

A3
146-7-3672

25 EJM:NRB:sc

December 16, 1949

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

Attention: Chief, Division of Protective Services.

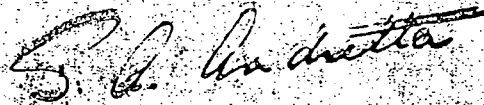
My dear Mr. Secretary:

Further reference is made to correspondence from this office concerning payments of \$85 to each of the seven Italian citizens who served as government witnesses in the case of United States v. Ezra Pound, District of Columbia.

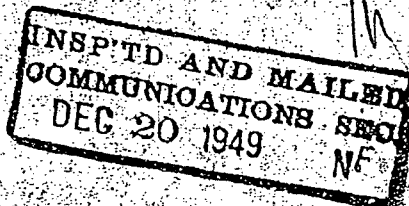
It is requested that the American Consul in Buenos Aires be instructed to pay 47(C) Buenos Aires, Argentine Republic, the sum of \$85 by drawing a draft against the special allotment of \$50,000 under the appropriation "1500311.002 Fees of Witnesses, Department of Justice, 1950."

47(C) is being instructed to contact the Consul's office for this payment.

Sincerely yours,



S. A. Andretta
Administrative Assistant
to the Attorney General



90
5746

Office Memorandum • UNITED STATES GOVERNMENT

TO : James M. McInerney, Assistant Attorney General, DATE: June 5, 1950
 Criminal Division

FROM : *W* William E. Foley, Chief, Internal Security Section *W:W:am*

SUBJECT: EZRA POUND; *146-7-3672* ✓
6-10-50 *146-28-1935*
146-28-2001
 Treason.

Transmitted herewith are memoranda regarding the three above named individuals. In the Pound case Miss Fillius recommends against any action at this time to reopen sanity proceedings or to dismiss the indictment. In the _____ case Miss Fillius recommends that the facts be presented to a grand jury, and in the _____ case Mr. DeWolfe and Mr. Knapp recommend against prosecution.

For reasons set forth herein I am in agreement with the conclusions in the Pound and _____ cases. In the _____ case it is my opinion that while a successful prosecution might result, I recommend against any action at this date.

As to the Pound case it is generally known that the conditions of confinement of Pound have been made as agreeable as possible and efforts have been made in his behalf to obtain his discharge on the grounds that he is sane, while at the same time efforts were made to induce the Department to ask dismissal of the indictment against him. It is also known that Pound was adjudged insane at the time of the sanity hearing by the "new school" of psychologists and that in the opinion of many he is no more insane than most of the other persons who have been indicted and convicted of treason since the close of World War II. In 1948 at the time efforts were made to obtain Pound's release, this Department addressed a letter to the Superintendent of Saint Elizabeth's Hospital who advised by letter of November 23, 1948 that in his opinion Pound was not mentally competent to stand trial when admitted to the hospital, and it is unlikely that there would be any substantial improvement in his condition. In view of the data contained in Miss Fillius' memorandum, it would appear impossible to reopen sanity proceedings in the light of Dr. Overholser's conclusion. Even though the indictment be faulty, however, I agree with Miss Fillius that the Department should under no circumstances take any action looking toward the dismissal of the indictment.

In the _____ case it appears very likely that a successful defense on the ground of duress could be established. Likewise, there would be some difficulty in proving intent and the sufficiency of the overt acts. The Department's experience with juries in recent

treason cases militates against prosecution where overt acts are not strongly supported. Furthermore, in the case of broadcasters the Department's experience has also shown that the substance of the material must be of a flagrant nature.

While Miss Fillius has written a persuasive memorandum in the case, I believe that the following observations are pertinent and are the bases upon which I disagree with her recommendation. In the first place, while this factor does not concern guilt or innocence, it is my opinion that five years having passed since the conclusion of the war, any prosecution for treason based upon radio broadcasts made during the war must involve material reflecting a strongly anti-American bias aimed toward affecting the war effort. In the light of this factor the case proved to be a comparatively insignificant one, and the case would, I believe, be even less significant and less convincing to a jury. Of the overt acts for which proof is now available, most of them involve broadcasts of a pacifist nature and involve pet theory of energocracy. It is true that there are some more violent statements which Miss Fillius lists as possible overt acts, proof of which would require additional investigation, probably involving sending someone to Japan to obtain necessary witnesses. At this point the and cases are similar and Mr. DeWolfe's conclusion as to expense and the need of additional investigation would apply with regard to the case should it be decided to use those acts which Miss Fillius calls possible overt acts. I believe also that the case is not as distinguishable from the case as Mr. DeWolfe assumes in his conclusion. The Provoo case is, of course, different, being based on much more serious acts than radio broadcasting alone. In fact, Mr. Story has stated that the Grand Jury in the Provoo case questioned the advisability of including any overt acts relating to radio broadcasts.

It is noted that Mr. Elliff in 1946 recommended against prosecution of on the grounds of insanity. Since that time has been in my office and I would say from one contact with him that he appears to be as eccentric as any who have been indicted for treason and from all of the facts available it would not be surprising if he were adjudged insane. I agree that is thoroughly despicable and that there is proof of intent. I am not sure, however, that a jury would agree he intended to aid the Japanese on the basis of the overt acts for which witnesses are now available. These tend generally to favor a pacifist, anti-war attitude. His statements against President Roosevelt are probably not in themselves treasonable although I do agree that a prisoner of war does not have the same freedom to criticize the President as, for example, the Chicago Tribune. In the event it is decided to present the facts in case to a grand jury, it should be borne in mind, I believe,

that the case would probably be presented in Idaho where it is possible that ~~(S)~~ Mormon background and the fact that he was a prisoner of war may be used to considerable advantage for the defendant.

