

phonograph records of radio-broadcast could be admitted to show adherence if there was "some evidence" to the effect that the voice heard was that of the party charged.

If the overt act has been proved by two witnesses but it is desired to strengthen the case, any common-law evidence would be

19/ Cont'd.

Effect of such a doctrine is to require proof by two witnesses, not only of the overt act charged which the Constitution requires but of every other fact and circumstances relied upon to show the treasonable character of the overt act and the treasonable purpose with which it was committed which the Constitution plainly does not require.

What the majority of the court had in mind though was that an act which was "trivial and commonplace and hence doubtful as to whether [it] gave aid and comfort" could not be shown by two witnesses and then called treason by showing through one witness or circumstantial evidence an adherence to the enemy. If, however, the act on its face clearly showed aid and comfort to the enemy then it was not necessary to prove adherence by two witnesses. The majority said:

. If we were to hold that the disloyal and treacherous intention must be proved by the direct testimony of two witnesses, it would be to hold that it is never provable. It seems obvious that adherence to the enemy, in the sense of a disloyal state of mind, cannot be, and is not required to be, proved by ~~dis~~position of two witnesses.

Therefore in the instant case having proven the overt act by two witnesses and that overt act clearly showing on its face aid and comfort to the enemy, the recordings could be used to show adherence whether the identity of the unseen speaker was by direct (one witness) or by circumstantial evidence. Of course, the better the evidence as to identity, the more convincing it will be to the jury. It should be noted that a recording can be admitted on very little evidence. Once it is admitted it is up to the jury to decide what probative weight shall be given to it.

admissible to further persuade the jury. 20/ Therefore if the unseen voice heard on the recordings of the radio-broadcast messages could be identified by "some evidence", the records themselves could be played to the jury and used to corroborate the testimony given by the two witnesses to prove the overt act. It should be remembered that the identification of the voice heard is a prerequisite to admission but as pointed out above, an opinion that the voice is that of the party charged, is sufficient for admissibility as is the unseen speaker's representation as to his own identity if accompanied by other circumstances. 21/

20/ The court in the Cramer case (supra) said:

It would be no contribution to certainty of judgment, which is the object of the provision, to construe it to deprive a trial court of the aid of testimony under the ordinary sanctions of verity, provided, of course, resort is not had to evidence of less than the constitutional standard to supply deficiencies in the constitutional measure of proof of overt acts. For it must be remembered that the constitutional provision establishes a minimum of proof of incriminating acts, without which there can be no conviction, but it is not otherwise a limitation on the evidence with which a jury may be persuaded that it ought to convict. The Constitution does not exclude or set up standards to test evidence which will show the relevant acts of persons other than the accused or their identity or enemy character or other surrounding circumstances.

...

When the prosecution's case is thus established, the Constitution does not prevent presentation of corroborative or cumulative evidence of any admissible character either to strengthen a direct case or to rebut the testimony or references on behalf of defendant. (Underlining supplied).

21/ See footnote 11.

WILLIS W. BRADLEY
18TH DISTRICT, CALIFORNIA

HOME ADDRESS:
LONG BEACH, CALIFORNIA

COMMITTEE:
MERCHANT MARINE AND FISHERIES

SUBCOMMITTEES:

CHAIRMAN:
SHIP CONSTRUCTION AND OPERATION AND
MARITIME LABOR

MEMBER:
MARITIME AFFAIRS
COAST GUARD, COAST AND GEODETIC
SURVEY, AND PUBLIC HEALTH SERVICE

Congress of the United States
House of Representatives
Washington, D. C.

SECRETARIES:
HENRY C. SHANNON
DON MUCHMORE
WASHINGTON, D. C.
TOBY WICK
FEDERAL BUILDING
LONG BEACH, CALIF.

16 December, 1947.

My dear Mr. Attorney General:

During recent weeks I have had a considerable number of resolutions forwarded to me, protesting to the return to the United States of the American citizen of Japanese descent known as the "Tokyo Rose" during the War. From these resolutions it would appear that the residents of the 18th district, which I have the honor to represent, are quite generally of the opinion that this woman should not be re-admitted to the United States.

I am informed that these resolutions have been forwarded to your office and I request that every consideration be given to them.

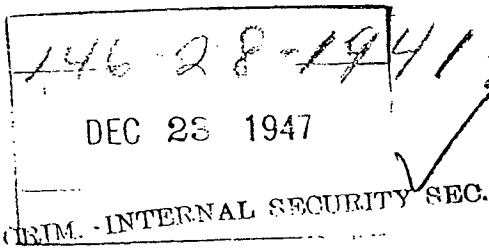
Best wishes.

Sincerely,

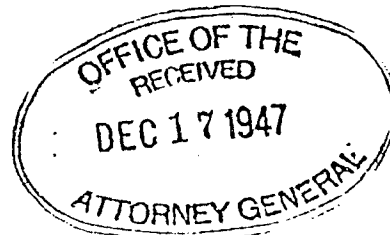
Willis W. Bradley

To the Honorable,
Tom C. Clark,
Attorney General,
Department of Justice,
Washington, D.C.

P. J. ORD



J. C. C.



WARREN G. MAGNUSON, WASH., CHAIRMAN
JOHN O. PASTORE, R. I.
A. S. MICK MONRONEY, OKLA.
GEORGE A. SMATHERS, FLA.
PRICE DANIEL, TEX.
SAM J. ERVIN, JR., N. C.
ALAN BIBLE, NEV.
STROM THURMOND, S. C.

JOHN W. BRICKER, OHIO
ANDREW F. SCHOEPPLE, K.
JOHN MARSHALL BUTLER, N.J.
CHARLES E. POTTER, MICH.
JAMES H. DUFF, PA.
WILLIAM A. PURTELL, CONN.
FREDERICK G. PAYNE, MAINE

EDWARD JARRETT, CHIEF CLERK

United States Senate

COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE

March 29, 1956

Honorable William P. Rogers
Deputy Attorney General
Department of Justice
Washington, D. C.

Dear Bill:

I am enclosing a letter from the
Commander of the Washington Memorial Post No. 6088,
VFW, Washington, North Carolina, relative to a
resolution unanimously adopted by that Post favoring
the Department of Justice decision to deport Tokyo
Rose.

With best wishes, I am

Sincerely yours,

Sam J. Ervin, Jr.

Sam J. Ervin, Jr.

SJE:sw

146-28-1041

M. W.

PAUL G. ROGERS
6TH DISTRICT, FLORIDA
ROOM 111, HOUSE OFFICE BLDG.

