven.

Q Do you know what sort of gun the clip had been in?

A Regular colt automatic.

Q You sure it was a colt?

A I wouldn't want to swear to it.

Q Did you find an empty shell?

A Yes.

Q Where was the empty shell?

A It was in his watch pocket. It was in a corner, almost under his belt.

Q Was that a 32?

A Yes.

Q Did he say anything downstairs at the receiving station

other than what you told us?

A No, except that he wondered why we had him down there. He was detailed as watch to guard Mrs. Massie's house.

Q Say anything else?

A Nothing.

Q Did you have anything else to do, Mr. Chillingworth, with the case? That is, did you go up to the Fortescue house or the Massie house?

A Immediately after turning the keys over to Sheriff Gleason and Captain McIntosh they sent me with Lieutenant Jardine and Mr. Hewitt up to the Fortescue house in Manoa on account of the key. It had the address to the house and street.

Q Was the address attached to the key?

A From the Trust Company. On the canvas tag. 1438 the address was.

Q Kolowalu Street?

A Yes.

Q You gave the key to Sheriff Gleason and Captain McIntosh and Captain McIntosh sent you and Lieutenant Jardine and Mr. Hewitt. Did the key fit the door?

A Front door.

Q You walked in did you?

A Well, we didn't have to walk in. It was open when we got there. Some one was there.

Q Who was there when you got there?

A Several of them. Samuel Lau, print expert, Luciano Machado and Fraga. There was several others but I don't remember who they were.

Q I believe Mr. Hewitt - McCallum said that Mr. Hewitt upon one of the occasion told them not to go in the

house because they didn't have the search warrant.

A That was in regard to the Massie home. We were going to make entry in the Massie home but there was some shore patrol and the shore patrol told us not to go in.

Q And Mr. Hewitt told you not to go in the Fortescue house?

A No, he didn't. He went in with us. I remember distinctly that after the shore patrol told us that we couldn't go into the house. We were in search of the gun. We searched the Fortescue house completely and then moved on to the Massie house to see if the gun wasn't there because Jones claimed that he had been up at the Massie's house all night and that day.

Q When you got to the Fortescue house, did you see any sign of struggle in the house?

A Nothing except bloody towel that Machado found. Well, it was on some shelf in the clothes closet.

Q I mean there was no sign of struggle as if Kahahawai put up a fight, was there?

A I don't know what you call this part of the door -- that was pushed in about three-quarters of an inch.

Q Did that make you think there was struggle up there at all, Mr. Chillingworth?

A It looked as though some one had backed against it. Don't think it was a fresh break.

Q Was there any other indication of struggle up there?

A Nothing.

Q Nothing was broken was there?

A Nothing showed that it was broken, except the bed was disorderly.

Q Nothing was broken in the kitchen?

A Nothing.

Q The dining room or living room?

A The living room was up set. After we started to search for the gun we turned the stuff up.

Q Where did you find this rope?

A Found it under the over-stuffed, I think what we call a sofa. I would call it a settee.

Q You found it under the cushion on the sofa?

A Yes. I think there was a 45 bull dog and 25 automatic. There were two guns found. I know I saw the bull dog 45. 45 service. And then Machado or somebody grabbed this small gun and was gone before I had a chance,-

Q Wasn't it as a matter of fact Iver Johnson revolver?

A I wouldn't want to say what it was.

Q Where did you find the service automatic?

A Right under that cushion.

Q And you also found this other gun that Machado grabbed at the same place?

A Yes.

Q Did you find any cartridges up there?

A No, none.

Q Did you find a holster?

A I didn't find any.

Q Did anybody find anything?

A- I couldn't tell, you know how these fellows are, they grab everything. We tried to centralize all evidence and turn it over to one man. That was done after I suggested. Everybody was grabbing their own evidence up there.

Q Well, what else did you find up there, do you remember?

A We found a new coil of rope -- about 1 1/2" round -- Manila hemp.

Q That would be as big as my small finger?

A Bigger than my thumb.

Q You sure of that?

A Yes.

Q Did it correspond with the rope that was around Kahahawai's body?

A That was a part of the rope. This was a new cut.

Q They weren't whipped?

A No.

Q How much rope did you find up there?

A I didn't measure. It was about thirty feet.

