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Murder, Rape, and Carpetbaggers

An Essay-Review of Three Recent Books on the Massie Case

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THE TRUTH of what transpired on the night of September 12, 1931, at the Ala Wai Inn on the way to Waikiki or on the Ala Moana Road (which paralleled the shore on the way to downtown Honolulu) will probably never be known. That the wife of Lieutenant Thomas Massie, United States Navy, was beaten, was evident; that she was raped was not clearly shown; that the five Hawaiian youths indicted for rape were not guilty was probable; and that she had asked for trouble the evidence shows. Who was the man whom witnesses saw with the woman in a green party dress on John Ena Road that night? Only Thalia Massie could have identified him and she is dead, while he is not apt to tell.

It would seem that nothing could be gained by reciting the whole sordid story all over again, but Mrs. Massie's death in 1963 removed the danger of her bringing suit and reawakened interest in the case. The three books under review appeared almost simultaneously; others have been denied publication. Each of the three recounts the essential elements of the case: the ineptitude—if not worse—of the Honolulu Police Department and the enforcement agencies in general; testimony withheld by the public prosecutor as to the nature of the gathering at the Ala Wai Inn and the intoxication of naval officers. The five defendants (two Hawaiian, two Japanese, and a Chinese-Hawaiian) pleaded not guilty, and the jury, after deliberating for more than four days and remaining hopelessly deadlocked, was dismissed. Less than a week later, one of the defendants, Horace Ida, was kid-

napped by persons unknown and was badly beaten in an apparent attempt to extort a confession.

Captain Ward Wortman of Submarine Squadron Four, part of the Pacific Fleet to which Massie was attached, was not under the jurisdiction of Rear Admiral Yates Stirling, Jr., who headed the 14th Naval District. Wortman reported the incident to the Navy Department in such a fashion as to indicate that he deliberately intended to mislead the Secretary of the Navy (which Governor Lawrence Judd of Hawaii believed) or that he was grossly misinformed. Wortman's report was responsible for much of the early misunderstanding in Washington of the Hawaiian situation.

Although Admiral Stirling did not approve of Wortman's dispatch, his own reports were little better. Stirling did wire the Navy Department that the sensational accounts being published on the mainland were unwarranted and that there had been no rioting. On the basis of the dispatches from Honolulu, Admiral William V. Pratt, Chief of Naval Operations, informed his subordinates at Pearl Harbor that "American men will not stand for the violation of their women under any circumstances. For this crime they have taken the matter into their own hands repeatedly when they have felt that the law has failed to do justice." Yet he ordered naval cooperation with the civilian authorities to "clean up conditions in the community."

The Massie Case. By PETER PACKER and BOB THOMAS. (New York: Bantam Books, 1966. vi, 186 pp. 75 cents)

Rape in Paradise. By THEON WRIGHT. (New York: Hawthorn Books, 1966. 316 pp. Epilogue, illustrations, endpaper map. \$5.95)

Something Terrible Has Happened. By PETER VAN SLING-ERLAND. (New York: Harper and Row, 1966. xii, 328 pp. Illustrations, maps. \$5.95)

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There is no proof that Massie saw Admiral Pratt's dispatch with its reference to the "unwritten law," but the best guess would be that either he did see it or that he heard about it from Wortman. At any rate, the sensational Ala Moana rape case gave way on January 8, 1932, to the supersensational "Massie" murder case. On that date Joseph Kahahawai, one of the Ala Moana defendants, was kidnapped and killed by Massie, his mother-in-law (Mrs. Grace Fortescue), and two sailors, Albert O. Jones and Edward J. Lord. Three of them were captured when they were attempting to dispose of the body (Jones was not with them at the time). The evidence against the quartet was so complete that the defense made no attempt at denial during the trial that followed.

Although newspaper editors on the mainland had few actual facts to work with, they did not let that bother them. From their accounts it appeared that there was "Lust in Paradise," that the tramp of soldiery sounded through the city streets and that "Bayonets Rule Honolulu as Races Boil." The newspapers gave the impression that Mrs. Massie had positively identified her assailants and that there was no question as to their guilt. Therefore, there should have been a conviction. The failure to convict was due to two factors: the City and County prosecutor was incompetent, and the jurors were swayed by race prejudice. Later, the Pinkerton National Detective Agency, which had been called in to determine the feasibility of a retrial, concluded that it was "impossible to escape the conviction that the kidnapping and assault was not caused by those accused, with the attendant circumstances alleged by Mrs. Massie."