HOME ADDRESS:
WEST PALM BEACH, FLORIDA

COMMITTEE:
PUBLIC WORKS

SUBCOMMITTEES:
FLOOD CONTROL
RIVERS AND HARBORS

Congress of the United States
House of Representatives
Washington, D. C.
February 27, 1956

SECRETARIES:
NELL HOWLETT
SARAH JANE BILLINGSLEY

FILE REF.:

Q

Department of Defense
Washington, D. C.

Gentlemen:

I have had the following inquiry from a constituent and will appreciate your advices thereon:

"Why was Tokyo Rose freed? She certainly aided the enemy and doesn't that constitute treason?"

I will appreciate your advices.

Sincerely,

PAUL G. ROGERS, M. C.

PGR:h

A1551

178

April 21, 1947
396 Ikejiri Machi
Setagaya-Ku, Tokyo
c/o Kido

Swiss Legation in Japan (Diplomatic Mission to SCAP)
No. 18, Hiroo Machi
Azabu-ku, Tokyo

Dear Sir:

I am inquiring of your Legation (Mission) whether you have turned over to the United States Consulate in Yokohama the archives which pertained to American citizens who were here in Japan during the war years.

During the war, I asked the Legation to be evacuated to the United States but could not afford the passage and therefore remained here in this country until today.

The United States Consulate, having opened their offices in Yokohama, have made it possible for us to start proceedings which may speed our return to the United States.

When I first asked your offices for evacuation to the United States in the spring of 1942, I left with your office a signed statement issued by the United States Consulate General's Office in December of 1941 which gave the number of my application for a new passport which was filed with the Consulate in August of 1941. I am very anxious to get possession of this written statement as soon as possible. At the time I applied for evacuation, I left this statement along with my application and to the best of my knowledge believe it to be with your office provided the orders have not been turned over to the United States Consulate.

I should appreciate it very much if you would investigate your files and enlighten me on the whereabouts of said statement.

In your letter to me of August 27, 1942, the file number was: Section des Interets Etrangers, EE 4.2.77-CN, addressed to Miss Ikuko Toguri, c/o Hajime Hattori, 825 Unane-machi, Setagaya-ku, Tokyo.

I should be willing to call at your office if you deem it necessary to do so.

Thanking you very much for your consideration, I remain

Yours truly,

/s/ Ikuko Toguri

1 Tokyo 12-4

The Attorney General

June 11, 1948

Director, FBI

IWA IKUKO TOGURI, with aliases
TREASON

For your additional information in connection with the above captioned matter, I am enclosing herewith two photostatic copies each of articles appearing in "The Nashville Tennessean" for May 14, May 19, and May 20, 1948, which articles are captioned as follows:

"Rose Confesses Tokyo Broadcasts to GIs; Tells Family Story to American Newsmen", dated May 14, 1948

"Tokyo Rose Relates Happy Days at UCLA Before Fateful Voyage to Japan in 1941", dated May 19, 1948

"Tokyo Rose's First Impression of Japan Made Her Yearn for America Again", dated May 20, 1948.

The above listed articles were written by Harry T. Brundidge.

Enclosure ✓

cc - Assistant Attorney General T. Vincent Quinn
Criminal Division

*Orig. to Quinn 6-15-48
with also note:
"What about this
Prosecution?"*

142-24-1941	
DEPARTMENT OF JUSTICE	R
1 OCT 13 1953	1
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FILE

FILED
BY B
ON OCT 15 1953

The Attorney General

May 24, 1948

Director, FBI

IWA IKUKO TOGURI, was,
Tokyo Rose;
TREASON

Reference is made to my previous memoranda concerning
the above captioned matter.

Transmitted herewith for your information are two
photostatic copies of an article entitled, "Tokyo Rose Welcomes
Chance to Stand Trial," which appeared in "The Nashville Tennessean,"
May 3, 1948.

Enclosure

cc - Mr. T. Vincent Quinn
Assistant Attorney General, Criminal Division

AMC:RPW:DJ

146-28-1941

August 16, 1948

AIR MAIL SPECIAL DELIVERY

Frank J. Hennessy, Esquire
United States Attorney
422 Post Office Building
7th & Mission Streets
San Francisco, California

Dear Mr. Hennessy:

Re: Iva Ikuko Toguri D'Aquino
Treason

You will recall that during July Mr. Whearty of the Department telephoned you concerning the prosecution of the above case. The subject has commonly been referred to as "Tokyo Rose," which will serve further to identify the matter, although in fact she does not appear to have been one of those English-speaking Japanese women who broadcast over Radio Tokyo during the war to whom servicemen applied that appellation.

The Department has completed its examination of the case and feels that it is now in a position to initiate grand jury proceedings. The Department of the Army has been requested to apprehend the defendant and to return her in custody to the United States, and also to locate and transport those necessary grand jury witnesses who are Japanese nationals resident in Japan. It is expected that Mrs. D'Aquino will arrive in the United States at the Port of San Francisco in the latter part of September. For your information there is enclosed herewith a copy of the Department's letter to the Department of the Army with respect to the apprehension of the defendant.

It will be appreciated if you will advise the Department as to the frequency with which the grand jury will be in session in your District at the anticipated time of the defendant's arrival and if you will make such arrange-

cc: Records -
Chron.

Mr. Whearty

SIGNED AND MAILED Wolfe

AUG 17 1948
DIVISION OF RECORDS

Air Mail - Special Delivery

ments as are necessary for the presentation of the case to that body not later than a week to ten days after Mrs. D'Aquino's arrival. In the event no regular grand jury will be in session at the time, it is thought that a special grand jury should be convened for the purpose of hearing this case. The presentation of the matter is expected to occupy approximately four full days.

As you can well appreciate, this is a difficult and complex matter which will require a good deal of technical research in addition to the examination of witnesses and the development of their testimony. It has not previously been investigated by this Department in Japan, all of that work having been done by the Military Intelligence, General Headquarters, U. S. Army, Japan. The relevant material is voluminous and all of its examination as well as the direction of that part of the investigation which was conducted in the United States by the Federal Bureau of Investigation have been under the supervision of this Division.

In view of the involved character of the case and this Department's close familiarity with it, and in view of its experience gained in the Chandler and Best cases concluded in Boston within the past year, each having required some eighteen months for investigation and prosecution, the Department is assigning Mr. Tom E. DeWolfe and Mr. John B. Hogan to the case, both of whom have been in close contact with it. In its development and presentation, however, the Department would like to have the benefit of your suggestions. I know that we may count upon you for your cooperation to the fullest extent.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure
No. 67822

Tokyo, Japan
April 29, 1949

Tom DeWolfe, Esquire
Department of Justice
Criminal Division
Washington, D.C.