Q Found about thirty feet?

A Twenty-five or thirty feet.

Q Would you say --

A From here to your coat cabinet there.

Q Did you actually find that much rope up there?

A It was in a coil. They were grabbing and before I had a chance to measure the rope it was gone in somebody's car.

Q From what I understand there were eight or ten feet up there.

A There was more than that.

Q You didn't actually measure it?

A It was in a coil and judging from the coil there was about thirty feet.

Q And showed that a piece had been cut off of it?

A Yes. Practically a new rope, haven't been used except the piece that was tied around Kahahawai's body.

Q Now what else did you find up there?

A Well, we didn't find anything else.

Q What do you mean by bull dog 45?

A It is a regulation. One of those big ones.

Q I am interested in that 25 automatic. I never heard that before.

A It might have been an ordinary pistol. We just reversed this cushion up. Everybody made a grab so Jardine and myself left them and went over to the Massie home because what we were looking for wasn't there.

Q Did you go in the Massie home?

A No, we didn't.

Q You know where the gun is that you are looking for?

A No.

Q We don't either.

A Jones said it was down Pearl Harbor. We asked him to go there and he said it would be no good to go down there because fourteen boys have excess to my locker and there is no use now.

Q He gave that statement to the paper.

A I don't read the paper.

Q Do you know anything else about this case that would help us?

A No. I was merely called in the case by Captain McIntosh.

Q Were you attached to the District Attorney's Office?

A No, I offered to at the time I heard about it. Called McIntosh and Finnegan told me to report immediately to Mr. Gilliland's office and when I got up there they turned this fellow Jones to me for questioning and to keep him awake. He was going to sleep.

From what the Japanese girl said he took about

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three or four big shots.

Q Well, I think that's all.

A Except the car. We tried to locate the car. We had the key that he claimed was for the car. After we found out that the car was Mrs. Fortescue's. Later it was parked down by the Police Station.

Statement of Henry A. Chillingworth taken in the presence of M. E. Winn, Lt. H. H. C. Johnson and E. T. Kong at 9:30, April 1st, 1932.

Statement of EDDIE ULII, taken in the office of the Public Prosecutor, Honolulu, T.H., April 2, 1932, at 1:45 o'clock p.m., in the presence of Montgomery E. Winn, John C. Kelley and H.F. Nietert.

Mr. WINN: What is your name?

A. Eddie Ului.

Q. How old are you, Eddie?

A. Twenty-three.

Q. Where do you live?

A. Booth Tract.

Q. Do you live with your parents?

A. Yes.

Q. Is your father living?

A. Yes.

Q. And your mother?

A. No, just father.

Q. Your mother is dead?

A. Yes, died.

Q. What does your father do?

A. My father is a fishing man.

Q. You are pure Hawaiian, are you?

A. Yes.

Q. Did you go to school here in Honolulu?

A. Yes.

Q. Where did you go?

A. I went to Kalwela School.

Q. What is that, a grammar school or high school?

A. Grammar.

Q. Did you go through school?

A. No.

Q. What grade did you quit in?

A. Fifth.

Q. And after you got through school what did you do?

A. Worked for the Hawaiian Electric.

Q. What did you do over there?

A. Lineman.

Q. How many years did you work there?

A. Four years.

Q. Who did you work under?

A. I worked under my brother.

Q. What is his name?

A. Charles Ulii.

Q. Then after you got through at the Hawaiian Electric, what did you do?

A. After I quit the Hawaiian Electric I did stevedore work, once in a while I worked.

Q. Who was your boss down there?

A. One Hawaiian fellow.

Q. Do you know his name?

A. No, one Hawaiian fellow.

Q. Did you work for Mr. Guard, Jack Guard?

Mr. KELLEY: He doesn't know.

Mr. WINN: McCabe, Hamilton & Renney, they have offices on Queen street right opposite Pier 12?

