



ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

AMC:WBF:am

146-28-1941

July 25, 1949

AIR MAIL  
SPECIAL DELIVERY

~~CONFIDENTIAL~~

Tom E. DeWolfe, Esq.  
c/o United States Attorney's Office  
San Francisco, California

Dear Mr. DeWolfe:

Re: Iva Ikuko Toguri D'Aquino, was.  
Treason

There are transmitted herewith for your information  
two Federal Bureau of Investigation memoranda, dated July 19,  
1949, concerning the above case.

Respectfully,

For the Attorney General

FILED  
BY RR  
On DEC 8 1953

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No. 97391

DECLASSIFIED ON Oct 21, 1997  
BY John J. Davis

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

July 19, 1949

AIR MAIL - SPECIAL DELIVERY

James W. Knapp, Esquire  
c/o U. S. Attorney  
San Francisco, California

L M  
APR 12 1954

Dear Jim:

I have just returned from a trip to Newark, New Jersey and am informed that during my absence you telephoned long distance relative to any memoranda of law I may have prepared covering the admissibility of expert testimony, or written transcriptions of inaudible recordings.

In the Gillars case the appellant stipulated the accuracy of the written transcripts of all the recordings involved and it was not necessary to try to prove by expert "listeners" what the recordings said. I did make some brief study of the law but did not prepare anything in written form. The only case I found directly on the subject was United States v. Schanerman, 150 F.2d 941. We obtained the briefs in this case but the point was not treated at any length in the briefs and they shed no further light on the subject. I do not think this case will help you but you may find it of interest.

We have been receiving excellent reports about the progress of the Tokyo Rose trial and expect at the conclusion to hear of her conviction. Keep up the good work!

Respectfully,

*Regards.*

*Frank*  
J. FRANK CURNINGHAM

176-28-1741	
DEPARTMENT OF JUSTICE	F
APR 6 1954	C
RECORDS DIVISION	D

*Frank*  
*176-28-1741*

ASSISTANT ATTORNEY GENERAL  
WASHINGTON

ALEX CAMPBELL

July 13, 1949

~~A Hogan~~  
~~K Knapp~~  
file  
1/21


Dear Mr. Hennessy:

Thank you very much for your letter of July 9, 1949, and I am very pleased to have your report.

It is perfectly agreeable for Mr. Knapp to assist you in every way possible.

Please give my kindest regards to Messrs. Tom DeWolfe, Hogan, and your staff.

Sincerely,



Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco 1, California

FILED  
BY RR  
On DEC 8 1953

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

*Knapp*

AMC:JFC:ejw

July 11, 1949 OFFICE OF THE ATTORNEY GENERAL  
EX

AIR MAIL

JUL 13 1949

REFERRED TO *Hennessy*

*FILED*

Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco 1, California

Dear Mr. Hennessy:

Re: United States v. D'Aquino - Treason

Complying with your request of July 5, 1949,  
there is transmitted herewith a photostat copy of the  
instructions and charge given by Judge Curran in the  
case of United States v. Mildred E. (Sisk) Gillars.

Respectfully,

For the Attorney General

*Alex Campbell*

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enc. 203037

*74*  
*NOV 9*  
*74*

NOV 9

AMC:mkn

146-28-1941

CPT

July 13, 1949

Dear Mr. Hennessy:

Thank you very much for your letter of July 9, 1949, and I am very pleased to have your report.

It is perfectly agreeable for Mr. Knapp to assist you in every way possible.

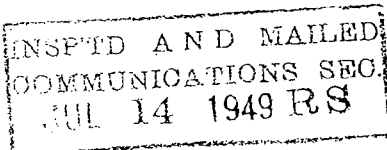
Please give my kindest regards to Messrs. Tom DeWolfe, Hogan, and your staff.

Sincerely,

ALEX M. CAMPBELL

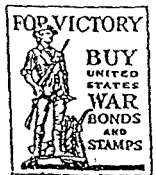
Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco 1, California

cc: Records  
Chrono.



ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

UNITED STATES  
DEPARTMENT OF JUSTICE  
WASHINGTON 25. D. C.



AMC:HAS:rir

146-28-1941

July 7, 1949

*copy prepared  
July 3*

AIR MAIL SPECIAL DELIVERY

Thomas E. DeWolfe, Esquire  
c/o Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. DeWolfe:

Re: Iva Ikuko D'Aquino, was.  
Treason.

There is transmitted herewith for your information the following documents relating to the above matter:

One Bureau memorandum dated June 30, 1949, to Assistant Attorney General Alexander M. Campbell.

One Bureau memorandum dated July 6, 1949, to Assistant Attorney General Alexander M. Campbell.

It is suggested that you answer the Bureau's request in their memorandum of July 6, 1949.

Respectfully,

For the Attorney General

FILED  
RR  
BY  
On DEC 8 1953

*Alexander M. Campbell*  
ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No. 97581

AMC:WFF:am

146-28-1941

July 5, 1949

AIR MAIL

Thomas E. DeWolfe, Esq.  
c/o United States Attorney's Office  
San Francisco, California

Dear Mr. DeWolfe:

Re: United States v. Iva Ikuko Toguri D'Aquino;  
Treason.

