

M. T. SELIGMAN, CALLED BEFORE THE GRAND JURY, THURS., AUG. 13, 1942.

(Commander, U. S. Navy)

My full name is M. T. SELIGMAN. I am a Commander, U.S. Navy.

I am originally from New Mexico, that is, I was brought up there. I was born in Utah.

I have been in the Navy for twenty-eight years.

My rank is Commander. Three stripes is a full Commander and two broad stripes and a narrow one is Lieutenant Commander. Four stripes is a Captain, and an Ensign is one stripe. A Lieutenant, Junior Grade, is one stripe and one narrow line. That is equivalent to First Lieutenant in the Army. Lieutenant, Senior Grade, is two stripes.

I was Executive Officer of the Carrier LEXINGTON when she sailed from Honolulu. I acted on her in that capacity until she finally sank.

I remember that STANLEY JOHNSTON came on board the LEXINGTON at Honolulu.

(Here MR. MITCHELL showed the witness a letter to the Commanding Officer of the Carrier LEXINGTON from Admiral Nimitz, the Commander-in-Chief of the Pacific Fleet, dated April 14, 1942.)

I do not remember that letter being delivered on board the LEXINGTON at Honolulu. I have no personal recollection of it.

I remember JOHNSTON coming on board. He was accompanied by an officer from Admiral Nimitz's staff, Lieutenant Bassett, and prior to that, I don't recall just when, my memory has been pretty well shattered because I got blown up, and I can't remember little details, but I am trying to past it together, I think Lieutenant Commander Drake

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called up and the Captain wasn't aboard. He was the Senior Public Relations Officer for Admiral Nimitz, and he called up. I, being second in command, he got me on the telephone. We were about to sail. He said that the Admiral was very anxious to have MR. JOHNSTON accompany us on this trip. I believe at that time we were very shy of rooms. We had a very large number of officers on board. We would do our best to give him accommodations, but to be sure that he was accompanied by somebody, so we would know who he was, because we were very particular about who came on board ship.

P.79 I don't remember just the interval of time when JOHNSTON came down, but Lieutenant Bassett, whom I personally knew, accompanied him and said, "This is MR. JOHNSTON, and the man that Lieutenant Commander Drake spoke to you about over the telephone." MR. JOHNSTON had his regular Navy press credentials. This letter, if it came, it would have come in the regular mail, and it might have come subsequent to the time that MR. JOHNSTON came aboard, and, in the great stack of mail just when you are sailing, you probably look at something, and the man is aboard, and you just forget about it. That's why I can't remember. A letter means nothing, if they send an officer over with him.

P.80 If that letter was received on board the LEXINGTON, in the ordinary course, it would have gone into the ship's files. When the ship went down we didn't have time to save anything, and very little to save ourselves. If the original letter reached the LEXINGTON, it would have been in our file, and that's the end of that.

I was blown out of a scuttle on the LEXINGTON, and got a

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back injury, which gave me not only something wrong with the sacroiliac, I don't know the medical terms, but it also gave me concussion, which they have been treating me for in the hospital.

I stayed with the men as long as I could, until I got them more or less squared away, and rehabilitated to some extent, and the doctors then insisted that I go to the hospital, on the 11th of June. That was after I got to San Diego, and I have been there ever since.

We were passengers on the BARNETT as LEXINGTON officers, proceeding on her to San Diego.

Some arrangement was made on board the BARNETT, by which certain officers of the LEXINGTON were named as officers to whom decoded secret dispatches would be exhibited, as received. I don't remember the details of the arrangement. I don't remember whether the Captain of the BARNETT told me, or whether he talked about it with Duckworth. I didn't get over there until a day after the rest of them did, because I was working with Admiral Sherman on some other reports.

I recall that the Captain of the BARNETT said that we had volunteered the services of any of our officers that he might require, in any way we could help out, and our communication watch officers were among those people they figured could help out. Captain Phillips said that as far as the designation of information was concerned among the LEXINGTON officers, that we would follow the same practice as had been followed on the LEXINGTON. The officers on board the BARNETT who would have received the exhibition of secret messages from

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P.82 the LEXINGTON were the heads of departments. I will try to name those. There was a gunnery officer, O'Donnell; myself, of course; Commander Junker, chief engineer; Commander Duckworth, the air officer; Terry, communications officer. Terry was sick, but he received everything; a communications officer always receives everything. Terry saw them all, but I don't believe he realized what he was looking at half the time; he was very ill.