FILED
L M
APR 30 1954

Dear Tom:

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

Transmitted herewith are copies of depositions of the following witnesses, taken in connection with the above styled matter:

b6, 7C

Other depositions have been taken and as soon as the witnesses have corrected and signed the originals, copies will be forwarded to you.

b6, 7C has not indicated how much longer he expects to remain in Japan, but he has estimated that he has some twenty depositions to take before leaving Japan for HongKong, China.

Cincerely yours,

NOEL E. STORY
Attorney
Department of Justice

146-28-1741
DEPARTMENT OF JUSTICE
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NOEL E. STORY
146-28-1741

146-28-1741

Office Memorandum • UNITED STATES GOVERNMENT

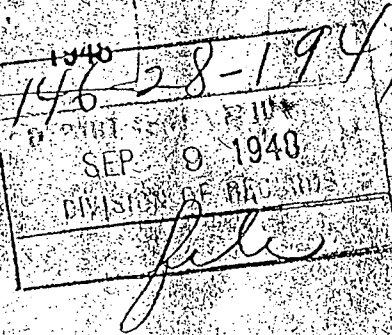
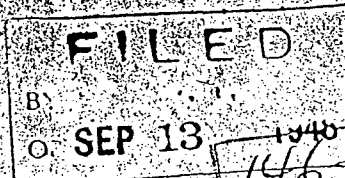
TO: The File

DATE: September 8, 1948

FROM: John B. Hogan, Attorney, Internal Security Section,
Criminal DivisionJBH:vng
146-28-194SUBJECT: Mrs. Iva Toguri D'Aquino-
TreasonFile
146

I talked with Captain Smith of the Office of the Provost Marshal General today by telephone concerning the housing and feeding of the eight witnesses coming from Japan. Captain Smith, referring to the language of our letter requesting their transportation to this country, said that the Army had made no plans for housing these witnesses and thought it would be better all around if this Department would do so. I pointed out to Captain Smith the fact that the consensus in this Department is that there is a strong possibility that existing racial prejudice in San Francisco might make it impossible to find adequate housing facilities. I, therefore, asked if it would be possible to change the plans at this time so that the Army would provide quarters and subsistence on a reimbursable basis. Captain Smith took this matter up with his superiors and called me back, stating that their suggestion as a compromise is that this Department initially attempt to house and feed the witnesses. In the event that a crisis develops and this is found to be impossible, the United States Marshal should communicate with the Provost Marshal for the Sixth Army, Colonel Caldwell, at San Francisco, and request his assistance. In the meanwhile, the Commanding General of the Sixth Army will be advised of this arrangement, and instructed to extend every cooperation to the United States Marshal in the event this arises.

It is understood both by the Department of the Army and the Department of Justice that any facilities extended by the Army will be on a reimbursable basis, and that the eight Japanese witnesses are not to be considered in custody. Therefore, no guards will be necessary.



W. W. O.

JMM:DFG:vb

146-28-1941

full

L. M. D.

May 22, 1952

Mr. Marcus W. Price
Chief Archivist
Audio-Visual Records Branch
National Archives and Records Service
Washington, D. C.

~~off~~
H/L
D

Dear Mr. Price:

Reference is made to my letter of April 7, 1952, in response to your letter of March 20, 1952, in which I advised that it was felt that this Department could not properly sanction the release or re-recording of any broadcasts of Iva Toguri D'Aquino ("Tokyo Rose") prior to the final determination of her case by the Supreme Court.

*

As you know, on April 28, 1952, the Supreme Court denied the petition for certiorari filed by Iva Toguri D'Aquino. In view of this final disposition of the case, this Department no longer has any objection to your making such use of the recordings of Mrs. D'Aquino's broadcasts as you deem appropriate.

Respectfully,

For the Attorney General

JMM
1/2/52

JAMES M. McINERNEY
Assistant Attorney General

Records
Miss Hamlin
Mrs. Green

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAY 22 1952 RA

184

TVQ:RPW:DJ

146-28-1941

COOPER
R. H. H.

March 4, 1948

File
514

Lt. Colonel J. D. Scott
Military Permit Section
Civil Affairs Division
Room 2B918
Pentagon, Washington, D. C.

Dear Colonel Scott:

In connection with the prosecution of a criminal case involving a charge of treason, this Department is sending John B. Hogan, a member of the Criminal Division, and Harry Thompson Brundidge to Japan to conduct certain further investigation. Mr. Brundidge, while a civilian and otherwise unconnected with the Department, is in this instance traveling in an official capacity. He holds Passport No. 5526 dated originally August 1, 1945 and renewed July 15, 1947.

A military permit for Mr. Hogan has already cleared through your office and it will be greatly appreciated if you will issue a similar permit to Mr. Harry Thompson Brundidge for his use in connection with the official business above described.

Respectfully,

For the Attorney General

T. VINCENT QUINN
Assistant Attorney General

DECLASSIFIED ON 10/27/97

BY John J. Dow

cc: Records
Chron.
Mr. Whearty

AMW
KPK
TUE
LW
PR

Tokyo, Japan
April 29, 1949

Tom DeWolfe, Esquire
Department of Justice
Criminal Division
Washington, D.C.

FILED
L M
APR 30 1954

Dear Tom:

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

Transmitted herewith are copies of depositions of the following witnesses, taken in connection with the above styled matter:

b6, 7C

Other depositions have been taken and as soon as the witnesses have corrected and signed the originals, copies will be forwarded to you.

b6, 7C has not indicated how much longer he expects to remain in Japan, but he has estimated that he has some twenty depositions to take before leaving Japan for HongKong, China.

Cincerely yours,

NOEL E. STORY
Attorney
Department of Justice

146-28-1741
APR 1 1954
RECORDED

INDEXED
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146-28-1741

146-28-1741

196

ANC:WEF:am

146-28-1941

August 25, 1949

blc, 7c

Dear blc, 7c

This will acknowledge your letter of August 21, 1949.

This Department has, since the war, been examining all cases reported to it of potentially treasonable activities on the part of American citizens. In any treason prosecution the Government has the burden of establishing the crime of treason by two witnesses to each overt act in accordance with the stringent requirements of proof established by the Supreme Court.

You will appreciate that during the conduct of a case the Government cannot comment on the testimony or the witnesses in that case. I may point out, however, that your assumption regarding the citizenship status of Japanese witnesses and the legal effect of the actions of these Japanese Americans is not warranted by the facts.

DF
You may be sure that the Department will prosecute every known violation of the treason statute when competent evidence is available.