Transmitted herewith are two memoranda of the Federal Bureau of Investigation regarding subject individual; one to Mr. Peyton Ford, dated June 27, 1949; and the other to Assistant Attorney General Campbell, also dated June 27, 1949.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No. 33914

cc: Records  
Chrono.  
Mr. Foley

**AIR MAIL**

INSPECTED AND MAILED  
COMMUNICATIONS  
JUL 6 1949 RS

8



AMC:JFC:ejw

July 11, 1949

AIR MAIL

Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco 1, California

Dear Mr. Hennessy:

Re: United States v. D'Aquino -- Treason

Complying with your request of July 5, 1949,  
there is transmitted herewith a photostat copy of the  
instructions and charge given by Judge Curran in the  
case of United States v. Mildred E. (Sisk) Gillars.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enc. 203037

cc Records ✓  
Chrono  
Warren-Travis -Int. Sec.  
Miss Hanlin  
Miss Brookley  
JFCunningham

1 July 1949

AIR MAIL

W. Arthur Garrity, Jr., Esq.,  
Assistant United States Attorney,  
Boston, Massachusetts

Dear Mr. Garrity:

Re: United States v. D'Aquino - Treason

This is to acknowledge receipt of the copy of Government's Requested Instructions in the United States v. Douglas Chandler treason prosecution, which you were kind enough to forward in accordance with my telegram to you on 28 June 1949.

Thanking you very much for having given this request your immediate attention, I am.

Sincerely,

Tom DeWolfe

F  
L M  
APR 12 1954

146-28-1791

11	DEPARTMENT OF JUSTICE	RECORDED
	APR 6 1954	
	RECORDS BRANCH	

T. De Wolfe  
1135-H

700-2

6-29-49

ASE

500 SF WAY /J-D/

WASHINGTON 6-29-49.205P

TOM DE WOLFE U S ATTORNEYS OFFICE

L M  
JUN 28 1954  
SF

~~Case records~~

LITURIC JUNE 28 UNITED STATES V. D- AQUINA, SOLICITOR VETERANS  
ADMINISTRATION DESIRES THAT YOU SUBPOENA MERRITT PAGE DIRECT FROM  
PITTSBURGH FOR EXPEDITIOUS REASONS.

ALEXANDER M CAMPBELL ASST ATTORNEY GENERAL

ASF208P

28

11/11/49  
U.S. DEPARTMENT OF JUSTICE  
APR. C 1954  
D

AAC:HAS:akn

146-28-1941

JUNE 29, 1949

TOM DE WOLFE  
c/o UNITED STATES ATTORNEY'S OFFICE  
SAN FRANCISCO, CALIFORNIA

LITURGIC JUNE 28 UNITED STATES v. D-AQUINA, SOLICITOR VETERANS  
ADMINISTRATION DESIRES THAT YOU SUBPOENA MERRITT PAGE DIRECT  
FROM PITTSBURGH FOR EXPEDITIOUS REASONS.

ALEXANDER T. CAMPBELL  
ASSISTANT ATTORNEY GENERAL

H.A.S.  
DT

cc: Records ✓  
Chrono  
Stearns

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

(05):.

# WESTERN UNION

1201

W. P. MARSHALL, PRESIDENT

1919 JUN 23 PM

SYMBOLS

DL=Day Letter
NL=Night Letter
LC=Deferred Cable
NLT=Cable Night Letter
Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

.GT GT.SFA181 GOVT PD=WUX SAN FRANCISCO CALIF. 23 158P=  
 THOMAS E DEWOLFE EST CARE OF FRANK J HENNESSY=  
 U S ATTORNEY PO BLDG=

*File Bureau*

THE REQUESTED MATERIAL FORWARDED BY ORDINARY MAIL ON JUNE 15=  
 =ALEXANDER M CAMPBELL JUSTICE DEPT WASHINGTON DC=

*1919 JUN 23*

15=

FILED  
 BY RR  
 On DEC 8 1953

10 2

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

S. A. Andretta, Administrative Assistant to  
the Attorney General

June 22, 1949

Alexander M. Campbell, Assistant Attorney General  
Criminal Division

*AMC*  
IVA TOGURI D'ACQUINO - Treason - 146-28-1941 *F 11*  
Authority to ship official records

Authority is requested to have one box containing official records  
to be used in the forthcoming trial of the above case wrapped and  
shipped via AIR FREIGHT in sufficient time to arrive there by Tuesday,  
June 28, 1949.

*F 11*  
MR. FRANK X. GREEN  
% Tom DeWolfe, Special Assistant to  
the Attorney General  
UNITED STATES ATTORNEY'S OFFICE  
SAN FRANCISCO, CALIFORNIA.

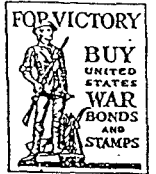
APPROVED:

---

CC: Records  
Chrono  
Int. Security  
Mr. Green - Rm 2313  
Criminal

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

UNITED STATES  
DEPARTMENT OF JUSTICE  
WASHINGTON 25. D. C.



AWC:MAS:rir

146-28-1941

AIR MAIL

June 17, 1949

*correspondence  
D  
JED*

Thomas E. DeWolfe, Esquire  
Care of Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. DeWolfe:

This refers to my telegram of June 17, 1949 concerning the arrival of Government witnesses in the above case. I am transmitting herewith copies of radiograms received from the Department of Army for your further information.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No. 97412

*146-28-1941  
12/8/53*

FILED  
BY RR  
DEC 8 1953

AMC:HAS:rir

146-28-1941

June 17, 1949

AIR MAIL

Thomas E. DeWolfe, Esquire  
Care of Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. DeWolfe:

This refers to my telegram of June 17, 1949 concerning the arrival of Government witnesses in the above case. I am transmitting herewith copies of radiograms received from the Department of Army for your further information.

Respectfully,

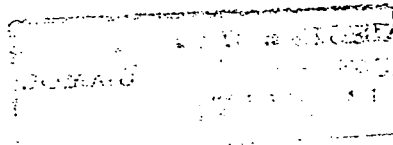
For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No. 97412

cc: Records  
Chrono  
Stearns

**AIR MAIL**





AMC:JBH:mlm

146-28-1941

December 20, 1948

R.M.