Attachment

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. McInerney
FROM : Mr. Whearty
SUBJECT: Ezra Pound;

DATE: June 6, 1950

JMM:RPW:DJ

146-7-3672
146-28-1935
146-28-2001

Treason.

In his single transmittal memorandum Mr. Foley has forwarded individual recommendations with respect to the disposition of the above three treason cases.

As to the Pound case, it is recommended, and Mr. Foley concurs, that no steps be taken at the present time to reopen the question of Pound's sanity. I also concur in this recommendation. The basic memorandum indicates that extreme difficulty would be encountered in meeting our burden of proof if Pound were declared sane and the Government forced to trial. However, I don't see any point to initiating any investigation at this time to remove these deficiencies. If and when Pound is declared sane, a then current appraisal of the available evidence will have to be made and, in any event, some investigation probably conducted to locate witnesses and refresh their recollections. Any investigation undertaken now would appear futile since it would have to be repeated at such future date.

*Noted
M*

With respect to the DeWolfe case, both Mr. Foley and I concur in the recommendation of Messrs. DeWolfe and Knapp that prosecution be dropped. However, I understand Mr. Ford thinks the case should be prosecuted. This is undoubtedly a matter which will have to be cleared through him.

With respect to the Fillius case, Miss Fillius who wrote the basic memorandum recommends prosecution. Mr. Foley disagrees, placing his disagreement on the grounds of mental lack of balance and the fact that the bulk of his broadcast material is of a pacifist nature, and emphasized personal theory of "energocracy." However, record of collaboration with the Japanese was such that I believe the case warrants prosecution. It may be that the case also will have to be cleared finally by Mr. Ford or the Attorney General.

FILED
BY RCD
On JUL 30 1951

*Prepared by
Jules
146-7-3672*

146-7-3672
JUL 26 1950
RCS

Director, Federal Bureau of Investigation

October 24, 1945

Theron L. Caudle, Assistant Attorney General,
Criminal Division
Treason Investigations

TLC:SCE:lr

146-28-237-1

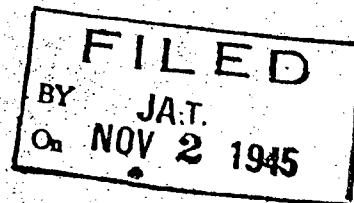
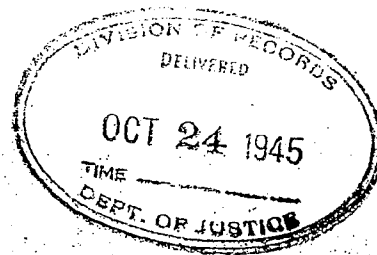
M. J. C.

This is in reply to your memorandum of October 4, 1945, relative to the request of *(b)(7)(C)* of the Propaganda Branch of G-2, Washington, D. C., for information concerning Ezra Pound, Donald Day and other treason subjects being held by the United States Army in Europe at the present time.

There would appear to be no objection to giving *(b)(7)(C)* information of a general nature concerning these subjects' activities of a treasonable nature. However, it would not be advisable to disclose any facts of an evidentiary nature. As your memorandum does not specify the type of information desired by *(b)(7)(C)* it is not possible for me to state unequivocally whether or not you should reply to her request.

copy with

*see
file*



CC: Records
Mr. Elliff
Chron.

October 23, 1947

Mr. John D. Neal
Foreign Activity Correlation Division
Department of State
Washington, D. C.

Dear Mr. Neal:

This relates to your reference form dated October 8, 1947, transmitting to Mr. H. H. Franke, Criminal Division, Department of Justice, letters from J. F. Huddleston, First Secretary of Embassy and Consul, Rome, and ^{617LC} dated July 28, and May 24, 1947, respectively, requesting additional payments for the seven Italian citizens who served as government witnesses in the case of United States v. Ezra Pound.

On February 19, 1946, Lieutenant Colonel James W. Kirk, Division of Central Services, Department of State, was requested to make arrangements for the payment of transportation from Paris to Rome and Milan, as well as billeting and mess in Paris until train departure time of these witnesses. Such expenses were reimbursed to the State Department by this office on April 11, 1946, and it is felt that sufficient payments were made to the witnesses. The matter of redeeming the portion of railroad tickets which had expired would appear to be one for the witnesses to have taken up with the office which issued the tickets. No further action, therefore, appears to be necessary.

Sincerely yours,

S. A. Andretta
Administrative Assistant
to the Attorney General

File
EJH

Office Memorandum • UNITED STATES GOVERNMENT

146-7-3672

TO : Mr. S. A. Andretta
Administrative Assistant to the Attorney General
FROM : E. J. Matchett
Chief, Accounts Branch
SUBJECT: Additional payments, Italian witnesses, United States v. Ezra Pound

DATE: April 20, 1948

Mr. Butler
Mr. Clegg
Ch. Clk.
Personnel Off.
Supply Div.
Records Div.
Mr. Corthell
Mr. Loven
Mr. Quinn Tamm Div.

On behalf of the seven Italian witnesses who served in the above-mentioned case, one of the witnesses, makes a second plea for additional payments which they feel are due them because of their delay in travel between Paris and Rome. On October 15, 1947, in response to the first plea, I recommended that no additional payments be made since it appeared that the only financial hardship they encountered was the two-day detention at the Swiss border and possibly the cost of the portion of rail tickets which were not valid at the border.

To be just and impartial, a further review was made of the facts, which are herewith broken down into the phases of (1) original agreements, (2) actual payments, (3) requested additional payments and (4) recommendations:

1. Agreements.

- (a) It was agreed to pay each witness roundtrip transportation and \$17 per day (\$10 for fee and \$7 per diem in lieu of subsistence), such subsistence and compensation payable up to the time of return to their homes in Italy.
- (b) This office requested the State Department to have the American Consul in Paris arrange for transportation from Paris to Rome as well as to make the necessary arrangements for their billeting and mess while in Paris.