Respectfully,

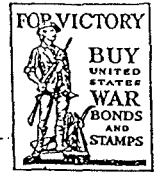
For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General

RECORDS AND COMMUNICATIONS SECTION
1949 RS
cc: Records
Chrono.
Mr. Foley

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

AIR MAIL SPECIAL DELIVERY

July 19, 1949

Hooper
Knapp
file
TEB

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

Dear Mr. DeWolfe:

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

There is transmitted herewith for your information the following documents relating to the above entitled case.

One Federal Bureau of Investigation report dated July 1, 1949, prepared by Special Agent *b6, 7c* at Seattle, Washington.

One FBI report dated June 27, 1949, prepared by Special Agent *b6, 7c* at Los Angeles, California,

One FBI report dated June 23, 1949, prepared by Special Agent *b6, 7c* at Seattle, Washington.

One FBI report dated July 5, 1949, prepared by Special Agent *b6, 7c* at Savannah, Georgia.

One FBI report dated June 30, 1949, prepared by Special Agent *b6, 7c* at Dallas, Texas.

One letter dated July 8, 1949, from *b6, 7c*
b6, 7c

Respectfully,

For the Attorney General

FILED
BY RR
DEC 8 1953

Alexander M. Campbell

ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure No. 97590

Handwritten notes:
T-107
AD
19

The Director, Federal Bureau of Investigation

July 12, 1949

Alexander M. Campbell, Assistant Attorney General

AMC:DLF:am

JOHN DAVID PROVOO;
Treason.

16-28-1999

FBI report

Reference is made to your memorandum of July 6, 1949, entitled "Iva Ikuko Toguri D'Aquino", advising that the efforts of agents of your San Francisco Office to interview *b6, 7C* shortly after their arrival from Australia had been interrupted because of the objections raised by Wayne Collins, attorney for Iva Toguri D'Aquino.

It is requested that the San Francisco Office arrange to interview *b6, 7C* after they have completed their testimony in the D'Aquino case and before they return to Australia, and question them in detail concerning their knowledge of the activities of *b6, 7C* while he was a prisoner of war of the Japanese. If, in order to avoid any possible repercussions which may affect the outcome of the D'Aquino case, it appears desirable to obtain the consent of defense counsel in the D'Aquino case to the interviews with *b6, 7C* after they have finished testifying, it is suggested that Mr. Tom DeWolfe, who is in charge of the prosecution of the D'Aquino case, may be able to discuss the matter with defense counsel and make satisfactory arrangements for the requested interviews.

✓ Copy for Mr. DeWolfe

FILE

146-76-1000

12	MAR 9 1959
RECORDS SECTION	

PARSONS

The Director, Federal Bureau of Investigation

July 11, 1949

Alexander M. Campbell, Assistant Attorney General

AMC:HAS:am

UNITED STATES v. IVA TOGURI D'AQUINO;
Treason.

146-28-1941

File

The United States Attorney for the Northern District of California advises that the United States Marshal at Detroit, Michigan, has in his possession a subpoena to be served upon *b6, 7C* for testimonial purposes in the trial of the above case, and that the United States Marshal is unable to locate him in the Eastern District of Michigan.

In view of the above situation, together with the necessity of *b6, 7C* presence at the trial of this case, you are requested to conduct a search for him and, if successful, have the subpoena, now in possession with the United States Marshal at Detroit, served upon him.

Due to the urgency of this request, I would appreciate being currently advised of the developments arising herein.

H.A.S.

D

amc by WAP

cc: Records ✓
Chrono.
Mr. Stearns

AMC:TED:mnv

116-28-1941

J. E. F.

June 11, 1949

AIR MAIL

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

Dear Mr. Hennessy:

Re: United States v. Iva Toguri D'Aquino

Reference is made to the above entitled treason prosecution presently pending in your jurisdiction. You will find enclosed herewith supplements to be added to the Government's trial brief on the facts, which trial brief has already been forwarded to you. The enclosed supplements to the trial brief cover the expected testimony of b6, 7C and b6, 7C and are self-explanatory.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure No.
203999

cc: Records
Chrono
~~Our file~~

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

WESTERN UNION

1201

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

(35)

1954 JUL 5

W. P. MARSHALL, 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

GT

O, SFA124 GOVT PD 5 EXTRA=WUX SANFRANCISCO CALIF 5 1222P=
 TOM E DEWOLFE ESQUIRE=

CARE FRANK J HENNESSY U S ATTORNEYS OFFICE SFRAN-

=CONSIDERATION OF EMPLOYMENT OF *bb, 7c* CONTINGENT
 UPON EXPLANATION OF NEED OF THEIR SERVICES. SERVICES
 OF *bb, 7c* HERETOFORE ADEQUATE=

ALEXANDER M CAMPBELL ASSISTANT ATTORNEY GENERAL
 JUSTICE DEPT WASHINGTON DC=

file 50

DEPARTMENT OF JUSTICE	
11	APR 6 1954
RECORDS BRANCH	

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L M
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THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

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 1, 1949

AIR MAIL SPECIAL DELIVERY

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

~~Hennessy~~
2
Giles

Dear Mr. DeWolfe:

Re: United States v. Iva Ikuko Toguri D'Aquino, was.

There are transmitted herewith, for your information, the following documents relating to the above entitled case:

One Bureau report relating to *bb, 7c* prepared by Special Agent *bb, 7c* at St. Paul, Minnesota, dated June 20, 1949.

A Bureau report prepared by Special Agent *bb, 7c* *bb, 7c* at Omaha, Nebraska, dated June 20, 1949, relating to *bb, 7c*

A Bureau report prepared by *bb, 7c* at Kansas City, Missouri, dated June 24, 1949, relating to the above defendant.

A Bureau report prepared by Special Agent *bb, 7c* *bb, 7c* at San Francisco, California, dated June 21, 1949, relating to the above defendant.

A carbon copy of a Bureau memorandum dated June 23, 1949, concerning *bb, 7c*

A carbon copy of a letter dated June 29, 1949, with its attachment from the Department of the Army concerning *bb, 7c*

Your letter addressed to Mr. Stearns dated June 24, 1949, with its attachment concerning *bb, 7c*

A carbon copy of the Government's request for instructions to the jury in the case of United States v. Douglas Chandler.

✓ The above instructions in the Chandler case were

FILED
BY RR
DEC 8 1953

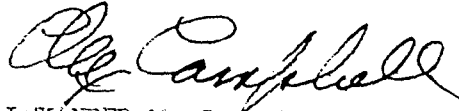
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obtained from bb, 7C who advises that it will be absolutely necessary that they be returned to her office as soon as they have served their purpose. Mr. John M. Kelley, Jr. advises that the Government's request for instructions in the Gillars case are not available.