Lt. Col. Karl L. Edwards  
Chief, Provost Division  
Office of the Provost Marshal General  
Department of the Army  
Washington, D. C.

Dear Colonel Edwards:

Re: Iva Toguri D'Aquino, Treason

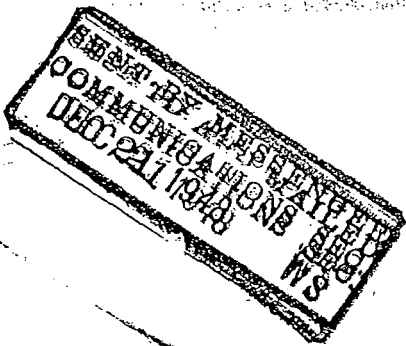
I wish to acknowledge with thanks receipt of your letter of December 13, 1948, to Mr. John B. Hogan of this Division and the report of investigation attached thereto.

The contents of that report have been carefully noted and in compliance with your request I am returning it to you herewith.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General



Enclosure No. 319490

cc: Records ✓  
Chrono.  
Hogan  
~~Extra~~

*228  
at  
AMC by WUP*

Director, Federal Bureau of Investigation

April 11, 1949

Alexandar M. Campbell, Assistant Attorney  
General

AMC:TED:mmv  
146-28-1941

United States v. Iva Toguri D'Aquino -  
Treason

APR 11 1949

APR 11 1949

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California and more particularly to your memorandum dated 4, April, in regard to the procurement of lawyers Finger and Hoberg as expert witnesses in the above entitled matter on certain legal matters pertaining to military government in occupied territory.

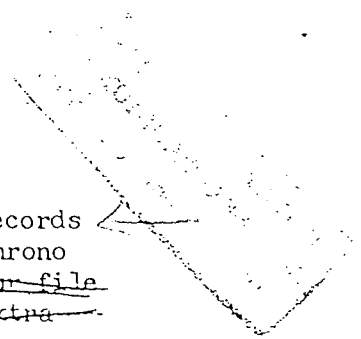
It is requested that the Bureau, through its San Francisco Field Office, obtain information as to the most recent place of abode of the prospective witnesses aforementioned so that at the appropriate time compliance can be effected with the statutory provisions of Title 18 U.S.C., revised, Sec. 3432, pertaining to the furnishing of a list of witnesses to defendant prior to trial.

TED

gk  
D

Amc  
mm

cc: Records  
Chrono  
~~Our file~~  
~~Extra~~



TED:mmv

April 11, 1949

146-28-1941  
FBI  
Frederick G. Tillman, Esquire  
c/o PMS, GHQ, FEC  
APO 500, c/o Postmaster  
San Francisco, California

My dear Fred:

Re: United States v. Iva Toguri D'Aquino

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. I acknowledge receipt of and thank you for yours of recent date. We asked Mr. Corman, on the Treason Desk here, to have you radio the Bureau furnishing advice as to suggested witnesses for and on behalf of the Government at the trial on the merits herein who are presently resident in the Orient. We have already requested the Army to bring over a number of Japanese nationals as witnesses at the trial on the merits but wanted specific information from you so that we could give the Army as much time as possible to arrange transportation for the prospective Government witnesses to the United States. It likewise becomes necessary for us to shortly furnish the defendant with a list of witnesses that the Government will use at the trial with their last known places of abode.

The factors abovementioned motivated us in asking you to radio the names of any witnesses resident in the Orient other than those brought from Japan for the grand jury proceedings so that we would have ample time to make arrangements through the Department of the Army, looking toward the personal attendance here prior to and during the trial of the desired witnesses presently residing in the Orient. We will undoubtedly receive your report on this matter in a day or two. We had in mind of course bringing over the three Japanese radio engineers mentioned in the investigative report of Special Agent Woods of the Army's Criminal Investigation division.

I am still planning on asking the Criminal Division to request the Director to bring you back to the United States for the

cc: Mr. Foley - 146-28-1941 ✓

Noted  
4/15/49  
APW

Rec'd

trial of this case. We would need you shortly prior to and during the trial.

I am wondering whether the continuance which you made mention of in your last letter was with reference to a trial continuance or a continuance of the proposed taking of depositions in Japan. Please relay to me any information which you may have on that score.

I wish to thank you for your letters and assure you of my great appreciation for all past favors. With kind personal regards and best wishes for your continued success, I remain,

Sincerely,

Tom DeWolfe

AKO:TSD:mmv

146-28-1941

April 6, 1949

Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. Hennessy:

Re: United States v. Iva Toguri D'Aquino -  
Treason

Reference is made to the above entitled treason prosecution presently pending in your district. You will find enclosed herewith one copy of the Government's trial brief on the facts in the above entitled cause. The same was prepared in the Department.

Supplements and additions to the same will be prepared from time to time in the Department as further investigational leads are developed herein. Any additions to the enclosure will be forwarded to you when prepared. The enclosed trial brief on the facts is for your personal use and information.

Please keep the Department advised as to all material developments that ensue herein.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No.  
203920

cc: Records  
Chrono  
~~Our file~~  
~~Extra~~

AMC:TED:gml

44-28-1941

R.M.

RECORDED  
APR 11 1949

APRIL 7, 1949

UNITED STATES ATTORNEY  
SAN FRANCISCO, CALIFORNIA

SITUATED APRIL FIVE TO TOM DEWOLFE IN D'AQUINO CASE. DEPARTMENT  
OF VIEW MOTION TO REQUIRE GOVERNMENT TO FURNISH WITNESS LIST AT THIS TIME  
SHOULD BE RESISTED. MOTION FOR ORDER DIRECTING ISSUANCE OF SUBPOENAS MAY  
BE CONCESSED WITH EXCEPTION OF WITNESS PRAY MENTIONED ON PAGE FIVE OF  
DEFENDANT'S AFFIDAVIT AS TO WHOM THERE APPEARS TO BE NO PROPER SHOWING  
ON MATERIALITY OF PROPOSED TESTIMONY. AIRMAIL SPECIAL DELIVERY LETTER  
FOLLOWS.