2. Payments.

- (a) On February 26, 1946, final payments of \$17 per day, through March 1 and 2, 1946 (contemplated arrival dates in Milan and Rome, respectively) were made and transportation requests were furnished from Washington, D. C. to Paris.
- (b) This Department reimbursed the State Department \$210.67 to cover meals and hotel accommodations during their delay in Paris...February 28 through March 5. The State Department was also reimbursed \$135.84 for rail transportation from Paris to Rome and Milan.

3. Request.

- (a) \$17 per day for the period March 1 through 10, date of actual arrival in Rome.

4. Recommendations.

The unexpected delay in Paris may be attributed to this Department in allowing insufficient time for such detailed arrangements to be made by the Embassy in Paris (cable received in Paris 8 days prior to the arrival of the witnesses), especially in view of the high priority system for travel in those days. Such difficulties could not be fully appreciated in this country, and it certainly cannot be said the witnesses were at fault. The fact that a portion of

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146-7-367

file

of their tickets was declared invalid at the Swiss border is probably true; securing refunds for unused tickets is undoubtedly a major operation and impossible in a foreign country. Taking these facts into consideration, it is felt that the witnesses may be justified in requesting some additional compensation to off-set their expenses from Paris to Rome. It seems we are bound to fulfill our contract of providing roundtrip transportation, regardless of invalid tickets.

In view of the fact that the mess and billet was paid by this Department during their 6-day stay in Paris, a further compensation for this period is not deemed necessary.

- (a) It is recommended that additional compensation for a period of five days, rather than the requested ten, be authorized. This will cover the four-day delay from Paris to destination as well as compensate to a large extent for rail fare over that portion of the trip. Such an authorization (\$17 per day to 7 witnesses for 5 days) would involve a total expenditure of \$595.00 from the special allotment of \$50,000, Fees of Witnesses, Department of Justice, 1946, in which appropriation there is an approximate balance of \$30,000.

An appropriate letter of authorization, for the signature of The Assistant to the Attorney General, is attached.

Approved: _____



RECEIVED
APR 29 9 47 AM '48
DEPARTMENT OF JUSTICE

20

REC'D

April 29, 1948

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

RECEIVED

My dear Mr. Secretary:

Reference is made to Form DS-14 dated March 29, 1948, from Mr. John D. Neal, Foreign Activity Correlation Division, transmitting to Mr. S. A. Andretta, Administrative Assistant to the Attorney General, letters from [redacted] and M. William Blake, Second Secretary of Embassy and Consul, Rome, Italy, dated December 21, 1947 and February 27, 1948, respectively, again requesting additional payments to the seven Italian citizens who served as government witnesses in the case of United States v. Ezra Pound from November, 1945 through February, 1946.

Further consideration has been given these requests, and it is still the opinion of this Department that the provision of billet and meals during the six-day delay of the witnesses in Paris, en route to Italy, was adequate compensation. Taking into account the further delay and expenses incurred from Paris to Italy, undoubtedly caused by post-war transportation restrictions and priorities, it has been concluded that an additional payment of \$17 per day for a period of five days to each witness is the maximum adjustment which can be allowed.

It is, therefore, requested that the proper American Consul arrange for the payment of \$17 per day for a period of five days, or a total of \$85 to each of the following individuals:

It will be greatly appreciated if your Department will draw a draft against the special allotment of \$50,000 under the appropriation "1560311.002 - Fees of Witnesses, Department of Justice, 1948" to cover these accounts, for the period March 6 through 10, 1946.

Yours sincerely,

PEYTON FORD

Peyton Ford
The Assistant to the Attorney General

RECEIVED AND MAILED
COMMUNICATIONS SEC.
APR 29 1948 AJ

Raw
[Handwritten signatures]

APR 22 1948

168
91

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Files

DATE: October 28, 1943

FROM : *WJ* William E. Foley, Chief, Internal Security Section

WEF:lr

SUBJECT: DR. EZRA POUND

146-7-3672

A person who identified himself as _____ a practicing physician in the District of Columbia, called at this office today to inquire whether the Department contemplated prosecution of Ezra Pound. _____ said that _____ who is interested in poetry has frequently visited Pound at St. Elizabeth's Hospital and _____ has also visited him and feels sure that Pound is quite sane. He indicated that Pound has considerable freedom at the hospital and is continually in communication with many leading poets and literary figures. He expressed his opinion that since Pound is so obviously sane he should either be released from St. Elizabeth's Hospital or brought to trial and said that he would recommend that Pound take steps to obtain his release.

Mr. Foley —

I'd send a copy of this might to be sent to Dr. Winfred Overholzer who heads St. Elizabeth's and that he be requested for a report, what do you think?

Note
2

WJ

97

AMC:NEF:lr

146-7-3672

November 1, 1948

~~HOLLIE~~

Dr. Winfred Overholser
Superintendent
St. Elizabeth's Hospital
Washington, D. C.

Dear Dr. Overholser:

From time to time, this Department receives inquiries concerning the present mental condition of Dr. Ezra Pound who, as you know, is under indictment for treason in the District of Columbia. Recently, a local physician, who identified himself as ~~W. H. C.~~ called upon the Department to ascertain whether the Department contemplated trial of Pound or would object to his release. ~~W. H. C.~~ advised that ~~W. H. C.~~ who is interested in poetry frequently visits Pound and that Pound, whom they both believe to be quite sane, is in continual communication with many leading poets and literary figures.

