

Judge Martin Pence

On November 18, 1904, Cornelius Martin Pence was born in Sterling, Kansas. The son of a farmer, he was encouraged by his father to become a "professional man". As a sixth-grader, he already knew he wanted to enter law. With his goal set at a young age, he graduated from high school a year early. Following a year at Sterling College, he transferred to the University of Kansas.

After three years at the university, he worked as a "door-to-door salesman" of a super-heated attachment for Perfection oil stoves. After that he sold sterilizing chemicals for dairies. "I didn't make big money, but I always made good". This set the precedent for what was to come throughout his remarkable career.

Judge Pence's stint as a salesman was merely to "gain a year's additional maturity before going on." He then received his law degree from the University of California at Berkeley. Subsequently, he passed the California Bar exam on October 4, 1928 and went to work at a small firm in San Francisco. It was here where he decided to drop his first name, Cornelius, as "Cornelius Pence" sounded like "Cornelius Spence" over the telephone. Judge Pence, or "Penny", as he is known to friends, was handpicked from among fifty-four other applicants to work as a claims adjuster and legal advisor for Home Insurance Company (now First Insurance Company of Hawaii).

The young attorney arrived in the Territory of Hawaii on August 6, 1930. Although the initial job offer entailed only a year's contract, Judge Pence remained in the Islands after falling in love with the "blue of the sky and the white fleecy clouds, the air and all..."

In 1933, he was admitted to practice before the Territorial Supreme Court. Judge Pence moved to the Big Island of Hawaii in 1936, because "they had the best hunting". An avid huntsman of deer, sheep, pheasant, and fish, his hunting escapades were even featured in the daily newspaper: "Pence Lands First Marlin in 4 years' ...After putting on a fierce 11 hour and 6 minutes battle from his 16 foot Ka-Upu, attorney Pence landed a 165-pound marlin off the briny shores of Kona on Sunday afternoon, reports from the Kona Inn said."

In January of 1937, Judge Pence opened his own law practice in Room 21 of the Professional Building. In the solid Republican county of Hilo, the 33-year-old Democrat was elected county attorney. With campaign slogans including: "A Vote for Pence is Common Sense," and "Don't Let Your Pence Down," he defeated the 29 year incumbent county attorney. Judge Pence was the only Democrat elected to office during the 1938 general election. That same year, on November 19, he married a schoolteacher, Lucy Elizabeth Powell. Why? Because she was "a great cook and smarter than I".

As county attorney, he set out to end slot machine and cockfight gambling and prostitution. On February 17, 1939, a headline of the daily Hilo newspaper read, "'Pence Threatens War on Gambling in Hilo' ". The 62 arrests on the previous night was "just the beginning of the campaign to clean up gambling conditions in Hilo".

President Harry Truman appointed Martin Pence United States Circuit Judge for the Third Circuit in the Territory of Hawaii in 1945. He resigned in 1950 to return to private practice. After his resignation, he was appointed district magistrate for Ka'u, Hawaii. He headed the local Commission for Children and Youth, was president of the South Hilo Rotary Club, and an active member of Pu'umaile, the Hilo Memorial Hospital managing committee, Kilauea Masonic Lodge, Aloha Shrine, Elks, the Hilo Yacht Club, the Hawaii County Bar Association, the Hawaii State Bar Association and the Fish and Game Protective Association of Hawaii.

Rumors of Judge Pence's possible appointment to the federal bench mounted in the summer of 1961. An August 13, 1961 newspaper article spoke of him as being "known in his profession as a 'lawyer's lawyer', a thorough researcher and shrewd courtroom practitioner". On October 6, 1961, the rumors were confirmed — President John F. Kennedy appointed Martin Pence to the federal bench.

Lucy Pence was diagnosed with a cancerous throat nodule in 1969. Following her death in 1974, Judge Pence retired as chief judge to take senior status. On April 12, at the age of 71, he married Eleanor Talcott Fisher Johnston, age 63. Together on the twelfth of each month, they continue to celebrate their "lunaversaries" with a champagne breakfast at home.

On March 1, 1982, Judge Pence's courtroom at the Prince Jonah Kuhio Federal Building was named "Aha Kaulike" or "Place of Equity". Aptly titled for the Honorable Judge, as he has long been known for his compassion, humor, fairness and integrity. Some of the more memorable cases which came before him included the Kauai water case that caused a major impact on the statewide agriculture, investment counselor Ronald Rewald's bilking of millions from investors, and the patent case between Pfizer and Revlon and International Rectifier.

When asked what he enjoyed most during his years as judge, he replied, "There was a feeling that I was dispensing as nearly as possible under our system, this little, unknown, undefinable quality called justice. That's all". And what seems in store for the Honorable Judge Martin Pence? "It's been a great life being a judge. It isn't over yet".