A. Yes, any boat come in, we work.

Q. Did you ever play foot ball?

A. Yes, with Palama.

Q. Have you played basket ball or base ball?

A. I used to play basket ball for the Gas Company.

Q. Did you ever work for the Honolulu Gas Company?

A. Yes.

Q. What work did you do over there?

A. Meter Department.

Q. You would go out and read meters?

A. No, fix up meters.

Q. Was that after you quit stevedoring?

A. Yes.

Q. How long did you work for the Honolulu Gas Company?

A. One year.

Q. Then where did you go?

A. Back again to stevedore.

Q. Then what did you do after you got through stevedoring the second time?

A. I went back again to the Hawaiian Electric.

Q. What department were you in then?

A. I worked for the underground department.

Q. That is the department that lays cables?

A. Yes.

Q. What did you do there, laborer?

A. Laborer.

Q. Who was your boss there?

A. Jack McGrath.

Q. Then what did you do after you got through there?

A. I am still working yet.

Q. You are still working for the Hawaiian Electric?

A. Yes.

Q. You were a cousin of Joe Kahahawai, weren't you?

A. Yes.

Q. First cousin or second cousin or what?

A. No, just he is cousin to the other fellow who married my sister.

Q. You tell us just how you trace that relationship. You say the cousin married who?

A. Married my sister.

Q. You say Joe's cousin married your sister?
A. Yes.
Q. What was Joe's cousin's name?
A. Robert Kealoha.
Q. Any relation to Warren Kealoha?
A. No.
Q. He married your sister?
A. Yes.
Q. How many sisters have you?
A. Five.
Q. Any brothers?
A. Two.
Q. Both of your brothers and the five sisters are all living?
A. Yes.
Q. How old are you?
A. Twenty-three.
Q. Did you ever run around with Joe very much?
A. When we was small. We are still going together, we always go together.
Q. You would always go together?
A. Yes.
Q. Well, do you run around with anybody else?
A. No.
Q. Just you and Joe?
A. Yes.
Q. Do you know Ida?
A. When I saw him in the police station is all.
Q. That is the first time you saw him?
A. Yes.
Q. How about Chang?

A. Same thing.

Q. Ahakuelo, do you know him?

A. No.

Q. Do you know Takai?

A. No.

Q. Do you go out at night with Joe, or just in the day time?

A. Just in the day time, that's all.

Q. What do you do, just go out and play foot ball with him?

A. Go out to the park and play volley ball.

Q. What park?

A. Kolowela Park.

Q. And play what?

A. Volley ball.

Q. Do you do that every afternoon?

A. Once in a while.

Q. How many times a week do you do that?

A. Only Sundays we go out there.

Q. Do you ever see Joe during the week?

A. Yes, he would be at our house every night.

Q. Every night?

A. Day time, he come over with the cousin, my brother's wife.

Q. How many times a week would he come over?

A. Friday and Saturday.

Q. Did Joe work at all?

A. Yes, some times C.P.C. cannery.

Q. He didn't have any regular joo though?

A. No, he was straw box down there.

Q. He only worked there during the canning season?

A. No.

Q. Did he ever work any other place?

A. No, he stayed home and come up to the house.

Q. You saw Joe some times at night, would you?

A. No.

Q. You never spent one hour with him at night at all?

A. No.

Q. Sure of that?

A. Sure.

Q. Do you remember the morning Joe was killed?

A. Yes.

Q. You were with him that morning, weren't you?

A. Yes.

Q. Where did you first see him that morning?

A. I first seen him when I went over to the house that morning.

Q. Over to his house?

A. Yes.

Q. Where did he live?

A. Kukui street.

Q. Did he live on Kukui street, or did he live on a lane running off of Kukui street?

A. Right on the corner of Kukui street and Kanakelo Lane.

Q. About what time that morning did you see him?

A. Around half past seven I went over to the house.

Q. And what did you and Joe do when you got over there?

A. He started cooking and then started to eat after he got through cooking.

Q. He cooked his breakfast?

A. Yes.

Q. Was anybody else in the house at that time?

A. Yes, his mother washome.

Q. Whose mother?

A. Joe's mother and sister.

Q. Anybody else?

A. No.

Q. Then what did you do after you had breakfast?

A. Then he told me to go out with him, and we went up Vineyard street, and met a school boy.

Q. What was the name of this school boy you met?

A. Charles On Tai.

Q. And then what happened?

A. After we met this boy we walked down again, all three of us walked down through Alakea street and we told that little boy that is his street car coming and he walked over to the corner and jumped on the car and we walked down.