The Department is interested in your opinion as to Pound's mental condition and particularly wishes to be advised whether it is your opinion that Pound is now sufficiently sane to stand trial on the charges against him.

Respectfully,

For the Attorney General

INSPTD AND MAILED
COMMUNICATIONS SEC.
NOV 4 1948 -JGL

ALEXANDER M. CAMPBELL
Assistant Attorney General

CC: Records
Chrono.
Mr. Foley

WT
AMC
NEF

November 7, 1942

MEMORANDUM FOR THE FILES

Re: Fred W. Kaltenbach; Edward Leo Delaney, with aliases
 (146-28-237) (146-28-240)

Constance Drexel; Jane Anderson, with aliases
 (146-28-229) (146-28-233)

Robert H. Beat; Dr. Ezra Pound;
 (146-28-248) (146-7-3672)

Douglas Chandler
 (146-28-232)

Mr. James Malinney, Chief, National Defense Section, and the writer, conferred with (67LC) Supervisor, Federal Bureau of Investigation, on November 2, 1942, relative to the prospective indictments to be sought against the above-named subjects for treason. The evidence necessary for the successful prosecution of the cases was discussed and it was concluded that the Bureau should conduct further investigation relative to each of the above-named subjects in accordance with the following suggestions, some of which have been previously transmitted to the Bureau:

(67LC) and other radio commentators and newspaper men and women, as well as members of the State Department or other persons who had been in Germany or Italy prior to the entry into the war and who might have information concerning the above subjects should be interviewed. In addition to any general information which can be obtained from them, it should be particularly ascertained whether they may have seen the subjects in any enemy broadcasting station, were present while he or she was conducting a broadcast or have other information of value to which they could testify that would tend to prove that the subjects were engaged in such activity; whether they are familiar with the subject's voice and could identify it; if so, whether they have heard any of the enemy propaganda broadcasts purportedly made by the subject since December 8, 1941 and have recognized the voice of the speaker as that of the subject; and whether the subject may have acknowledged to them the fact he or she has engaged in such broadcasting.

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 BY ROY
 On NOV 12 1942

Acquaintances, friends and relatives of the subject should be located and interviewed with respect to their ability to identify the subject's voice and as to whether they also have listened to the broadcasts attributed to the subject, and have recognized his or her voice.

With reference to Fred Kaltenbach, it would appear that (b7C) a Kaverly, Iowa attorney, might have information of value in this respect. According to information received by the Bureau, (b7C) mentioned in a number of that subject's broadcasts.

In regard to the identification of the subject's voice by persons familiar with it, but who have never heard it on the radio, it was suggested that the Federal Bureau of Investigation might give such persons an opportunity to hear the subject's programs or the recording thereof and thus ascertain if identification could be made.

Persons employed by the Federal Communications Commission in connection with the receiving, recording and transcribing of the subject's broadcasts should be interviewed relative to the date the broadcasts were first received by the Federal Communications Commission and as to their ability to identify the voice of the broadcaster as being the same from that date to the present time.

The following persons are listed on the copies of the transcripts of the broadcasts as being transcribers or monitors:

(b7C)

A certified copy of the subject's birth certificate should be obtained, if possible, together with other evidence of the date and place of his or her birth.

With reference to Constance Drexel, a certified copy of the naturalization certificate of her father should be obtained and all facts necessary to establish her derivative citizenship should be ascertained, together with the witnesses thereto. The records of the State Department should be examined and certified copies of the subject's applications, passports, and other documents relating to him or her should be obtained which might establish and which would be admissible as evidence to prove the date and place of his or her birth, or other facts such as a declaration of continued loyalty to the United States, indicating that the subject has not expatriated himself or herself or statements made by the subject to the effect that he or she is engaged in radio broadcasting activities in enemy countries. The name

and availability of a State Department official who can testify to the authenticity of such documents should also be ascertained.

It should be established, possibly by (C) presently in the employ of Federal Bureau of Investigation, that all German radio stations are operated under the supervision and control of the German Ministry of Propaganda and Enlightenment, and that the persons broadcasting therefrom are in the employ of the German government.

A witness should be obtained who can testify that the radio station from which the subject's broadcasts emanate uses a wave length accessible on average commercial radio receiving sets and that the broadcasts are as a matter of fact beamed or directed to the United States.

Copies of transcripts of broadcasts by the subject subsequent to those now in the Criminal Division records should be obtained from the Federal Communications Commission.

Inasmuch as some of the above investigation is presently being conducted by the Bureau and as the matter was discussed at length in the conference, it was (C) opinion that a memorandum requesting such information would be unnecessary. No written request for further investigation was therefore made to the Bureau relative to the matters discussed at the conference. (C) indicated that such investigation would be immediately instituted and every effort should be made to complete the same within two weeks.



SAMUEL C. ELY

DIVISION OF RECORDS

REQUEST FOR

WB-SOE-BGL

146-28-237

MSP

April 2, 1943.

MEMORANDUM FOR THE DIRECTOR,
Federal Bureau of Investigation,

FILED
WWR

Re:

FREDERICK WILHELM KALTENBACH,
with aliases; TREASON

It is stated in the report of Special Agent ^(617CE) Philadelphia, Pennsylvania, dated December 26, 1942, that confidential informant T-1 has advised that he can testify to the fact that German radio stations are owned and operated by the German Government.

Please furnish the Criminal Division with the name and residence address of confidential informant T-1. It is also desired that you ascertain whether he will be available during the next 60 days to testify in grand jury proceedings.

It is assumed that confidential informant T-1 above-mentioned, is identical with confidential informant T-1 who is mentioned in the report of Special Agent ^(617CC) Philadelphia, Pennsylvania, dated December 23, 1942, in the case of Dr. Ezra Pound, Treason, our file No. 146-7-3672, who has advised that he can testify that Italian radio stations are operated by the Italian Government. Please advise if this assumption is correct.