On January 9, 1932, Admiral Pratt issued a summary of the interservice correspondence on the case. This material, which was released immediately after the killing of Kahahawai, was seized upon by unscrupulous writers and editors, and it convinced many mainlanders—in and out of Congress—that Massie was justified in taking the law into his own hands and should not be punished for having done so. Not all the emotionalism was on the mainland by any means. Many of Hawaii's white residents agreed thoroughly with the navy view and urged that a commission government be established in the Islands. In order to forestall the hotheads in Congress, Hiram Bingham of Connecticut ("Hawaii's Senator") quickly introduced resolutions for investigation of administration and law enforcement in the Territory. The result was the so-called *Richardson Report* upon which Bing-

ham based nine bills, none of which was ever passed, inasmuch as Hawaii promptly corrected the laxness that was evident.

Despite the efforts of Clarence Darrow "For the Defense," the jury, on the evidence, could only find the four defendants "guilty" of the murder of the Kahahawai. Each received a prison sentence of ten years. By a commutation (not a pardon), Governor Judd reduced the terms to one hour, and Hearst's Floyd Gibbons boasted that letters to Washington from readers of the Hearst press had forced the Hawaiian politicians to relinquish the four defendants. He was close to the truth. More than a hundred members of Congress petitioned for a full pardon. It would have been a very brave governor—and a foolhardy one—who would have refused to act under the circumstances, even if he had not been directed to do so by the Secretary of the Interior, Ray Lyman Wilbur.

EACH OF THE AUTHORS has approached the general story in his own unique way. But their claims that they have presented "new" materials, shed new light, or produced a solution to the case are pure nonsense. Even the Pinkerton report, of which much is made, offers nothing new in evidence or theory. In no sense can these three volumes be considered products of professional research and scholarship. They were hurriedly researched and written in as sensational a manner as possible in order to cater to the "blood and thunder" taste of the lower half million. When these writers attempt to provide essential historical background—which is seldom—something terrible, indeed, has happened. Even when the reader has a thorough knowledge of the sources, it is difficult to tell which were used by the authors and which were never seen at all. Obviously, the authors have too often resorted to "poetic license" or dragged their material in by the hair. The core of any study of the case must be the testimony taken during both trials. Rehearsal of the testimony and the selection of portions to be presented verbatim in these works are based on individual predilections and thus result in some strange conclusions. There are even three different versions of what Mrs. Massie told her husband when she asked him to come home!

All three volumes fail to grasp the nature and significance of the events which transpired in the nation's capital. Senator Bingham's resolution had asked the United States Attorney-General to investigate law enforcement (not "sex



UPI Photo

Chief Defense Counsel Clarence Darrow, Edward J. Lord, Albert O. Jones, High Sheriff Gordon C. Ross, Mrs. Grace Fortescue, Mrs. Thalia Massie, Lieutenant Thomas H. Massie.

crimes") in Hawaii. Assistant Attorney-General Seth W. Richardson was given the assignment. His staff had collected a mass of revealing data, but little use is made of this information by the authors. Apparently, none of them realizes that Bingham was on Hawaii's side and was working to forestall more radical action by Senator McKellar and others. They all note the Britten bill in the House which called for commission government, but none reports the Guinn Williams bill which could have been used to block it. Strangely, too, none of them detects the hand of Secretary Wilbur in the case, nor has any of them checked Navy Department records in Washington. There were many army wives in Hawaii, but at no time did they appear in the case as the navy wives did—and not one of the authors wonders why. Van Slingerland claims that Briant H. Wells had his troops at Schofield and Shafter armed and ready to move into Honolulu. Wells himself said, "I called my officers in and told them to tell their wives that if any of them started acting like the navy wives were, they knew what would happen to their husbands."