Q. How old a boy is On Tai?

A. I don't know.

Q. Is he younger than you?

A. Yes, younger than me.

Q. Then you and Joe walked up to the Judiciary Building?

A. Yes.

Q. Did you walk up in front of the Federal ⁽³⁾ Building, on that side of the street?

A. Yes.

Q. Did you go inside of the building?

A. Yes, me and Joe walked in the building.

Q. Both of you went in?

A. Yes.

Q. What did Joe do after he got in?

A. After Joe got in he put in his report.

Q. Who did he report to, do you know?

- A. He reported to the other fellow in there, I don't know.
- Q. Was his name Dickson?
- A. Dickson.
- Q. Did you go in with him when he reported?
- A. I was on the bench waiting for him.
- Q. Bench where?
- A. In the court.
- Q. Just as you go in the main entrance, you walked in the main entrance, the King street entrance?
- A. Yes.
- Q. And you sat down there?
- A. Yes.
- Q. And Joe walked into Mr. Dickson's office?
- A. Yes.
- Q. How long was he in there?
- A. Just a few seconds.
- Q. Then he came back out?
- A. Yes.
- Q. Now Eddie, take a look at this picture here of the four defendants, (referring to picture in the Honolulu Star-Bulletin of April 2, 1932), when you walked into the Judiciary Building with Joe, did you see--
- Mr. KELLEY: Wait a minute, I am not going to let him answer that question.
- Mr. WINN: Do you know Jones or Lord, or Mrs. Fortescue or Massie, now, that is, have you seen them since that morning when you walked in the Judiciary Building?
- A. Yes sir.
- Q. You have seen them?
- A. Yes.

- Q. Now, when you walked in there, Eddie, did you see either one of the four defendants as you walked in?
- A. I see the woman, that's all, and a fellow standing there.
- Q. By woman, you mean Mrs. Fortescue, since that time?
- A. Yes.
- Q. Where was she?
- A. She was on her own car, roadster car.
- Q. Where was it, the roadster car, parked?
- A. Parked on the side of the building.
- Q. On what side, on the King street side?
- A. Right here, as you walk in the court room.
- Q. Take a look at the building here, where do you mean?
- A. Right over here.
- Q. She was parked on the right hand side of the building as you enter the door?
- A. Yes sir.
- Mr. KELLEY: That is the ewa side of the entrance?
- A. As you walk in that place I showed you, you know.
- Mr. WINN: The ewa side, you know the ewa side, don't you?
- A. Yes.
- Q. If you walk in the entrance she was on the ewa side?
- A. Yes, right hand side.
- Q. Was she sitting under the wheel?
- A. Yes, roadster car.
- Q. What kind of a car? Remember what kind of a car?
- A. I know it was a roadster car, that's all.
- Q. Did you notice the license plate, what number it was, at all?
- A. I didn't look at the number
- Q. What side was she sitting on, the same side as the steering

wheel or the other side?

A. By the steering wheel facing towards Waikiki.

Q. Was she sitting on the same side as the steering wheel?

A. Yes.

Q. That would be the side nearest you?

A. Yes.

Q. Now, when you and Joe walked in there, were you on Joe's right or left?

A. Joe was on my left.

Q. Then you were nearest the car, eh?

A. Yes.

Q. You were closer to the car than Joe was?

A. Yes.

Q. What was Mrs. Fortescue doing?

A. She was looking at us.

Q. Looking at you?

A. Both of us.

Q. She turned her head and looked at you?

A. Yes.

Q. Turned to the left?

A. Turned this way, yes, left.

Q. Did she say anything?

A. No, she didn't say anything.

Q. Did she have a newspaper in her hand, or do you know?

A. No.

Q. Was there anything about her appearance that made you notice her appearance particularly?

Mr. KELLEY: Just a minute, Monte, I am willing-- here is the proposition the way I look at it: If you want to get this

boy's story out of him the same way you would any other witness, why, I have got no objection, but this cross examination of the boy I don't think is in order. If he would start in and tell the story, if there are any points he leaves out why you can check him up on it.

Mr. WINN: All I want to know, John, as you can see, is what caused him to particularly notice Mrs. Fortescue.

Mr. KELLEY: Of course that would be a matter of cross examination of the witness.

Mr. WINN: That is true, but I imagine you can bring it out on direct, though.