Respectfully,
SIGNED

FILED
BY
On APR 1943

WENDELL BERGE,
Assistant Attorney General.

21

100

WB: SCE: CB

146-28-237 - 1

April 30, 1943

617(C)
Research Department
Coronet Magazine
919 North Michigan Avenue
Chicago, Illinois

Dear 617(C)

In reply to your letter dated April 21, 1943, you are advised that Ezra Pound, Jane Anderson, Constance Drexel, Fred Kaltenbach, Douglas Chandler and Robert Best have not been indicted for treason.

The stamped self-addressed envelope which you enclosed with your letter is returned herewith.

Respectfully,

For the Attorney General

WENDELL BERGE
Assistant Attorney General

Enclosure
No. 999529

Mc

4/1



CORONET
MAGAZINE
919 NORTH MICHIGAN AVENUE
CHICAGO

APR 25 1943

CRIMINAL DIVISION

April 21, 1943

Attorney General
Department of Justice
Washington, D. C.

Dear Sir:

A few months ago we read an announcement from the Department of Justice that six Americans who had been broadcasting in Europe for the Axis were "soon to be indicted for treason." These persons were Ezra Pound, Jane Anderson, Constance Drexel, Fred Kaltenbach, Douglas Chandler and Robert Best.

We should like to know whether the indictments have yet been made.

Please reply as quickly as possibly as this information is urgently needed. A stamped self-addressed envelope is enclosed for your convenience.

Very truly yours,
CORONET

6,7(C)

Research Department

VB:EA
Enc.

5/1/43

146-28-237-1
~~146-28-237-1~~

APR 22 1943

30E

File
106



CORONET
M A G A Z I N E
919 NORTH MICHIGAN AVENUE
CHICAGO

May 4, 1943

Refer to: WB:SCE:CB
146-28-237

Mr. Wendell Berge
Assistant Attorney General
Department of Justice
Washington, D. C.

Dear Mr. Berge:

We thank you very much for your letter of April 30, telling us that Ezra Pound, Jane Anderson, Constance Drexel, Fred Kaltenbach, Douglas Chandler and Robert Best have not been indicted for treason.

Would it be possible for you to tell us when the Department of Justice announced that the persons mentioned above were "soon to be indicted for treason?"

We would be very grateful to you for this information.

Very truly yours,
C O R O N E T

(17(C))

VB:EA

Research Department

H.C.C.

146-28-237-1

7/03

WB-SCE-BGL

cc
E

146-28-237 - (

May 19, 1943.

(e7cc)
Research Department, Coronet Magazine,
919 North Michigan Avenue,
Chicago, Illinois.

(e7cc)

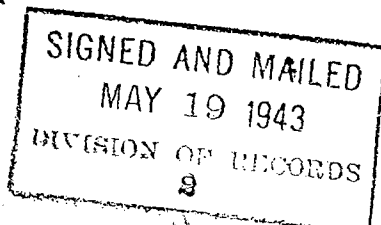
Receipt is acknowledged of your letter dated May 4, 1943, in which you ask when the Department of Justice announced that Ezra Pound, Jane Anderson, Constance Draxel, Fred Kaltenbach, Douglas Chandler and Robert Best were "soon to be indicted for treason".

You are advised that no official announcement of any kind has been made by the Department of Justice relative to these persons.

Respectfully,

For the Attorney General,

WENDELL BERGE,
Assistant Attorney General.



WB-SCE-BGL

146-28-237

June 8, 1943.

FILED
LB
JUN 16 1943

MEMORANDUM FOR THE DIRECTOR,
Federal Bureau of Investigation,

Re:

FREDERICK WILHELM KALTENBACH, with aliases
JANE ANDERSON, with aliases
ROBERT HENRY BEST, with aliases
DOUGLAS CHANDLER, with alias
EDWARD LEO DELANEY, with aliases
CONSTANCE DREXEL, with aliases
DR. EZRA POUND
TREASON

It is desired that you ascertain the availability of
(e17LC) Philadelphia, Pennsylvania, who has been previously
interviewed, for the purpose of testifying before a grand jury
at Washington, D. C. some time during the latter part of this
month or the fore part of July.

It is also desired that arrangements be made for a member of
this Division to hear the recordings of the several broadcasts of
the above-named subjects which you have been using for voice identi-
fication purposes.

Respectfully,

SIGNED

WENDELL BEECH,
Assistant Attorney General.

Me

WB-SCE-BCL

146-28-237

June 19, 1943.

MEMORANDUM FOR THE DIRECTOR,
Federal Bureau of Investigation,

Re:

FREDERICK W. KALTENBACH, DOUGLAS
CHANDLER, ROBERT H. BEST, CONSTANCE
DREXEL, JANE ANDERSON, EDWARD L.
DELANEY and EZRA POUND;
TREASON

It is desired that Attorneys in the Criminal Division interview witnesses in Washington in contemplation of the presentment of these cases to a grand jury in the near future. It would appear that these interviews could best be arranged by Special Agent *67(C)* to whom these prospective witnesses have previously given information. It is suggested, therefore, that Agent *67(C)* communicate with Samuel C. Ely of this Division at his very earliest convenience in order that arrangements for the interviews may be made.

Respectfully,

SIGNED

WENDELL BERGE,
Assistant Attorney General.

Me

WB-SCE-BGL

RECORDED

146-7-3672

August 13, 1943.

J. E. P.

617(C)

Long Beach, New York.

Dear 617(C)

Receipt is acknowledged of your letter dated August 6, 1943, in which you request a copy of the indictment against Ezra Pound and other Americans broadcasting for the Axis. Eight separate indictments were returned in these cases. I am enclosing herewith a copy of the indictment against Douglas Chandler. The indictments against the other seven defendants are very similar.