P.83 MR. MITCHELL asked the witness if the decoded message received on board the BARNETT on the evening of May 31, 1942, from Admiral Nimitz, in a cipher that indicated it held first rank as a secret message, was exhibited to him, to which the witness replied that he did not remember the specific message; that the secret messages at that time were in two classifications; one was what they call an ADIAC message, which was not supposed to be decoded.

I (the witness) do not know what the abbreviation was for, but those messages were the highest rank of secrecy.

The witness said to MR. MITCHELL, "You mentioned this was the highest rank of secrecy. That is not correct. This message came along with the regular group of secret correspondence, presumably. As I say, I don't recall this particular individual message, because we saw hundreds of them."

P.84 The Navy regulation classifies these messages into secret, confidential, and restricted. A secret message is marked on the folder, "SECRET." It is marked by the recipient "SECRET." It is not in the message itself that it is secret. The originator of the message determines its classification. It was a type of secret message that

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was not supposed to be decoded at all. That is something that was puzzling every body in the Fleet for some time, because they would get partway through some of these so-called ADIAC messages, and they would have the whole message laid out there. They were not supposed to decode it, but they wouldn't find out it was a decode message. This is hearsay on my part. These messages were only to be decoded by Admirals, Task Force Commanders, people like that. It would not be decoded on the BARNETT, for instance, because we were not a Task Force.

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This message, as it came, was directed to Commanders of Task Forces, by Admiral Nimitz, from CINCPAC, that is Commander-in-Chief of the Pacific. I have not studied the message, because I have never had an opportunity to. I don't remember it specifically; I don't remember that message.

I don't remember any discussion that night about that particular message having been received from Admiral Nimitz on May 31st.

MR. MITCHELL put the following question to the witness:

"There were two officers here who said that on that night in this room or suite, rather, a part of which you occupied, JOHNSTON occupied, and Terry had quarters there, a group of officers was around the table looking at a document that was on Navy paper, with blue lines, and it had written on it in pencil an estimate of the supposed striking force of the Japanese, the support force, and the occupation force, with a list under each force of the Jap ships that were in it. Do you remember seeing anything of that kind?"

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The witness replied as follows:

"I don't remember it specifically, sir, but it certainly may have been there. I was in a terrific mental state. I had a tremendous amount of work to do. We had 2400-odd men that we had to get rehabilitated. We had discussions constantly. There were any number of messages that came in, and naturally, if you are out there, you are going to discuss the war."

We had a great many discussions from time to time. I would be called here and there. I, being the senior officer on board, I had to take care of a lot of details, and it is perfectly possible that this message was discussed, but I don't remember the specific message, although I know perfectly well we discussed the possibilities, our own chances, and so forth, in the Midway affair. We had before us the fact that some Japanese Fleet was approaching or headed for Midway, we had that under discussion. As a matter of fact, that came out in the Radio News, as I recall it. I don't remember when that was, but I do remember one thing. The Captain showed me two of these so-called ADIAC messages that he had in his possession, and he said, "I am not passing these around. I am going to burn them up. But it is interesting information." I can't remember the contents of those messages, but it was very clear from those messages that a serious battle was impending. It was very clear that the Japs were making a move toward Midway, or Pearl Harbor, or Dutch Harbor, or both.

As I remember, I have to fall back on a very poor memory again, this was several days before the 31st, because we were very

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close to shore on the 31st of May, and there were a tremendous number of last-minute details that I had to attend to prior to coming into port.

P.88 After we landed in San Diego I remember having some contact with JOHNSTON. He said that he was going to stay at the Coronado Hotel, and I told him, when we left the ship, that Admiral Sherman was very anxious to talk to him. It was Captain Sherman at that time. I thought -- this is only conjecture, until this morning I didn't know just exactly what the Admiral wanted to talk to him about -- but I thought he wanted to sort of read over JOHNSTON'S stories on the Coral Sea, and check for their accuracy, not censorship, but check for their accuracy.

MR. JOHNSTON was very much concerned about getting in touch with the Public Relations officers in the Eleventh Naval District, that is in San Diego, in order to get his material sent to Washington, censored, and released. As far as I knew, that is the material about the Coral Sea.

P.89 In my conversations with JOHNSTON, in that contact, I managed to put him in touch with the Public Relations office, so that he could get the stories he was writing, his experiences on the LEXINGTON, through to Washington, to be censored before publication.