Respectfully,

For the Attorney General



ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure No. 97579

TELETYPE

SAN FRANCISCO, CALIFORNIA

JUNE 28, 1949

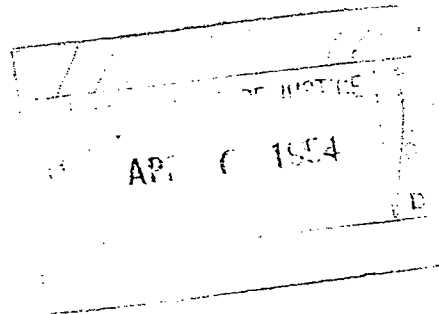
W. ARTHUR GARRITY
ASSISTANT UNITED STATES ATTORNEY
BOSTON, MASSACHUSETTS

RE UNITED STATES VERSUS D'AQUINO TREASON PROSECUTION PENDING
HERE. PLEASE FORWARD BY AIR MAIL, SPECIAL DELIVERY, IMMEDIATELY
IF AVAILABLE ONE COPY SET OF GOVERNMENT'S REQUESTED INSTRUCTIONS
IN *b6, c* TREASON PROSECUTION. WIRE ACTION TAKEN ON
THIS REQUEST.

TOM DeWOLFE
SPECIAL ASSISTANT TO THE
ATTORNEY GENERAL

TDeW:aab

Telephoned at _____ p.m.



AMC:HST:hjh
146-28-1941

RECORDED

RECEIVED

JUNE 29, 1949

TOM DE WOLFE, ESQUIRE
C/O UNITED STATES ATTORNEY
SAN FRANCISCO, CALIFORNIA

RE UNITED STATES V. D'AQUINO TREASON BUREAU DECLINES TO INTERVIEW
b6, 7c ON THE THEORY THAT IT COULD BE MORE EFFECTIVELY CONDUCTED
BY YOU.

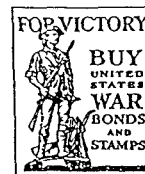
ALEXANDER M. CAMPBELL
ASSISTANT ATTORNEY GENERAL

H.A.S.
D

CC: Records, Chrono, Mr. Stearns

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

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



AMC:HAS:m1m

146-28-1941

June 28, 1949

Special Delivery
Air Mail

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

Handwritten notes:
~~1-11-49~~
2. tel. to
arr. memo
JED

Dear Mr. DeWolfe:

Re: Iva Ikuko Toguri D'Aquino, was
 Treason

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

Four Bureau memoranda all dated June 22, 1949 with attachments.

Carbon copy of a teletype dated June 14, 1949 from Tokyo, Japan to the Department of the Army.

Carbon copy of a teletype, Tokyo, Japan, to the Department of the Army dated June 16, 1949.

Copy of a teletype to Tokyo, Japan, from the Department of the Army dated June 16, 1949.

Copy of a teletype from Manila, P.I., to the Department of the Army dated June 20, 1949.

Copy of a teletype from Manila, P.I., to the Department of the Army dated June 23, 1949.

Carbon copy of a memorandum from Mr. Ford to the Director of the FBI dated June 24, 1949.

One envelope marked personal for Mr. Hogan.

In addition to the above the Central Intelligence Agency here in Washington has suggested that you arrange a schedule for

FILED
BY RR
DEC 8 1953

Handwritten: 146-28-1941-2

Handwritten: Hennessy

the appearance of all witnesses from Reseda, California, in order that the operations of their office there will not be interfered with.

bb, 7c of the Central Intelligence Agency here advises that *bb, 7c* is presently on vacation and he has been ordered to report direct to your office from his home in Mountain Grove, Missouri, immediately. He also advises that *bb, 7c* has terminated her employment at that agency and the last known address that is available is *bb, 7c*

Should you desire any further assistance from this office, members of my staff will be glad to assist you upon request.

Respectfully,

For the Attorney General



ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure No. 97537

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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

AMC:WEF:am

146-28-1941

June 24, 1949

146-28-2001

AIR MAIL

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

TED

Dear Mr. DeWolfe:

Forwarded herewith are four reports of the Federal Bureau of Investigation concerning Iva Toguri D'Aquino; one by Special Agent *bb, 7C* at St. Louis, on June 17, 1949; one by *bb, 7C* at Cincinnati, June 20, 1949; one by Special Agent *bb, 7C* June 20, 1949; and one by Special Agent *bb, 7C* at New York, June 21, 1949.

Also transmitted is a memorandum from the Federal Bureau of Investigation, dated May 24, 1949, with enclosure, relative to the case of *bb, 7C*.

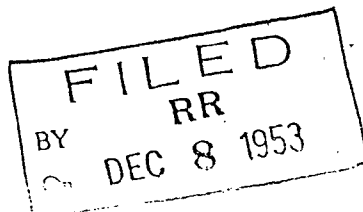
Respectfully,

For the Attorney General



ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure No. 33899



AMC: WEF: am

146-28-1941

July 7, 1949

bb, 7C

Dear bb, 7C

This will acknowledge your letter of June 24, 1949.

bb, 7C was convicted of treason last March and is now in the District of Columbia Jail.

Mrs. Iva Teguri D'Aquino is now on trial in the United States District Court in San Francisco in the treason prosecution against her. You can probably communicate with her through her attorney, Wayne Collins, Esq., of San Francisco.

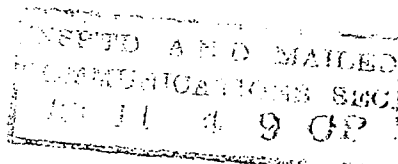
It is my understanding that your request for an autographed photo of the Attorney General has been answered directly by the Attorney General's Office.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General

cc: Records ✓
Chrono.
Mr. Foley



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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

AMC: WEF: sm

146-28-1941

June 22, 1949

AIR MAIL

*Correspondence
file*

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

Dear Mr. DeWolfe:

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

Forwarded herewith are a letter from *b6, 7c*
Personnel Officer, Central Intelligence Agency, dated June 14,
1949, and copies of four Department of the Army dispatches, as
well as two reports from the Federal Bureau of Investigation
regarding Iva Toguri D'Aquino, one made at Philadelphia, June 13,
1949, by Special Agent *b6, 7c* and the other at Chicago,
June 13, 1949, by Special Agent *b6, 7c*

Respectfully,

For the Attorney General

Alex Campbell

ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure No. 33891

FILED
BY RR
On DEC 8 1953

1949
DEC 2

+

Director, Federal Bureau of Investigation

June 24, 1949

Weyton Ford, The Assistant to the Attorney General

W.C. Sullivan

United States vs. Iva Toguri D'Aquino

146-20-1947

SEARCHED
SERIALIZED
INDEXED
FILED

During the investigation of the above case, **bb, 7c** and **bb, 7c** Japanese nationals, stated that **bb, 7c** **bb, 7c** while in Tokyo, Japan, attempted to persuade them to give false testimony in that they saw and witnessed a radio broadcast given by the above defendant over a Japanese radio station.