Respectfully,

For the Attorney General,

WENDELL HERGE,
Assistant Attorney General.

NOTED
ZCB

MTC
~~RECORDED~~
(Inc. #33151)

SIGNED AND MAILED
AUG 14 1943
DIVISION OF RECORDS
6

St.
ork

Long Beach, New York

August 6, 1943

Justice Department

Washington D.C.

Dear Sirs:

RECEIVED

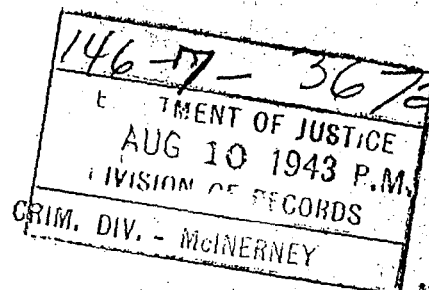
AUG 10 1943

CRIMINAL DIVISION

I am currently working on a radio script for WNYC based on the Federal indictment of Ezra Pound and other Americans who engaged in propaganda work for the Axis. If it is possible I should like to obtain a copy of the indictment as it was issued by the Justice Department, to be sent to the above address.

Sincerely yours,

(6,7(C))



SCRIABIN CIRCLE

Founded 1934

617(C)

617(C)
35 West 57th St. - EL 5-7174

August 26, 1943.

AUG 28 1943

Attorney General Biddle,
Department of Justice,
Washington, D.C.

OFFICE OF THE
RECORDS
AUG 27 1943
ATTORNEY GENERAL

Dear Sir:

In the conviction and trust that justice is truly the purpose and pursuit of our national department of which you are the head, I take the liberty of referring to your clemency the unique and psychological case of the poet, Ezra Pound. For nearly forty years this utterly conscientious, overwrought and over-learned man has been my intimate friend, with whom I often quarreled for his ill-considered actions. In this, the gravest moment that can come in the life of a man, it is perhaps conceivable that his friends and his country have an historic duty in understanding him.

You know, Sir, the lack of political wisdom amongst great poets of all time; no doubt the influence of Yeats, a bosom friend, had to do with the misleading of Pound; but as a character witness I can but protest the linking of his name whose deathless poetry was near to madness, with those others whose fault seems to be rational: men of the United States Army!

I beg you, - in the words of this, one of America's few great poets - "If so be His will, with whom are all things and through whom are all things good" - to consider this rare being who is in your care, to save him for his own country's sake.

Yours very truly

File all

Ezra Pound
3672

617(C)

FILED
BY VS

Woodmere, N.Y.

May 6, 1945

Mr. Francis Biddle
Attorney General
Department of Justice
Washington, D.C.

146-7-3672
MAY 10 1945
INTERNAL SECURITY SEC

W7

OFFICE OF THE ATTORNEY GENERAL
RECEIVED
MAY 8 - 1945

Dear Sir:

Having learned in today's newspapers of the arrest of Ezra Pound in Italy; I feel it incumbent upon me to write to you on his behalf. In the present inflamed state of public opinion, I have no doubt that the penalty your department will ask for when his case comes to trial will have great weight in the determination of the final sentence to be passed upon the poet. For that reason I feel it doubly urgent to suggest for your consideration certain factors which may tend to minimize the severity of your attitude toward Mr. Pound.

The punishment of those giving aid and comfort to the enemy should conform to the dictates of national interest; it is extremely doubtful that the harsh treatment of Mr. Pound would be in the national interest. Mr. Pound's purposes in broadcasting for Italy were, I am convinced, neither mercenary nor unpatriotic. He has many admirers in this country, in England, and in France who seem to have been both able and willing to prevent him from suffering financial embarrassment. In his espousal of an unpopular political philosophy his aims have been pedagogic. He is not the type of man to seek territorial aggrandizement and material affluence for another country at the expense of the United States. Concerning the nature and effectiveness of his broadcasts you must be better informed than I, but I find it difficult to believe that so esoteric a master as Mr. Pound could have very much influence over the political ~~affairs~~ thinking of his countrymen, from whose ways of life he has removed himself for so many years. In his career Mr. Pound has brought great honor and glory to American letters, distinction of a character more than sufficient to compensate for his temporary political aberrance. His talent, in inverse proportion to his political responsibility, should not be taken as an aggravating condition--he is not, after all, either a politically informed journalist or the master of a mass audience like Miss Ferber's or Mr. Cronin's--but perhaps as inevitably concomitant with a certain imprudence to be condoned for the sake of his services to American poetry. There is an unfortunate tendency in America to "gang up" on practitioners of comparatively esoteric art forms, a tendency which has manifested itself indirectly in our comments on the fall of France and on the lack of political awareness on the part of our writers between the two wars. We should beware lest, in the trial of Mr. Pound, we indulge our dislike for unpopular activities in the field of culture and justify legalistically actions more befitting the National Socialist harassment than our own great tradition of civil liberties which your own department, in happy contrast to the days of World War I, has done so much to sustain during these trying times.

I have no personal acquaintance with Mr. Pound; but I am making this minute gesture--and how I wish it didn't have to be made!--because of my grateful admiration for his literary achievement. I realize you cannot be expected to give up the case against him entirely, but surely

confinement for one or two years under conditions which would permit him to continue writing his great poem, Cantos, would be an adequate testimony to the displeasure of his country at his extra-aesthetic activities. The really appropriate penalty would be exile, but I understand it is not within the power of your department to press for such a sentence. I have no brief whatsoever for the Americans who have been broadcasting for Germany and Japan; to my mind, they fall into an entirely different category. But I should not like my government to make the grave error of executing so illustrious a representative of American power in the realm of poetry or of checking him in his efforts to complete a work which may well rank with Moby Dick or Leaves of Grass as a national classic.