ALEXANDER M. CAMPBELL  
ASSISTANT ATTORNEY GENERAL

TED  
D  
Campbell  
AM

cc: Records ✓  
Chron. File  
Mr. DeWolfe

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. John B. Hogan

DATE: April 4, 1949

FROM : Frank Green

116-28-1911

FG:vb

SUBJECT: Iva Toguri

The following equipment will be required to play back recordings in the courtroom in San Francisco:

	<u>Signal Corps No.</u>
✓ 1 Memovox Reproducer Model AP100	
1 Presto Amplifier Model 90A	
1 Presto Amplifier Model 85E	609-2
1 Presto Recorder-Reproducer Model 6N	60263-6N
50 Brush headsets Model BJ	2B932
50 Signal Corps intercom boxes	2C1738
50 headset plugs	2Z7155
1 RCA sound effects filter Model M1-4917-A	
1 line matching transformer 8 ohms input to 500 ohms output	
500 feet 2 conductor no. 19 inside telephone wire	
✓ 500 feet of telephone tacks	

There is no substitute for the Memovox Recorder-Reproducer. The Presto Amplifier Model 90A can be substituted by a standard make of amplifier that has at least 25 watts output, 500 ohms impedance output, and 500 ohms input. This amplifier must have broadcast station quality such as RCA, Western Electric, Collins, etc. The Presto Amplifier Model 85E and the Presto Recorder-Reproducer Model 6N must not be substituted. The only acceptable substitute for the Brush headsets Model BJ would be the Brush headset Model A. The Signal Corps intercom box, catalog no. 2C1738, can be substituted with some other control box of similar size. It must have a phone jack input and be equipped with a volume control. The headset plugs can be substituted by any standard type that does not require soldering. The RCA sound effects filter can be substituted by any make having broadcast station quality providing it has the following specifications: the low range and the high range controls should have 100 ohms, 250 ohms, 500 ohms, 1,000 ohms, 2,000 ohms, 3,000 ohms, 4,000 ohms, and 5,000 ohms. There may be other small items that would be needed but they can be picked up when I arrive.

It is suggested that the Bureau try to secure this equipment from a Signal Corps supply depot in the California area or from the Navy in San Francisco or in San Diego. The sound effects filter probably will not be available at any of the Government sources and it is suggested that the Columbia Broadcasting System or the National Broadcasting System in San Francisco be approached, and mention could be made to them that the networks in the East were very cooperative in supplying a sound effects filter for our use in other cases. The Bureau should also notify us immediately if any difficulty arises in securing this equipment, as it may be necessary to ship the equipment from Washington by air express, but this should be avoided if possible, owing to the shipping cost necessitated by the weight.



AMC:JBH:mmv

146-28-1941

January 5, 1949

Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. Hennessy:

Attention: Thomas E. DeWolfe

Re: United States v. Iva Toguri D'Aquino  
Treason.

I am enclosing herewith for your information a copy  
of a memorandum dated December 28, 1948 from the Acting General  
Counsel of the Immigration and Naturalization Service together  
with the photostats received therewith.

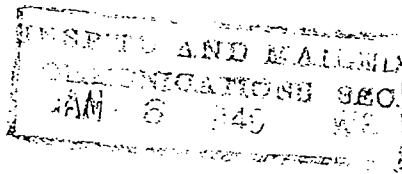
Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No.  
353477

cc: Records ✓  
Chrono  
Hogan  
Extra



*Handwritten notes:*  
878  
WJ  
AMC by [signature]

AMC:JBH:mmv

146-28-1941

January 5, 1949

Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. Hennessy:

Attention: Thomas E. DeWolfe

Re: United States v. Iva Foguri D'Aquino  
Treason.

I am enclosing herewith for your information a copy  
of a memorandum dated December 28, 1948 from the Acting General  
Counsel of the Immigration and Naturalization Service together  
with the photostats received therewith.

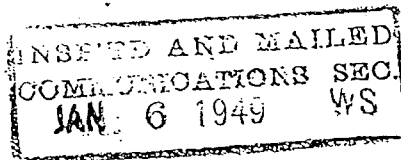
Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enclosure No.  
353477

cc: Records  
Chrono  
Hogan  
~~Extra~~



## Office Memorandum • UNITED STATES GOVERNMENT

56262/67  
56245/61

TO : Alexander M. Campbell, Assistant Attorney General  
Criminal Division

DATE: December 28, 1948

FROM : Albert E. Reitzel, Acting General Counsel

SUBJECT: United States v. Iva Toguri D'Aquino - Treason; Your AMC:JBH:mmv, 146-28-1941

This is in reply to your memorandum of December 15, which made a request, similar to that you had previously made on October 19, that you be furnished with a certified photostatic copy of the defendant's application for a certificate of identification.

In response to your earlier memorandum I informed you on November 19, that our District Director at Los Angeles, who had jurisdiction over the ports of San Pedro and Wilmington, had been unable to locate a record of any application which the subject had made for a certificate of identification. Thereafter, on November 24, I furnished you certified copies of the records relating to the subject's departure from the United States on July 5, 1941 on the S.S. "Arabia Maru."

There are forwarded herewith uncertified copies of these departure records. I have not certified them because they are not records of the Central Office of the Service. However, I assume you want to forward these copies to the United States Attorney at Los Angeles and if that is the case, that officer can secure the necessary authentication from our District Director at Los Angeles, who, under the regulations, is the officer having custody of those records.