Mr. KELLEY: No, he said he passed the car and noticed a woman in it.

Mr. WINN: Whom he subsequently identified as Mrs. Fortescue. Well, let's go ahead.

Q. Did you see any other of the defendants when you and Joe walked in there? You say you saw Mrs. Fortescue and the three other defendants. Did you see any of these three when you walked in the building?

A. This fellow here. (indicating a picture in news paper)

Q. You subsequently identified him when you later on saw him?

A. I saw him up here.

Mr. KELLEY: You haven't named him. Who was he?

A. Jones.

Mr. WINN: Where did you see him?

A. I seen him at the high court standing near the doorway.

Q. Where was he standing?

A. On the ewa side.

Q. By which doorway do you mean?

A. The front doorway.

Q. He is the one you saw in this picture?

A. Yes.

Q. Did he have anything in his hand there?

A. Yes, he had a cigarette in his mouth.

Q. Did he have anything in his hand, did you notice?

Mr. KELLEY: Was he holding anything in his hand?

A. No, just a cigarette.

Mr. WINN: He did not have any paper?

A. No.

Q. Did you say anything to him?

A. No, I didn't talk to him.

Q. Did he say anything to either you or Joe?

A. No, he didn't talk to me.

Q. When you went in?

A. No, he didn't talk anything.

Q. He did not talk to either you or Joe?

A. No.

Q. Did you see him inside of the Judiciary Building?

A. Standing by the doorway.

Q. As you and Joe went inside?

A. Yes.

Q. Did Jones go inside?

A. No.

Q. He was still standing outside?

A. He was standing outside yet.

Q. Could you see him while he was standing outside?

A. While I was sitting on the bench I could see him.

Q. Which bench were you sitting on?

A. The ewa side.

- Q. What was he doing outside?
- A. Standing smoking cigarettes.
- Q. Was there another car there?
- A. I didn't see the other car until we got out.
- Q. You mean the Buick Sedan, it was a Buick Sedan, was it?
- Mr. KELLEY: Yes.
- Mr. WINN: Did anything else happen in there, Eddie, while you were waiting for Joe?
- A. No, only when we walked out did something happen.
- Q. Of course, you did not see Mrs. Fortescue while you were in the Judiciary Building?
- A. No.
- Q. You saw her as you went in the building?
- A. Yes, I can't see her from inside.
- Q. You spent all of your time sitting there on the bench?
- A. Yes.
- Q. You did not see the Buick Sedan at all when you went in there?
- A. No.
- Q. Did you see Lord when you went in there, did you see Lord at all?
- A. No.
- Q. Did you see Massie?
- A. No.
- Q. When you went in?
- A. No, I didn't see him.
- Q. Then you and Joe went in and he reported and came back and saw you, and you and Joe walked out together?
- A. Yes.
- Q. Did you walk out abreast like this, or were you in front

- or was Joe in front?
- A. We walked out together.
- Q. Were you on Joe's right hand side or left hand side?
- A. When we walked out together Joe was on the waikiki side.
- Q. Then tell us just what happened when you started to walk out?
- A. When we started to walk out the fellow was standing at the door.
- Q. Was that fellow Jones?
- A. Jones was standing at the door.
- Q. In the same place he had been standing?
- A. And me and Joe kept on walking, it was fifty feet.
- Q. Jones went out towards the Kamehameha statue?
- A. Yes?
- Q. You couldn't walk fifty feet straight out?
- A. As soon as we walked fifty feet we started to turn around, I started to turn my head back and I seen that woman pointing at me and Joe.
- Q. That is Mrs. Fortescue?
- A. Yes.
- Q. She was still in her car?
- A. The car was still there.
- Q. And she was in the car?
- A. Yes.
- Q. And she pointed out you and Joe?
- A. Yes, me and Joe.
- Q. Where was Joe at that time?
- A. He was standing there yet, and when we got on the sidewalk on King street why then the Buick car started coming right around the corner.

Q. Did you walk over this plot of ground where the Kamehameha statue is?

A. No, the road there we walked.

Q. You just walked around the road?

A. Yes.

Q. You went to the left then, didn't you?

A. Yes.

Q. And had you gotten on to the cement?

A. Yes, on that road there, and right there at the road there I started to turn my head back there and I saw the woman pointing.