Van Slingerland has the most vivid imagination of the authors of these three books, and he

is the most apt to give an appearance of truth. Like Packer and Thomas, he translates the innermost thoughts of the participants into words. His maps have the Ala Wai Inn on the wrong side of the street, and a key intersection is not numbered. He has sugar cane fields and irrigation canals where there were none. He confuses the first Sino-Japanese War with the Russo-Japanese War. He puts 5,700 Chinese in Hawaii in 1900 (there were 26,000). He repeatedly ties Walter Dillingham, local financier, in with the "Big Five" as their spokesman at a time when they were bitterly antagonistic toward him. He then announces that FDR made Walter Dillingham "czar" of the sugar and pineapple industries, when in fact the man had little to do with either. Van Slingerland's generalizations about the period from 1932 to 1941 are far from the truth. For example, his claim that interracial conflict receded is ill-founded; Japanophobia was never more rife than at that time. Furthermore, Congress did not put Hawaii under martial law on December 7, 1941.

On the positive side, Van Slingerland gives a clearer picture of Admiral Stirling than do Packer and Thomas or Wright, and he credits

him with more common sense than most of those who have commented on Stirling's part in the affair. He correctly notes that the stumbling and fumbling of Thalia Massie was not due to emotion, but to the fact that without her glasses she could barely see. His character sketches are good, especially those of Sheriff Patrick Gleason and James Gilliland, the deaf City and County attorney. His *pièce de resistance* is an interview with the sailor, Albert Jones (now dead), who claimed to have shot Kahahawai. Jones's story sounds like that of an old man who is remembering through the mists of time and magnifies his exploits. This is the "he-man" approach; Jones reveals disgust at the beating of Horace Ida (the sailors at Pearl done it); he, Jones, pulled the trigger, and Thalia's sister later threw the murder weapon into the sea. But internal evidence bears Jones out; he had done the killing.

Theon Wright's father was the English editor of the Hawaii *Hochi*, which gave the best coverage of the crime of any local newspaper. Wright bases the Massie incident on the breakdown in society, the excessive paternalism of the "Big Five," and the underlying tensions of race relations. His volume, filled with "atmosphere," is the easiest to read and presents the essentials of the case with the fewest number of errors. As a local boy, he is able to offer a fairer presentation of race relations in Hawaii as well as the "confusion" in the police department of Honolulu.

Wright is the only one to make any mention of his sources, but he relies too heavily on a Walter Dillingham memorandum. The haste to publish is most noticeable in the misspelling of Hawaiian names, although there are other obvious errors. Mrs. Massie's father was not a West Point graduate, and Queen Liliuokalani was overthrown in 1893—not 1898. Wright is also wrong in blaming the Hawaiian delegate in Washington for the country's lack of information; the delegate could not have known all the facts, and, in any case, true accounts which appeared in the *New York Times* and in a few other papers were ignored by the sensational

press. Furthermore, he is not justified in saying that the case "lay untouched" and that it delayed statehood or that Ala Moana Park was created to erase the shame of the Massie case.

Packer and Thomas quote the sensational and ignore basic materials. They do not show that Admiral Pratt, after his first uninformed outburst, completely reversed himself. The authors have two versions of Admiral Yates Stirling's part in the case, and one wonders if they know that this was the prohibition era. Obviously, they have not seen Manoa Valley in Honolulu or Waikiki. They have moved the Judiciary Building onto the Palace grounds and have trouble understanding the racial relationships in the Islands. There is no sweet reasonableness here—the book attempts to stir racial hatred to the highest pitch. Unlike the other authors, Packer and Thomas blame the Massie murder case on Thalia's mother, Mrs. Fortescue, who forced Lieutenant Massie to follow her stronger will. They have the Bingham and Britten bills confused and seem never to have heard of the Secretary of the Interior or of the situation in Washington. There is no table of contents, no bibliography, no index, and no list of sources—and a number of their statements are ridiculous.

Some of the authors are aware that Mrs. Fortescue published three articles about the Massie case in *Liberty* magazine. Apparently none of them knows that Mrs. Massie brought suit against *Liberty* to prevent the first two of five (which Mrs. Fortescue had written because she needed the money) from being published as an invasion of the right of privacy. There is agreement that the Massies were divorced in 1934 and that both later remarried. Massie, Mrs. Fortescue, and the sailor, Lord, are still alive. Mrs. Massie died on July 3, 1963, from an overdose of barbiturates. Had this not occurred, these books probably would not have appeared at this time. The best summation of the three volumes would seem to be the statement published in the *New York Times*, in April, 1932: "A sensation seems to have been overdone."