Enclosures

*Albert E. Reitzel*

RECORD

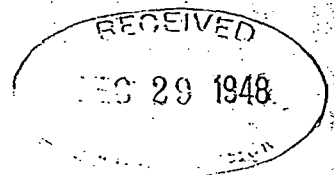
146-28-1941

DEC 29 1948

DIVISION OF INVESTIGATION

CRIM. - INTERNAL SECURITY SEC.

R.M.



25  
*Hogan*

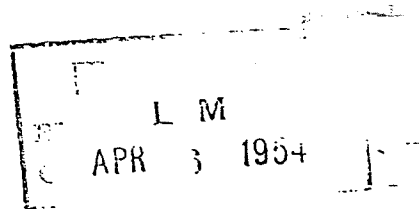
AMC:JBH:lr

146-28-1941

December 23, 1948

AIR-MAIL

Frank J. Hennessy, Esq.  
United States Attorney  
San Francisco 1, California



Dear Mr. Hennessy:

Attention: Thomas E. DeWolfe, Esq.

Re: Iva Toguri D'Aquino  
Treason

Reference is made to your letter of December 20, 1948, in the above-captioned case.

For your information, I am enclosing a copy of my memorandum dated December 23, 1948, to the Federal Bureau of Investigation.

Respectfully,

For the Attorney General

146-28-1941

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enc. No. 437403

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

RECEIVED  
OFFICE OF U. S. ATTORNEY  
SAN FRANCISCO, CALIF.

AMC:JBH:lr

146-28-1941

December 23, 1948

DEC 27 1948

REFERRED TO de Wolfe

*file  
/RR*

AIR-MAIL

Frank J. Hennessy, Esq.  
United States Attorney  
San Francisco 1, California

Dear Mr. Hennessy:

Attention: Thomas E. DeWolfe, Esq.

Re: Iva Toguri D'Aquino  
Treason

*1-10-49  
RR*

Reference is made to your letter of December 20,  
1948, in the above-captioned case.

For your information, I am enclosing a copy of  
my memorandum dated December 23, 1948, to the Federal  
Bureau of Investigation.

Respectfully,

For the Attorney General

FILED  
BY RR  
DEC 8 1953

*Alexander M. Campbell*  
ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enc. No. 437403

ALM:JBN:as

146-28-1941

December 31, 1948

RECORD

The Honorable  
The Secretary of State  
Washington, D. C.

My dear Mr. Secretary:

In connection with the case of United States v. Iva Toguri D'Aquino, a prosecution for treason now pending in the Northern District of California, certain documents are necessary for the preparation of the Government's case. It is requested that photostatic certified copies of the following documents be furnished to this Department:

- (1) The military directive authorizing General Douglas MacArthur as Supreme Commander, Allied Powers, to arrest war criminals and seize their property.
- (2) The pertinent document which shows an agreement between the Allied Powers authorizing General MacArthur to take the steps mentioned immediately above.

It is requested that these photostatic copies be duly authenticated under the seal of the Department of State.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

cc: Records  
Chron  
Mr. Hogan

SENT BY MESSENGER  
COMMUNICATIONS SEC.  
JAN 3 1949 AJ

JH  
WA

*AMC*

AKC:JEM:lr

146-28-1941

December 23, 1948

R.M.

AIR-MAIL

Frank J. Hennessy, Esq.  
United States Attorney  
San Francisco 1, California

Dear Mr. Hennessy:

Attention: Thomas E. DeWolfe, Esq.

Re: Iva Toguri D'Aquino  
Treason

Reference is made to your letter of December 20,  
1948, in the above-captioned case.

For your information, I am enclosing a copy of  
my memorandum dated December 23, 1948, to the Federal  
Bureau of Investigation.

Respectfully,

For the Attorney General

AIR MAIL

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enc. No. 437403  
CC: Records  
Chrono.  
Mr. Hogan

SENT AND MAILED  
COMMUNICATIONS SECTION  
DEC 23 1948 AJ

*JJA*  
*WT.*  
*for*  
*Amc*

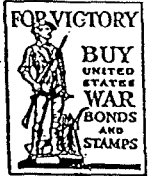
ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

AJC:JBH:mmv

146-28-1941

UNITED STATES  
DEPARTMENT OF JUSTICE  
WASHINGTON 25, D. C.

December 9, 1948



RECEIVED  
OFFICE OF U. S. ATTORNEY  
SAN FRANCISCO, CALIF.

DEC 13 1948

REFERRED TO

*de Wolfe*

*1. de Wolfe  
JEB*

AIR MAIL SPEC. DEL.

Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. Hennessy:

Attention: Tom DeWolfe

Re: United States v. Iva Toguri D'Aquino  
Treason. Your ref: TdeW Pr

We have made further study of the question of the defendant's alleged expatriation by her marriage to a Portuguese national in April 1945. We have come to the following conclusions.

Section 3 of the Act of September 22, 1922 (42 Stat. 1021-1022) provides for the loss of citizenship by an American woman by marrying an alien ineligible for citizenship. Section 4(a) of the Act of March 3, 1931 (46 Stat. 1511) amended Section 3 of the Act of 1922 above, deleting the provision for loss of citizenship by marriage to an alien ineligible for citizenship. The present Nationality Act of 1940 specifically repealed both of the above cited Acts. We therefore conclude that since the present law, the Act of 1940, is silent on the subject of loss of citizenship by marriage to any alien, such loss of citizenship cannot take place.