Q. By that time you were just about opposite Mrs. Fortescue's car?

Mr. KELLEY: I don't think that is a fair question. It might be interpreted one way or another if you are cross examining on it later. Just let the boy go ahead and tell what happened.

Mr. WINN: All right. You tell us again, Eddie, from the time you left the front of the Judiciary Building, you and Joe came out together?

A. Yes.

Q. And Joe was on what side?

A. Waikiki side.

Q. All right, tell us what happened, which way you went?

A. Joe was on the Waikiki side, and we started to walk out together, and where that statue is, Kamehameha statue we came on the left hand side, and I just happened to turn my head and I think that lady pointed to me and Joe. We started to keep on walking yet until we hit on the side walk.

- Q. The side walk would be on King street, wouldn't it?
- A. Yes, King street, and we headed on the side walk and was standing there and a street car and machine passed, and the other car came just around.
- Q. Which car?
- A. Buick Sedan.
- Q. Came around which way?
- A. Came around the post office way.
- Q. It came up this street here?
- A. It came up the street over here. They got near the boulevard stop there and the car came there and made a complete stop, and came right by our side, and that fellow who was standing at the door, Jones, when the woman pointed out me and Joe, he started to walk out, and then he showed Joe one sheet of paper.
- Mr. KELLEY: Where was that?
- A. On the side walk.
- Q. On King street?
- A. Yes, where you make the turn by the telephone pole.
- Mr. WINN: All right, go ahead.
- A. He showed Joe one piece of paper and told Joe, "Say Joe, Major Ross want to see you," and the door from the sedan car was open already.
- Q. Which one, the front?
- A. Back door.
- Q. On the right hand side or the left hand side?
- A. Right hand side, it was facing towards Waikiki, and the door was open already, and he told Joe, and grabbed Joe by the arm, he grabbed Joe and said "get on the car, Joe, Major Ross want to see you," and Joe started to call me,

Joe started to tell me, "Cousin, get on the car," and I put one foot on the running board and the fellow in the back, Jones, said, "get off, we will be back soon."

Q. All right, and then what happened, did you take the number of the car?

A. No, I didn't look at the number of the car.

Q. Were you afraid then?

A. Yes. I thought they was going to turn up here, Punchbowl street, to see Major Ross, and I seen the car shoot out straight to waikiki way.

Q. Out King street?

A. Yes.

Q. Jones and Joe were in the back seat?

A. Joe in the back seat.

Q. Which side, on the makai or mauka side?

A. Joe was on the mauka side, Jones on the makai side facing Waikiki.

Q. You saw the car go out King street?

A. Yes.

Q. And that is all you know about that car, is it?

A. Yes.

Q. What happened to Mrs. Fortescue's car, did you pay any attention to that?

A. After they took Joe I turned around and looked for the car that the lady was sitting in and she was gone, I thought she was the first one to leave, I didn't see where she went.

Q. You didn't see where Mrs. Fortescue went?

A. No.

Q. You did not see that car any more that day?

A. No.

Q. Did anybody have on a moustache?

A. This fellow here. (Pointing to Massie.)

Q. What was he doing, driving the car?

A. Driving the car, yes.

Q. You are sure he had on a moustache?

A. Yes, if he had a real moustache, that stuff would stick out right straight out, but that one was sticking down.

Q. Was it a black moustache?

A. Black.

Q. Was his hat on or off?

A. He had his hat on, gray hat.

Q. Did Jones have a hat on?

A. Massie had a hat on, Jones no hat.

Q. Was Jones dressed in civilian clothes?

A. Yes.

Q. You did not see Lord at all that morning, did you?

A. No.

Q. Did Massie have on dark glasses?

A. I didn't see no glasses.

Q. I mean dark glasses, you did not see any at all?

A. No.

Q. You are sure of that?

A. Sure.

Q. Did you get a good glimpse of Massie's face?

A. Yes.

Mr. KELLEY: Tell him how you got that glimpse of Massie's face.

A. When they brought him up here he had that stuff on.

Mr. WINN: What's that?