The fact that the material JOHNSTON got on the Fleet had to be censored was reiterated to him by Admiral Sherman and Admiral Fitch, and he brought it up constantly himself, and his one thought apparently, when we got ashore, was to get in touch with these people, so that he could make some special arrangement to get it released.

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JOHNSTON was anxious to publish his material quickly. He felt he had a very fine story and he wanted to get it released as soon as he could.

To go on with this so-called contact, there were some representatives of the Commandant's office on the dock. It was dark when we got off the ship, dusk when we started, and by the time we got off, it was pitch-dark. I don't know what time it was, and I spoke to one of the officers down there, and asked him where we could get in touch with Lieutenant Requa, who was the Public Relations man, and gave him a brief idea of what it was about. But he couldn't be reached until the following morning, as I remember it. At that time, JOHNSTON made some arrangement with him, and I understood that the material was submitted to the Commandant, Admiral Holm, at San Diego, who read it over. He thought it was very good and he arranged for an airplane to take it to Washington, where it was subsequently censored and published. There was never any mention made of anything beyond the Coral Sea, as far as these articles were concerned.

JOHNSTON, neither on the ship BARNETT, or after he got on shore, never told me that he found on the table of this room this document, with a penciled description of the supposed Japanese fleet, and these three forces. He never mentioned that he had seen that document, or a copy of it. If he had, regardless of the fact that I was feeling very badly, and very ill, I would have immediately said, "What is this?" He never told me that he had found that, or a copy of it.

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If I, or any other officer, had known that JOHNSTON had information that he should not have, we would have inquired into it. However, there is a distinction there.

JOHNSTON never mentioned to me the fact that he had got this memorandum and copied it. As a matter of fact, I introduced him to Lieutenant Requa, and I can't remember whether Lieutenant Commander Anderson was there or not. Admiral Sherman, a day or so later, said to me, "Where is Johnston?" I said, "I don't know, I haven't laid eyes on him." The Admiral was very upset. He said, "You try to get hold of him," and I tried all over San Diego to trace him down, and finally we found out that he had taken a plane. He had dropped his material in the Public Relations Office and immediately taken a plane back East, and I have not seen him from that day to this.

MR. JOHNSTON shared the same room in which this document or this note was being passed from one to the other. You could not exactly call this a suite. It was a very makeshift affair. We had dozens of people in there all day long. I could possibly make a sketch of it, if it would help anybody. MR. JOHNSTON occupied a bunk in this one little section, and MR. TERRY occupied a bunk in the other side of the section. Out in the middle, we used it as a reception room and a coffee room. There was so little space for us refugees to hang out on the ship. They wouldn't let us have coffee except in this one little room, so that the officers used to come in there through the day and they would get coffee, and this and that and the other thing. Of course, there were discussions elsewhere on the ship, in the wardroom. The wardroom is the general eating place.

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P.93 This little place was in the middle; I think they had previously used it as a dining room, when they had an Admiral on board. Then there was another little cubby hole that I had, where I was preparing the various reports I had to make. The Admiral had ordered me to prepare or collect and edit all of the reports of the various heads of departments on the Coral Sea battle, which was a tremendous job.

He also had ordered me to prepare complete muster lists of these men who were scattered among a great many ships, and to prepare all of the recommendations forward to people that he considered had performed heroic service, and that required a lot of sifting down, so I used this little room as an office. We often sat out in this general gathering, and no matter where you were aboard ship, the officer who took the messages around would just find you wherever he could and show you the message; I mean the decoded radio messages that were brought around and shown to the officers. They would bring it around and show it to you, and we might have a stack this thick (indicating) maybe 20, 40, or 50 of them. We would run through them this way and put our initials on. On some we might stop and make some notes, because that is a very common practice in the Navy. You are not allowed to make any copy of any message, but you could not possibly avoid it, you couldn't fight this war without it, nobody could remember everything in every message. You could not make a copy which would compromise the code. There is a distinction there. You have to be very careful not to compromise the code.

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(MR. MITCHELL showed the witness the original of a decipher from Admiral Nimitz to all Task Force Commanders, that came in on the BARNETT on the 31st of May, was there decoded, and marked "Secret"

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because of the nature of the cipher or code in which it came, and which was taken around to several of the officers on board the BARNETT and exhibited to them, and initialed. The witness was asked to look at it and see if he could identify any of the initials on it.) The witness replied as follows:

P.95 I can identify my initials; those are mine, right under, that is, up in the left-hand corner; we put them anywhere. My initials are very scrawly, but that is mine. That is my handwriting under the words, "To All Task Force Commanders; those are my initials. I don't deny having seen this message because, if my
P.96 initials are on it, I must have seen it. I don't have any recollection of the specific message because there were hundreds and hundreds of messages came through, and I can't remember the details of every specific message.