Yours truly.

(617(C))



JOHN HAYES

FRANK A. HAYES

SIXTY FOURTH STREET
AND UNIVERSITY AVENUE

PHONE HYDE PARK 4400

CHICAGO

May 10, 1945.

HOLLIE

Attorney General,
Department of Justice,
Washington, D.C.

CRIMINAL DIVISION
MAY 11 1945
RECEIVED

Dear Sir:

I see that the first of the traitorous Axis
broadcasters, Ezra Pound, has been captured and I wish
to notify you that I have returned from overseas duty with
the Office of Strategic Services. I am therefore available
as a witness for the prosecution of Pound, Kaltenbach, Best,
Anderson, etc.

You will recall that you photostated the files
of my Chicago Times-MBS Shortwave Listening Post at (e)7(C)
(e)7(C) in 1943 when I also deposited
with your Denver office, FBI, the original material before
leaving for the ETO. I am probably the only one who
consistently observed, and commented on, the traitor
broadcasts since the beginning of the war in 1939, and I
petitioned you on their behalf already in June 1940.

I am temporarily staying at above address but
shall soon return to my home, (e)7(C)
for which reason I am mailing a copy of this letter to the
FBI, Denver.

Hoping and wishing that you will bring all the
traitors to justice, I remain

Sincerely yours,

146-7-3672

~~146-7-35-381~~
DEPARTMENT OF JUSTICE
MAY 12 1945
DIVISION OF RECORDS
CRIM.-INTERNAL SECURITY SEC.

(e)7(C)

RECORDED
55

Chgd
5/17/45
SFB

E. J.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Chief of the Communications and Records Sec.
FROM : NTE Nathan T. Elliff, Chief, Internal Security Sec.
SUBJECT: Ezra Pound
Treason

DATE: May 30, 1945
NTE:HD
176-7-3672

It is requested that you remove from Section 2 of the file, for possible use in the prosecution of the subject, the following documents:

1. A letter addressed to the Attorney General dated August 4, 1943, and written by Ezra Pound. This was sent to the Department of Justice with a letter from the Department of State, dated October 1, 1943.
2. Photostatic copy of Ezra Pound's Application for Replacement Passport, dated April 4, 1941, and photostatic copy of Pound's Application for Validation of Passport, dated April 4, 1941. These were sent to you with the report of Special Agent [REDACTED] (617CC) dated at Washington, D.C. January 13, 1943.

ack.

*OK
The*

Director, Federal Bureau of Investigation

June 2, 1945

Tom C. Clark, Assistant Attorney General

TCC:RA:jek

Dr. Ezra Pound;
Treason

146-7-3672

~~HOLLIE~~

RECORD

Reference is made to our memoranda to you dated April 30, 1945, and May 10, 1945. S. D. B.

In the trial of this case it will, of course, be necessary to prove each overt act of treason by two witnesses. Aside from the possibility of proving the treasonable broadcasts by witnesses who heard them in this country, we believe that it is essential that at least two witnesses to several specific overt acts be developed in Italy. While a number of witnesses appear to be available who will testify that they know Pound made recordings for broadcasts, it does not presently appear that any two or more witnesses can testify of their personal knowledge that Ezra Pound made a certain propaganda recording on a certain date. Every effort should therefore be made to locate two or more witnesses who can so testify to a specific overt act of treason.

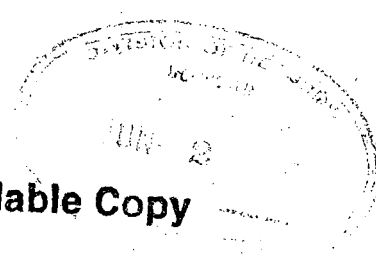
All evidence relative to the specific overt act should be developed in the greatest detail. The original manuscript used by Pound in the making of the specific recording should be located if possible, together with any witnesses who can testify that Pound wrote the manuscript or that he used a specific manuscript in making a specific recording on a certain date, which recording should be available for use as evidence. The date and time of broadcasting the specific recording and of its receipt in the United States should be shown if possible so that everything from the time of the writing of the specific propaganda until its receipt in the United States and receipt of payment by Pound, may be shown by evidence at the trial.

It appears that much of the desired evidence may be secured from the officials and employees of the Ministry of Popular Culture, the broadcasting system "RAI", and the Bank of Italy, some of whom you have already interviewed and whose names are mentioned hereinafter. However all available sources should be exhausted.

In addition to proving as many specific overt acts as possible by two witnesses, we desire evidence to show general information pertaining to Pound and the extent of his propaganda activities, and of the period which they covered.

While Pound is now under indictment, it is expected that a new indictment will be secured when your investigation in this case is more complete. It is expected that the new indictment will allege as overt acts of treason each specific act of the defendant relating to his propaganda activities which can be established by the testimony of two or more witnesses.

cc-records ✓
Elliff
Anderson
Healy



Best Available Copy

The specific leads hereinafter set out should not limit the scope of your investigation to secure witnesses to specific manuscripts, specific recordings, specific broadcasts, specific payments to the defendant and his specific duties and activities for the Italian government. A written statement in the English or Italian language should be secured from persons who it appears will probably be used as witnesses, and the availability and desirability of various persons as witnesses should be commented upon in your report.

By memorandum dated October 8, 1943, the Criminal Division sent to you a copy of a memorandum written by (b)(7)(C) of the Swiss Legation, Interests of the United States of America, Rome, Italy, dated August 3, 1943. The memorandum discloses that when Pound appeared at the Swiss Legation in Rome, he saluted in the Fascist manner, and that he discussed applying for a passport of protection.