A. The glue was still up here.

Q. Did you see that?

A. Yes, when he was up here.

Q. Did you point it out to anybody?

A. Yes.

Q. Who did you point it out to?

A. Pointed it out to them.

Q. Who? Do you know Mr. Wight?

A. Yes, Mr. Wight and all of them was in the office there.

Q. And you showed Mr. Wight in the office there that Massie had glue on his lip?

A. Yes.

Q. Did Mr. Wight say anything about it?

A. He didn't say anything. We had that down already.

Q. Are you sure, Eddie, he had on a moustache?

A. Sure.

Q. Well, you didn't see Lord at all, did you?

A. No.

Mr. WINN: That is all, Eddie.

Q Your name is Thurman Black?

A Thurman E. Black

Q Mr. Black, on the 8th day of January you were a police officer of the City and County of Honolulu, were you not?

A I was.

Q And I believe you and Mr. Camacho were in a radio patrol car on that morning?

A We were.

Q You remember who it was that talked to you after you went down to the station? Right after you got the alarm?

A Capt. McIntosh.

Q He told you to go to the Pali, didn't he?

A He did.

Q And you and Mr. Camacho went over the Pali?

A I did.

Q And over the Koko Head road?

A We made the circuit and came over the new Koko Head road

Q As I recall you met some other car didn't you, some other radio patrol car?

A You mean going around?

Q Yes.

A We met William Clarke on the car.

Q In a radio patrol car?

A Well, he was at Waimanalo already. After we came passing Hanaumu Bay junction we saw officer Takei and Freitas. They were ahead of us and we were coming toward town. We turned in to the old man's home and after we turned we stopped. We saw that Takei

and Freitas had slowed down and in the meantime a Ford roadster, in it were officer Harbottle and a Japanese boy, came by and signalled to follow. While we were turning around Takei and Freitas were following him. They were following this Ford roadster so we followed behind them and went back and then in the meantime we made that left turn. After we passed the Hanaumu junction we passed Takei. He turned to the right in order to give Harbottle a chance to pass him and he forced the sedan to the side and as we came along we also parked our car on the left side of Harbottle's roadster. We got off and went around and I told Lt. Massie to get off the car we want to search him. He was on the front seat on the right hand side.

Q Did he get out of the car?

A Yes.

Q Did you search him?

A I did.

Q Did you find anything on him?

A No.

Q Who was driving the car?

A Mrs. Fortescue was driving.

Q Who was in the back?

A And E. J. Lord was on the back, on the back, on the left side of the car.

Q And Kahahawai's body was lying on the floor?

A On the floor, his head was to the left of the car and his feet were lying on the right door.

Q Was there a sheet around him?

A He was wrapped around with a sheet with new Manila rope

loosely wound around his body. There was also a piece of tarpaulin. That was on the right hand side of the back and the clothes that he wore when he was kidnapped was on the front floor, on the right hand side of the car. They were wet.

Q Did anybody search Lord?

A I think Harbottle.

Q He didn't find anything?

A No. We were looking for firearms. Didn't find any.

Q Anybody search Mrs. Fortescue?

A No.

Q Who took charge of the bundle in the front seat?

A We left it there until some more officers came and we had them go back and telephone for the coroner, Mr. Hoopai.

Q And Deputy Hoopai came?

A Came and he took charge of taking the body out and the clothes.

Q Mrs. Fortescue didn't say anything, did she?

A No, she didn't.

Q Lord didn't say anything?

A No.

Q Did Massie say anything?

A No, he didn't say. He said "we done it."

Q Is that your impression of the language he used, Mr. Black, or is that the exact words?

A Well, I think it is the exact word because he said "we done it."

Q He used those exact words?

A Yes, sir.

Q You didn't go up to the Fortescue house at all?

A No, I didn't.

Q Did you have anything more to do with the case after that?

A No, only I came down in the patrol wagon with the body of Joseph Kahahawai and went to the Emergency Hospital. He was examined by Dr. Mossman and pronounced dead and we took his body to the morgue. After that I finished.

Q You never had anything more to do with it at all?

A No.

Q Do you know anything more about the facts, Mr. Black, then you told us?

A Well not now. Probably I have forgotten. May be some time it might bring knew evidence or something like that.

Q So far as you know you told us everything?

A Yes, sir.

Q All right. Thank you very much for coming in.

Statement of Thurman E. Black taken on March 24th, 1932, at 3:15 p.m. in the presence of M. E. Winn and E. T. Kong.