It is possible that when this message came in and was shown to me, that I did what officers frequently do, made a memorandum of the contents of it in such a way as to have the information, without giving away the code; I could have done that. I might have done it without my having any present recollection of it. I made excerpts -- I have my own little way of doing shorthand, abbreviating this, that, and the other thing. I have made little notes from any number of messages, because it was necessary for me, not on the BARNETT, but on the LEXINGTON, being second in command, it was necessary for me to know what was going on. We always endeavored, if we did make a note, to be sure that when we got through with it, it was destroyed.
P.97 The contents of our waste baskets were burned every day.

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If I made a note from this particular message, it would have been in my own kind of hieroglyphics. Anybody could, of course, read it. But it would not be a copy of the message, because we are not supposed to make copies of messages. It might have said "Striking Force", and then listed the same ships, and it might have said "Support Force", and then named the vessels or classes of vessels that were named in the dispatch; it may have contained "Support Force", and then, under that, listed them. That was a very natural thing for an officer to do.

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The witness here asked about the heading of the message; that he didn't remember what it was. MR. MITCHELL showed the witness the original and said, "The first words on it are "CINC", that is Commander-in-Chief, "PACIFIC FLEET ESTIMATE MIDWAY FORCE ORGANIZATION." The witness replied as follows:

That is the thing you would not put on the piece of paper; the paper wouldn't mean anything unless you had on it what you read. If you just wrote down "Striking Force", and a list of all the ships under that, and then "Occupation Force" and listed under that all the names, but you didn't say it was the Commander-in-Chief's estimate, then you would be on the safe side, because in that case it merely becomes a list of ships. However, if some smart chap picked up that piece of paper, and knew what was going on, and of these discussions that had been going on, he could readily deduce, "Here is my information." Inside dope, in other words.

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The Foreman of the Grand Jury asked the witness if, in his opinion, wouldn't he say that that perhaps should be considered as

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carelessness or negligence on the part of the officers present, to permit such information to be found or left on the table, so that some smart chap might come along and deduce or make his own conclusions. The witness replied as follows:

We try to do the best that we can. We were living in a terrific state of confusion. We have been through a rather difficult experience and we had a tremendous volume of papers. Under ordinary conditions, I would say that if I personally left a paraphrase of a message that contained ^{important} information lying about, I would be very careless. However, if I merely left a list of ships accidentally on my desk, a list of ships doesn't mean anything, anybody can make a list of ships. Unless you know that the list came from a message like this, it doesn't mean anything.

P.100 Practically everybody on this vessel were officers or enlisted men in the Navy, except Johnston. There was not a single civilian on the ship that I know of, except JOHNSTON. These officers trusted each other, that is, they wouldn't think a brother officer would grab a message like that, take it away secretly, and publish it, or anything.

JOHNSTON had been traveling around with all of us on the LEXINGTON. We had quite a high opinion of him on the LEXINGTON. We had such a high opinion that the Captain recommended him for a decoration. When a civilian is on a fighting ship in actual naval operation, he cannot be treated as an outcast. You absolutely can't be quiet every time he comes into the room. You have to treat him as an honorable fellow, you have to treat him as one of

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the officers, and rely on the censorship obligation, that if he does
P.101 pick up anything he ought not to have, to check him on it.

MR. JOHNSTON had the highest credentials he could get. Both Admiral Fitch and Admiral Sherman were very much impressed with him. They reiterated that statement on several occasions. Although none of us would deliberately show JOHNSTON anything, we are not detectives, and the Navy Department puts him on board and vouches for him. We assume, as naval officers, that when he gets ashore, he is going to carry out his obligations to the Navy. I have never been connected with the Censorship -- but as I understand it, before they can get accredited, their background has to be looked into, and they get an accredited card from the Navy Department. Then they are further looked into before they are allowed aboard ship in Honolulu. They are further instructed then to submit everything to the Navy censor. I know that Admiral
P.102 Sherman, on a number of occasions, reiterated that to Mr. Johnston.

(Witness excused)



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