*Handwritten notes:*  
TdeW Pr  
12/11/48

The various methods by which citizenship can be lost under the present law which is applicable to the date of the defendant's marriage are set out in Section 801 of Title 8. They

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BY RR  
DEC 8 1953



do not include loss by marriage to an alien. Section 808 provides that the loss of nationality shall result solely from the performance of the acts or fulfillment of the conditions specified in that chapter. We therefore conclude that these means are exclusive and that this Section operates to prevent the defendant's alleged loss of citizenship.

For your information this question was discussed in great detail with Messrs. Yingling and Keegan of the Legal Division of the Department of State. Both men, who are experts in the field of nationality and expatriation, concur entirely in the views outlined above.

Respectfully,

For the Attorney General



ALEXANDER M. CAMPBELL  
Assistant Attorney General

ALC:JBH:mrv

DEC 28 1946

NOV 9 9 - PM 7 36

RECORDED

RECORDED

FRANK J. HENNESSY, ESQUIRE  
UNITED STATES ATTORNEY  
SAN FRANCISCO, CALIFORNIA

LITIGATED DECEMBER 6 TITLE 8 SECTION 9 (1927) HAS BEEN REPEALED BY  
NATIONALITY ACT 1940. TITLE 8 SECTION 803 (1946) IS CONTROLLING.  
AIR MAIL LETTER FOLLOWS.

ALEXANDER M. CAMPBELL  
ASSISTANT ATTORNEY GENERAL

FILE COPY

cc: Records ✓  
Chrono  
Hogan

*278*  
*AMC*  
*by JHP*

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

(36)

# WESTERN UNION

1201

SYMBOLS

- DL - Day Letter
- NL - Night Letter
- LC - Deferred Cable
- NLT - Cable Night Letter
- SR - Ship Radiogram

JOSEPH L. EGAN  
PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

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THOMAS E DEWOLFE=

1949 DEC 6 - PM 2 38

CARE UNITED STATES ATTORNEY POST OFFICE BLDG SFRAN=

RE DAQUINO TREASON ACT OF MARCH 3 1931 IS 46 STATUTES AT  
LARGE 1511-1512 SECTION 9 IS TITLE 8 USC SECTION 9 EDITION  
OF 1927 =

ALEXANDER M CAMPBELL ASST ATTORNEY GENERAL JUSTICE

DEPT WASHINGTON DC= 146-28-1941

*Handwritten:* file to post

**FILED**  
 BY RR  
 On DEC 8 1953

DEPARTMENT OF JUSTICE  
 10 DEC 2 1953  
 DIVISION 10

*Handwritten:* 146-28-1941

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

AMC:JBH:mvv

146-28-1941

December 9, 1948

R.M.

*RECORDED*

AIR MAIL SPEC. DEL.

Frank J. Hennessy, Esquire  
United States Attorney  
San Francisco, California

Dear Mr. Hennessy:

Attention: Tom DeWolfe

Re: United States v. Iva Toguri D'Aquino  
Treason. Your ref: TdeW Pr

We have made further study of the question of the defendant's alleged expatriation by her marriage to a Portuguese national in April 1945. We have come to the following conclusions.

Section 3 of the Act of September 22, 1922 (42 Stat. 1021-1022) provides for the loss of citizenship by an American woman by marrying an alien ineligible for citizenship. Section 4(a) of the Act of March 3, 1931 (46 Stat. 1511) amended Section 3 of the Act of 1922 above, deleting the provision for loss of citizenship by marriage to an alien ineligible for citizenship. The present Nationality Act of 1940 specifically repealed both of the above cited Acts. We therefore conclude that since the present law, the Act of 1940, is silent on the subject of loss of citizenship by marriage to any alien, such loss of citizenship cannot take place.

The various methods by which citizenship can be lost under the present law which is applicable to the date of the defendant's marriage are set out in Section 801 of Title 8. They

*AMC by WAP*

Air Mail - Special Delivery

cc: Records ✓  
Chrono  
Hogan  
Extra

INSERED AND SIFTED  
INTELLIGENCE DIVISION  
DEC 9 1948

do not include loss by marriage to an alien. Section 808 provides that the loss of nationality shall result solely from the performance of the acts or fulfillment of the conditions specified in that chapter. We therefore conclude that these means are exclusive and that this Section operates to prevent the defendant's alleged loss of citizenship.

For your information this question was discussed in great detail with Messrs. Yingling and Keegan of the Legal Division of the Department of State. Both men, who are experts in the field of nationality and expatriation, concur entirely in the views outlined above.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

ANC:JBH:lr

146-28-1941

R.M.

DECEMBER 6, 1948

RECORD

THOMAS E. DEWOLFE, ESQ.  
c/o UNITED STATES ATTORNEY  
SAN FRANCISCO 1, CALIFORNIA

RE: D'AQUINO - TREASON. ACT OF MARCH 3, 1931 IS 46 STATUTES AT LARGE  
1511-1512. SECTION 9 IS TITLE 8, U.S.C. SECTION 9 EDITION OF 1927.

ALEXANDER H. CAMPBELL  
ASSISTANT ATTORNEY GENERAL

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DEC 10 1948

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CC: Records  
Chrono.  
Mr. Hogan

Commissioner, Immigration and Naturalization Service  
Alexander M. Campbell, Assistant Attorney General

December 15, 1948

AMC:JBH:mmv  
146-28-1941

United States v. Iva Toguri D'Aquino  
Treason

FILED  
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DEC 21 1948

The subject in this case who is presently the defendant in a prosecution for treason in the Northern District of California departed for Japan from San Pedro on the "Arabia Maru" on July 5, 1941. It is understood that she filed an application for, and received, a certificate of identification from the Immigration and Naturalization Service at either San Pedro or Wilmington, California.

I would appreciate it if you would furnish me a certified photostatic copy of the defendant's application for a certificate of identification and the document or documents issued by your Service pursuant to her application. It is believed that these papers would be in the name of Miss Iva Ikuko Toguri.