It is, therefore, requested that special agents of your Bureau thoroughly interview **bb, 7c** and obtain a signed statement if possible. The interview and statement should cover all phases of the alleged conversations between **bb, 7c** and **bb, 7c** an admission by **bb, 7c** or a complete explanation of the charges made against him should be obtained.

bb, 7c is scheduled to report to the office of the United States Attorney for the Northern District of California in San Francisco on June 28, 1949, in response to a subpoena served upon him by the government.

H.A.S.
WJ
AMC
M.H.

- cc: Records ✓
- Chrono
- Stearns
- DeWolfe
- Healy

146-28-1941

JUNE 22, 1949

TOM DE WOLFE, ESQUIRE
% UNITED STATES ATTORNEY
SAN FRANCISCO, CALIFORNIA

66, 7c IS DEPARTING WASHINGTON WEDNESDAY AFTERNOON JUNE TWENTY-SECOND
VIA RAIL. ARRIVING SAN FRANCISCO FOLLOWING WEEKEND. WILL CONTACT YOU
UPON ARRIVAL.

NATHAN H. FRANKE
ADMINISTRATIVE ASSISTANT
CRIMINAL DIVISION

CC: ✓ Records
Chono
Beck
Criminal

TELETYPE

SAN FRANCISCO, CALIF.
JUNE 22, 1949.

TED

S. A. ANDRETTA
ADMINISTRATIVE ASSISTANT TO THE ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

REFERENCE YOUR TELEGRAM 21st INSTANT ON D'AQUINO CASE.
WITNESS *bb, nc* SHOULD REPORT HERE JULY 14th. WE WILL
WIRE HIM DIRECT IF LATER DATE CAN BE FIXED

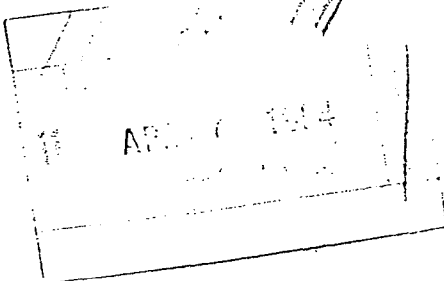
TOM DEWOLFE

JBH:GL

*OK
FJK*

Telephoned at 2:15 P.M.

1954



Handwritten notes and scribbles, including 'TELE' and other illegible characters.

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.

WESTERN UNION

1220

SYMBOLS
DL - Day Letter
NL - Night Letter
LC - Deferred Cable
NLT - Cable Night Letter
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.

,GT GT.

1949 JUN 17 PM

SFA105 GOVT PD=WUX SAN FRANCISCO CALIF 17 122P=

TOM DEWOLFE, ESQ CARE FRANK J HENNESSY ESQ U S ATTORNEY=

POST OFFICE BLDG SFRANF

6617C

ADVISED 19 JAPANESE WITNESSES ARE ABOARD PANAMERICAN FLIGHT NO. 824 STOP. ETA HONOLULU 2200 HOURS 18 JUNE 49 STOP. ETA SAN FRANCISCO 1500 HOURS 19 JUNE 49 STOP.

RILEY OF INS HERE REQUESTED TO ADVISE INS AT HONOLULU OF THIS TRAVEL IN ORDER TO EXPEDITE PROCESSING AT PORT OF ENTRY INTO UNITED STATES. 6617C

NOT ON THIS FLIGHT WILL ETA FAIRFIELD SUISUN CALIFORNIA 19 JUNE 49. LETTER FOLLOWS= ALEXANDER M CAMPBELL ASST ATTY GENERAL WASHINGTON DC=

File Correspondence FILED

FILED
 BY RR
 On DEC 8 1953

19 824 ETA 2200 HOURS 18 49 ETA 1500 HOURS 19 49 ETA 19 49

CF [unclear] 4

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

AMC:WEF:MMCK

146-28-1941

June 17, 1949

*Copy of material
filed*

VIA AIR MAIL

Tom E. DeWolfe, Esquire
United States Attorney
422 Post Office Building
San Francisco 1, California

Dear Tom: Re: United States v. Iva Toguri

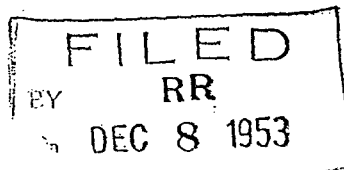
Forwarded for your information is the memorandum to the Attorney General dated June 8, 1949 regarding the witness *b6, 7C* which has been returned with the Attorney General's and Mr. Ford's notation.

Also forwarded is a memorandum from the Federal Bureau of Investigation dated June 13, 1949. I am enclosing also your file copy of a memorandum to Mr. Andretta dated June 14, 1949.

b6, 7C telephoned today to state that he has just returned from Tokyo. While in San Francisco, he checked with the United States Attorney's office and was told to contact you upon arrival in Washington. He expects to be in Washington about a month and then return via San Francisco. Should you wish him interviewed, please advise and the Bureau will be informed accordingly.

Respectfully,

For the Attorney General



Alex Campbell
ALEXANDER M. CAMPBELL
ASSISTANT ATTORNEY GENERAL

Enclosures No. 33149

AMC:HAS:mmv

116-28-1941

June 17, 1949

TOM DEWOLFE, ESQUIRE
c/o FRANK J. HENNESSY, ESQUIRE
UNITED STATES ATTORNEY
SAN FRANCISCO, CALIFORNIA

bb, nc ADVISED 19 JAPANESE WITNESSES ARE ABOARD PAN-AMERICAN
FLIGHT NO. 824 STOP. ETA HONOLULU 2200 HOURS 18 JUNE 49 STOP. ETA
SAN FRANCISCO 1500 HOURS 19 JUNE 49 STOP. RILEY OF INS HERE REQUESTED
TO ADVISE INS AT HONOLULU OF THIS TRAVEL IN ORDER TO EXPEDITE PROCESSING
AT PORT OF ENTRY INTO UNITED STATES. *bb, 7C* NOT ON THIS FLIGHT
WILL ETA FAIRFIELD SUISUN CALIFORNIA 19 JUNE 49. LETTER FOLLOWS.