228  
AMC  
by WAP

ESSENGER  
SEC

cc: Records ✓  
Chrono  
Hogan

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

AMC:JBH:vng

December 3, 1948

146-28-1941

air mail

*1.ack  
file*

Tom DeWolfe, Esq.  
Special Assistant to the Attorney General  
c/o United States Attorney's Office  
San Francisco 1, California

Dear Mr. DeWolfe:

Re: United States v. Iva Toguri D'Aquino-  
Treason

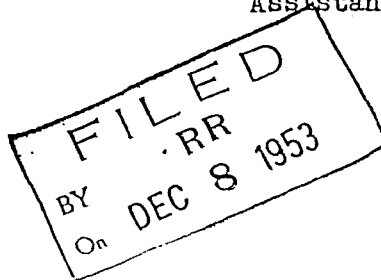
I am forwarding herewith for inclusion in your file, a copy of the CID report of investigation, conducted in Tokyo, dated 17 November 1948.

Respectfully,

For the Attorney General

*Alex Campbell*  
ALEXANDER M. CAMPBELL  
Assistant Attorney General

*File 20  
1/4*  
Enc.#312725





ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

December 1, 1948

AMC:JBH:vng

146-28-1941

air mail

*I. HANNESSY  
DeWolfe  
TCD*

Tom DeWolfe, Esq.  
Special Assistant to the Attorney General  
c/o U. S. Attorney's Office  
San Francisco, California

Dear Mr. DeWolfe:

Re: United States v. Iva Toguri D'Aquino

This will acknowledge your letter of November 16, 1948, relative to the above case.

We concur in your conclusion that the defendant has not lost her American citizenship by marriage to Philip D'Aquino.

The Section cited by the defendant; namely, 8 U.S.C. 717 (a), is not applicable because it relates to the regaining of citizenship already lost by marriage.

The Nationality Act of 1940 repealed and amended many previous statutes on the subject of nationality. Among those repealed was the Act of March 3, 1931, except Section 9. That section, which was not repealed, provides that an American citizen does not lose citizenship by marriage to an alien after March 3, 1931, in the absence of a formal declaration of renunciation before a court having jurisdiction over naturalization. Therefore, we hold that this defendant is and has been, as alleged in the indictment, a citizen of the United States.

Respectfully,

For the Attorney General

*Alex Campbell*  
ALEXANDER M. CAMPBELL  
Assistant Attorney General

*similar  
46 stat  
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BY RR  
On DEC 8 1953

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

November 30, 1948

AMC:JBH:vng

146-28-1941

air mail

RECEIVED  
OFFICE OF U. S. ATTORNEY  
SAN FRANCISCO, CALIF.

DEC 3 - 1948

REFERRED TO d. Wolfe

Frank J. Hennessy, Esq.  
United States Attorney  
San Francisco 1, California

Dear Mr. Hennessy:

Attention: Mr. Tom DeWolfe

Re: United States v. Iva Toguri D'Aquino-  
Treason

*1 Hennessy  
2 DeWolfe  
3 [unclear]*

For use in connection with the above captioned case,  
there are forwarded herewith, certified copies of the records  
relating to the defendant's departure from the United States  
on July 5, 1941, aboard the Steamship "Arabia Maru".

Respectfully,

For the Attorney General

*Alex Campbell*  
ALEXANDER M. CAMPBELL,  
Assistant Attorney General

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RR*

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BY RR  
On DEC 8 1953

Enc.#312722

*enclosed as per  
Exhibit file*

146-28-1941  
2

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air mail

December 3, 1948

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GMB  
DEC 7 1948

Tom DeWolfe, Esq.  
Special Assistant to the Attorney General  
c/o United States Attorney's Office  
San Francisco 1, California

Dear Mr. DeWolfe:

Re: United States v. Iva Toguri D'Aquino-  
Treason

I am forwarding herewith for inclusion in your file, a copy of the CID report of investigation, conducted in Tokyo, dated 17 November 1948.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enc. #312725

cc: Records ✓  
chron.  
Mr. Hogan

gg  
W7

AIR MAIL

INSPECTOR GENERAL  
COMMUNICATIONS SECTION  
DEC 3 1948 AJ

AMC:JBH:rmv

146-28-1941

December 9, 1948

R. M. J.

The Honorable

The Secretary of State

My dear Mr. Secretary:

Re: United States v. Iva Toguri D'Aquino

You will recall that we have had previous correspondence with you concerning Mrs. Iva Toguri D'Aquino presently a defendant in a prosecution for treason in the Northern District of California, with particular reference to her application for an American passport and her attempts to return to the United States after the outbreak of hostilities, December 7, 1941.

Information has come to our attention indicating that this defendant, probably under the name of Miss Ikuko Toguri, on March 30, 1942 filed an application for evacuation at the Swiss Consulate in Tokyo, together with other documents in support of that application. Late in 1942 it is believed that the defendant filed a document withdrawing her application for repatriation to the United States.

We have been previously informed that these documents are not in the files of the Department of State. This is to request that through appropriate channels the Department of State ascertain whether or not these documents are in the possession of the Swiss Foreign Office, or of the Swiss Consulate in Tokyo. If such is the case, it would be of considerable help to the Government in the prosecution of this case if the original documents or certified copies thereof could be obtained and forwarded to this Department.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL  
Assistant Attorney General

cc: Records  
Chrono  
Hogan  
~~Extra~~

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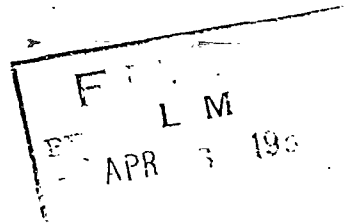
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November 30, 1948

146-28-1941

air mail

Frank J. Hennessy, Esq.  
United States Attorney  
San Francisco 1, California



Dear Mr. Hennessy:

Attention: Mr. Tom DeWolfe

Re: United States v. Iva Toguri D' Aquino-  
Treason

For use in connection with the above captioned case, there are forwarded herewith, certified copies of the records relating to the defendant's departure from the United States on July 5, 1941, aboard the Steamship "Arabia Maru".

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL,  
Assistant Attorney General

Enc. #312722

146-28-1941

AMC:JBH:vng

November 30, 1948

146-28-1941

MINING

Honorable Kenneth C. Royall  
Secretary of the Army  
Washington 25, D. C.

My dear Mr. Secretary:

In connection with the case of United States v. Iva Toguri D'Aquino, a prosecution for treason now pending in the Northern District of California, certain documents are necessary for the preparation of the Government's case. It is requested that photostatic certified copies of the following documents be furnished to this Department:

The military directive authorizing General Douglas MacArthur as Supreme Commander, Allied Powers, to arrest war criminals and seize their property.

The pertinent document which shows an agreement between the Allied Powers authorizing General MacArthur to take the steps mentioned immediately above.

It is requested that these photostatic copies be duly authenticated under the seal of the Department of the Army.

Respectfully,

For the Attorney General

ALEXANDER K. CAMPBELL  
Assistant Attorney General

925  
WJ

AMC  
AM

SENT BY MESSENGER  
COMMUNICATIONS SEC.  
DEC 2 1948 JAL

cc: Records  
chronSEC  
Mr. Hogan

Office Memorandum • UNITED STATES GOVERNMENT

56262/67  
56245/61

TO: Alexander M. Campbell, Assistant Attorney General DATE: November 19, 1948

FROM: L. Paul Winings, General Counsel

RECORDED

SUBJECT: United States v. Eva Ingrid D'Aquino, Treason NOV 22 146-28-1941  
AMCH:JBH:vnq, October 19, 1948

CRIMINAL DIVISION

I am informed by the District Director of the Service at Los Angeles that no record of any application made by the subject for a certificate of identification can be located. However, I have requested that certified copies of the record of departure of Mrs. D'Aquino from the port of San Pedro on July 5, 1941, be supplied. I shall forward them to you as soon as they are received.

*L. Paul Winings*

FILE - JBH

RECORDED

146-28-1941  
DEPT. OF JUSTICE  
NOV 23 1948  
DMSI  
CRIM - INTERNAL SECURITY - SEC

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BY GMB  
NOV 29 1948

ADDRESSES REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

AMC:JBH:vng

November 18, 1948

RECEIVED  
OFFICE OF U. S. ATTORNEY  
SAN FRANCISCO, CALIF.

146-28-1941

Air Mail  
Special Delivery

NOV 22 1948

REFERRED TO *de Wolfe*

Frank J. Hennessy, Esq.  
United States Attorney  
San Francisco 1, California

Dear Mr. Hennessy:

Attention: Mr. Tom DeWolfe

In compliance with your request, I am forwarding herewith  
a copy of the indictment in United States v. Douglas Chandler,  
for use in the Toguri case.

Respectfully,

For the Attorney General

*Alex Campbell*  
ALEXANDER M. CAMPBELL  
Assistant Attorney General

Enc.#312708

*FILED*  
*RR*  
*DEC 8 1948*

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ON DEC 8 1953

*146-28-1941*  
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ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

November 17, 1948

AMC:JBH:

146-28-1941

air mail

*1 ack  
2 file  
[Signature]*

Tom DeWolfe, Esq.  
Special Assistant to the Attorney General  
c/o United States Attorney's Office  
San Francisco 1, California

Dear Mr. DeWolfe:

Re: United States v. Iva Toguri D'Aquino--  
Treason

I am forwarding herewith for inclusion in your file,  
twelve photographs of Bunka Prison Camp and Radio Tokyo.

Respectfully,

For the Attorney General

*Alex Campbell*

ALEXANDER M. CAMPBELL  
Assistant Attorney General

*Filed  
per [Signature]*

Enc.#312703

FILED  
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BY  
On DEC 8 1953

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Typed 1/9/67

JAN 9 1967

146-28-1941  
JWY:JDM:rmr

*From*  
Edward V. Hanrahan, Esquire  
United States Attorney  
Northern District of Illinois  
United States Courthouse  
Chicago, Illinois 60604

Re: Iva Ikuko Toguri d'Aquino  
USDC ND Ill. No. 66 C 1136

Dear Mr. Hanrahan:

*To*  
This will acknowledge the receipt of your letter dated August 31, 1966, with which you forwarded Form DJ-35, "Financial Statement of Debtor."

The financial statement discloses:

- 1) That debtor is employed by the J. Toguri Mercantile Company of 1124 North Clark Street, Chicago, Illinois, at a gross salary of \$400 per month.
- 2) That she filed an income tax return reporting a gross income of \$4,800.
- 3) That her checking account at the Cosmopolitan National Bank runs between \$150 and \$200.
- 4) That she has a savings account with the Chicago-Japanese American Civic Credit Union of \$1,000.
- 5) That she owns bonds and other securities in the Navajo Truck [Co.?] of \$1,200.
- 6) That she owns clothing and jewelry of the value of \$300 to \$400.

Records ✓  
Mr. Worthington  
Mr. Moore  
Hold  
cc USAtty Van de Kamp  
USAtty Poole

DO NOT DIRECT FROM  
INTERNAL SECURITY DIVISION MAIL ROOM  
DATE JAN 9 1967  
BY \_\_\_\_\_