ALEXANDER M. CAMPBELL
ASSISTANT ATTORNEY GENERAL

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

AMC:HS:rumv

146-28-1941

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

June 17, 1949



AIR MAIL

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

Dear Mr. DeWolfe:

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

There is transmitted herewith for your information
the following material, relating to the above case presently
pending in the Federal Northern Judicial District of California.

One copy of a transcript of a Zero Hour broadcast
furnished to *b6, 7c*
on June 15, 1949.

A Bureau report dated June 10, 1949 prepared by
Special Agent *b6, 7c* at St. Louis, Missouri.

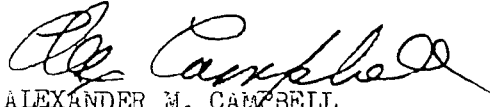
A Bureau report dated June 10, 1949 prepared by
Special Agent *b6, 7c* at Indianapolis,
Indiana.

A Bureau report dated June 10, 1949 prepared by
Special Agent *b6, 7c* at Dallas, Texas.

A Bureau report dated June 6, 1949 prepared by
Special Agent *b6, 7c* at Butte, Montana.

Respectfully,

For the Attorney General


ALEXANDER M. CAMPBELL
Assistant Attorney General

Enclosure No.
97410

206

Office Memorandum • UNITED STATES GOVERNMENT

June 14, 1949

TO : S. A. Andretta, Administrative Assistant to
the Attorney General
FROM : Alexander M. Campbell, Assistant Attorney General
Criminal Division

DATE: AMC:NHF:fjw

AMC

SUBJECT:

UNITED STATES v. IVA TOGURI D'AQUINO - Treason - 146-28-1941
Payment of two additional Japanese witnesses

There are attached hereto copies of two letters to the Secretary of the Army in which it is requested that two additional Japanese witnesses be brought to this country in connection with the TOGURI case. Under date of June 8, 1949, I transmitted a memorandum to you listing the original group of 18 witnesses to be brought to this country for the same purpose. It is requested that the names of these two witnesses be included in that group for transmission to the United States Marshal in San Francisco to be paid at the rate of \$10.00 per day in lieu of subsistence, etc.

b6, 7c

b6, 7c

File
WJ3

146-28-1941
JUN 15 1949

Admin. Asst. to The Atty. Gen. J. E. F.

Director, Federal Bureau of Investigation

April 13, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:hamv
146-28-1941

United States v. Iva Toguri D'Aquino -
Treason

P. J. ...
FBI

FBI

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence 16, May, 1949. There are attached hereto two photostatic copies of an affidavit recently executed by the defendant in support of her motion for the entry of an order directing the issuance of subpoenas to certain prospective defense witnesses resident in the United States. The enclosures purport to set forth the substance of the testimony expected by the defendant from her prospective witnesses therein listed.

It is requested that your appropriate field offices be given instructions to interview the following named witnesses mentioned in defendant's affidavit concerning the contents of said affidavit together with any other surrounding facts and circumstances and any knowledge said witnesses might have concerning the activities of defendant when she broadcast over Radio Tokyo during the late hostilities. The witnesses named in said affidavit whose interrogation is desired are listed as follows:

TED
WT

Amc
Pm

6617C

SENT BY MESSENGER
COMMUNICATIONS SEC.
APR 14 1949 AJ

cc: Records
Chrono
~~Our file~~

It is believed that *bb, 7C* one of the persons above-mentioned, is divorced from *bb, 7C* a Vanderbilt University student who presently resides at *bb,*
bb, 7C and that *bb, 7C* is presently resident in the Orient. Your Nashville Office however will be able to ascertain whether this Division's information on the present location and status of *bb, 7C* is accurate and correct.

It is suggested that it would be well for the Interviewing Special Agents to obtain signed statements from the prospective interviewees listed on page 1 of this memorandum.

Enclosure No.
203919

Director, Federal Bureau of Investigation

April 11, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino -
Treason

RECORD

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause is scheduled to commence in San Francisco, California on 16, May, 1949. Under date of 1, April, 1949, this Division transmitted a memorandum to the Bureau requesting the personal attendance of Special Agent *bb, 7C* of your Charlotte, North Carolina Office at San Francisco on 16, May, 1949, for the purpose of testifying on behalf of the United States in the above entitled criminal proceeding. It is requested that the Bureau furnish this Division with the present place of abode of SA *bb, 7C* so that at the appropriate time compliance may 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
928
D

Amc
PW

APR 11 1949
FBI - BUREAU

cc: Records
Chrono
Own file

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Files

DATE: April 8, 1949

FROM : John B. Hogan

JBH:mnv
116-28-1941SUBJECT: United States v. Iva Toguri D'Aquino -
Treason

TED
 J.B.H.
 4/11/49

On April 7, 1949, the writer accompanied Special Agent b6, 7C of the Washington Field Office, FBI, on an interview with witness b6, 7C at Ward 43, Walter Reed Hospital, Washington, D.C. Prior to the interview, a lengthy discussion was held with b6, 7C psychiatric Division of the hospital. At this conference, Mr. Woerheide of the Criminal Division and Special Agent b6, 7C of the FBI were present and participated in view of their handling of the case against b6, 7C himself. Briefly, b6, 7C condition is such that psychiatrists might disagree as to whether or not he is presently insane. However, there would very likely be no disagreement as to the fact that he knows the difference between right and wrong and is sufficiently competent to give testimony as a witness. b6, 7C said that b6, 7C is so emotionally unstable that his course of conduct at any future time is completely unpredictable and he could not be relied upon as a witness.

b6, 7C is presently a patient in Ward 43, which is a "closed" ward. A closed ward is kept locked at all times and the windows are barred. The patients are not permitted to leave the ward without an escort. His confinement here is the direct result of

b6, 7C His confinement is for the purpose of psychiatric observation and he is not under charges.

As the result of the interview with b6, 7C Special Agent b6, 7C obtained a signed statement, a copy of which is attached hereto. The original will be forwarded to the San Francisco Field Division, FBI, and will be quoted in the report which Agent b6, 7C will prepare.

It will be noted from the statement that b6, 7C is unable to offer the testimony which the defendant's affidavit in support of a motion for subpoena sets out. It will be observed that during the time when the defendant was broadcasting, b6, 7C never met her, never saw her broadcast, never spoke to her and saw her only once. He knows nothing of the circumstances surrounding her employment, or what she did in the performance of her broadcasting duties. He knows nothing of her loyalty or her disloyalty to the United States but added a gratuitous opinion that she was disloyal. She never aided and comforted him by furnishing tobacco etc., and he knows of no such favors

to any other prisoners. He has no knowledge of whether or not the defendant worked voluntarily or under duress.

In the writer's opinion, this witness is probably lying in some particulars. However, since it is not the Government's intention to call him on behalf of the United States, it is believed that this is unimportant and that the statement secured from him will completely negative his value as a defense witness.

AMC:TED:gmf

146-28-1941

April 7, 1949

AIR MAIL - SPECIAL DELIVERY

R.W.

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

Dear Mr. Hennessy:

Re: United States v. Iva Toguri D'Aquino

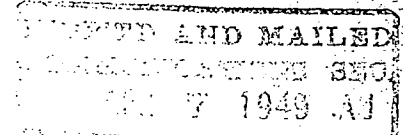
Reference is made to the above entitled treason prosecution presently pending in your district. The Department acknowledges receipt of and thanks you for yours of the fifth instant addressed to Tom DeWolfe of this Division, with which you enclosed copies of defense motions for a witness list and for an order directing the issuance of subpoenas, which motions have just been served upon you by counsel for the defendant herein.

It would appear to the Department that defendant's motion for a government witness list is at this time premature and should be resisted. The Government will effect compliance with the statutory provisions of Title 18 U.S.C. Revised, Sec. 3432, at the appropriate time.

It is the view of the Department that defendant's motion for the entry of an order directing the issuance of subpoenas is for the most part in compliance with F.R.Crim. P. 17 and should be confessed by the Government in its entirety, except that portion of the same which requests the issuance of a writ of subpoena requiring the personal attendance of witness b6, 7C of Schenectady, New York, at the trial on the merits herein. It would appear from page 5 of defendant's affidavit in support of her motion for an order directing the issuance of a writ to witness b6, 7C that there is a want of a proper showing as to the materiality and competency of the testimony of prospective witness b6, 7C. The proposed testimony of witness b6, 7C as set forth on page 5 of defendant's affidavit hereinbefore mentioned would not appear to be within the issues involved in the case at bar.

Your attention is directed to the Department's letter to you under date of April 1 concerning the issuance

cc: Records ✓
Chron. File
Mr. DeWolfe



of subpoenas for government witnesses. Writs of subpoena for and on behalf of the Government for witnesses b6, 7C and b6, 7C were requested in said letter. The defendant likewise seeks the attendance of b6, 7C and b6, 7C as witnesses and it would appear that there is no necessity for the court entry of an order directing their personal attendance as trial witnesses, since the Government will request their compulsory attendance as witnesses on its behalf.

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

Respectfully,

For the Attorney General,

ALEXANDER M. CAMPBELL,
Assistant Attorney General.

AAC:PMO:zmv

April 8, 1949

146-28-1941

AIR MAIL

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. The trial of this cause on its merits is presently scheduled to commence 16, May, 1949 before Chief Federal Judge Michael J. Rocha.

It is requested that you take the necessary steps looking toward the issuance of a writ of subpoena by the Clerk of the United States Court in San Francisco requiring the personal attendance at the trial herein of ^{b6, 7C} ~~b6, 7C~~ as a witness for and on behalf of the United States on 13, May, 1949.

It is likewise requested that you or the marshal in your district request advice from the marshal for the Southern District of California as to whether or no personal service on the above-mentioned witness has been promptly effected.

It will be noted that defendant through a motion served recently seeks the entry of a court order requiring the personal attendance of ^{b6, 7C} ~~b6, 7C~~ as a witness for and on behalf of the defendant at the trial herein. It would appear that there is no necessity for the entry of an order requiring the personal attendance of witness ^{b6, 7C} ~~b6, 7C~~ at the trial inasmuch as the Government will subpoena her as a witness for the United States.

Please acknowledge receipt of this letter and advise the Department with reference to the action taken thereon.

Respectfully,

For the Attorney General

c: Records
Chrono

~~Our file~~

~~Extra~~

ALEXANDER M. CAMPBELL
Assistant Attorney General

Director, Federal Bureau of Investigation

April 5, 1949

Alexander M. Campbell, Assistant Attorney
General

United States v. Iva Toguri D'Aquino -
Treason

AMC:JBH:mmv
46-28-1941 V.M.P.
REC-11

APR 11 1949

File
Clt.

b6, 7c USA, an important witness in this case as well as the subject of another treason case, is presently confined in Ward 43, Walter Reed Hospital, Army Medical Center, Washington, D.C. It is desired that *b6, 7c* be re-interviewed both in his capacity as witness in the above captioned case as well as prospective defendant in his own case. We have been informally advised that *b6, 7c* can be interrogated at Walter Reed Hospital at any time.

In view of the imminence of the trial of the Toguri case and of the vast amount of investigation to be conducted in the *b6, 7c* case, it is the desire of the Criminal Division that Messrs. Woerheide and Hogan, to whom these two cases have been assigned, accompany your agent on the visit to *b6, 7c*. It is therefore requested that your agent communicate with Mr. Hogan on Extension 1149 so that arrangements for the trip can be made.

AMC
by
KAD
JH
TED
WDX

cc: Records ←
Chrono
Our file
Hogan
Provo file

Director, Federal Bureau of Investigation
Alexander M. Campbell, Assistant Attorney
General
United States v. Iva Toguri D'Aquino - Treason

April 7, 1949

AMC:JBH:mmv
146-28-1941

RECORDED

Reference is made to your memorandum of April 1, 1949
relative to the expected visit to the United States of *b6, 7c*

b6, 7c

If it is possible to locate *b6, 7c* upon his arrival
in this country, it would be helpful to the Government's case if he
could be thoroughly interviewed as to all phases of his knowledge
of the defendant's activities.

JTS
TED



INSERTED AND MAILED
COMMUNICATIONS SEC.
APR 12 1949 EA

Asunc
PN

cc: Records ←
Chrono
~~Our file~~
Hogan

COMMUNICATIONS SEC.
APR 12 1949 EA

AMC:TED:nmv

April 1, 1949

44-28-1941

RECEIVED

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. The trial of this cause on its merits is presently scheduled to commence on 16, May, 1949 before Chief Federal Judge Michael J. Rocha.

It is requested that you take the necessary steps looking toward the issuance of subpoenas by the Clerk of the United States Court in San Francisco requiring the personal attendance at the trial herein of the following named witnesses for and on behalf of the United States at the time and dates indicated after their names:

TED
JX
WT

PPH

b6, 7C

cc: Records ←
Chrono
~~Out file~~
~~Extra~~

b6, 7c

It is likewise requested that you or the marshal in your district request advice from the marshals for the district in which the abovementioned witnesses are resident as to whether or no personal service on the abovementioned witnesses has been promptly effected.

Please acknowledge receipt of this letter and advise the Department with reference to the action taken thereon.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General