It is suggested that (b)(7)(C) be interviewed relative to the above matter and specifically asked questions relative to any information that he may have showing Ezra Pound's American citizenship, particularly any statements made in the matter by Pound. He should also be questioned relative to the circumstances surrounding receipt of Pound's letter to the United States Attorney General, a photostatic copy of which was sent you with our memorandum of October 8, 1943.

Would you please endeavor to secure a copy of the book, which was published by Pound at Venice, Italy, about January, 1944, according to (b)(7)(C). Your memorandum of September 14, 1944, discloses that in this book Pound blames America as the aggressor in the war between Italy and America. If the book appears to contain such matter, at least two witnesses should be obtained to prove that Pound is the author of it and that it was published. It should also be ascertained if the Italian government had any connection with the publication or distribution of the book.

It is noted in your memorandum of September 14, 1944, that (b)(7)(C) recorded some of Pound's talks. It is suggested that they be located if possible, and interviewed relative to each record of Pound's talks which they made and each occasion on which they were present when Pound read his manuscript for recording purposes. Also please ascertain if either of these individuals can furnish the names of any other persons who have personal knowledge that Pound wrote or recorded any specific talk.

With your memorandum of December 20, 1944, you sent copies of requests for payment for broadcasts signed by Ezra Pound and witnessed by the Chief of Division III (Administrative Services) but his signature is illegible. The requests also bear the signature of (b)(7)(C). From Page 10 (not numbered) of the copy of Pound's personnel file which you furnished us, it appears that (b)(7)(C) was inspector for Radio Broadcasts and Television and that his first name is (b)(7)(C).

It is suggested that (b)(7)(C) and the person whose signature is illegible be located if possible and thoroughly interviewed. It would appear that they may be able to establish of their personal knowledge that Found made the recordings or broadcasts covered by the requests for payment, or in any case, they should be able to furnish considerable information as to who saw Ezra Found make the broadcasts or prepare recordings on particular dates.

It is noted that at the top of several of Found's manuscripts appears the name (b)(7)(C). This name appears, for example, on the manuscript which contains the following rubber stamped notation: "Trasmesso per il Nord America il 17-1-1942 XX."

It is suggested that an effort be made to ascertain the identity of the above named person, and of the person who placed the above and similar rubber stamped notations on Found's manuscripts, and that at least two witnesses be secured who can testify to the actual broadcasting by Found personally or to his making the transcription as the case may be. Inquiry may disclose a record showing when Found made broadcasts personally and when his recordings were used.

Your memorandum of February 24, 1944, disclosed that it was reported that Found had joined the Italian Fascist Party and was a personal friend of Mussolini. It is suggested that an investigation be made to secure proof of the above and if it is found that Found was a member of the Italian Fascist Party, whether or not he was required to take an oath of any kind which might be considered an act of expatriation.

In your memorandum dated October 14, 1942, setting out background information the following appears:

"At the present time Found is also allegedly editing a magazine entitled 'Mails', presumably in Rome, Italy."

It is suggested that your investigation cover this matter and if it is found that Found did publish the said magazine or was connected with its publication, that it be ascertained if treasonable material was published. It should also be ascertained, if treasonable material is found, whether the Italian government had any connection with the publication or distribution of said magazine.

In Found's personal file there appears a letter dated October 6, 1942, written by (b)(7)(C) and addressed to (b)(7)(C). This letter discloses that Found has always been friendly to Italy and that he contributes to radio propaganda and requests that Found be given kind consideration relative to exemption from seizure of his safe deposit boxes and of his bank accounts. It is suggested that (b)(7)(C) be located and thoroughly interviewed, particularly as to his personal knowledge of specific acts on the part of Found which may have been witnessed by other persons also.

It is presumed that the Bureau will be able to furnish a handwriting expert who can testify the Found's handwriting and his signature. We are interested among other things, in proving his signature on the following:

Letter of April 25, anno XI, allegedly written by Found and addressed to Minister Favolini, expressing his loyalty to fight to the best of his ability for the victory of the new era and asking if his services warranted release from seizure of his safety boxes and bank accounts.

Letter dated August 4, 1943, addressed to Attorney General Biddle and allegedly written by Ezra Found relative to his broadcasting and being an American citizen.

Application for Replacement Passport dated April 4, 1941, at Venice, Italy, a photostatic copy of which was enclosed with the report of Special Agent (617LC) dated at Washington, D.C., January 13, 1943.

Also, it may be found helpful to the prosecution to establish that handwritten corrections on various original scripts are in Found's handwriting.

It is likewise presumed that the Bureau will be able to furnish an expert on typewriting who can testify that the manuscripts covering the broadcasts which may be selected for use as the overt acts on which to base the prosecution of Found were prepared on the same typewriter as other material definitely typewritten by Found.

It is suggested that you endeavor to locate at least two available and desirable witnesses to show the dates of employment and payment of Found by the Italian government to aid in propaganda work at the Ministry of Popular Culture, where Found had an office.

Reference is made to Bureau memoranda dated September 14, 1944 and November 4, 1944. These memoranda refer to thirteen (13) books on which the word "Decalith" appears and to four (4) color books called registration books and to several records. It appears that (617LC) was employed in the recording room of EIAA for about ten years. Would you kindly reinterview (617LC) and ascertain if he can testify that these various items were made and kept in the ordinary course of business and that the entries were made in the books at the time or shortly after the various transactions occurred. He may be able to furnish the names of other individuals who could also testify relative to these books and records.

Best Available Copy

Reference is made to Bureau memorandum dated February 7, 1944. It is suggested that (b) (7)(C) former Italian Consul at Mexico City, Mexico, and who at the time of said memorandum was in the foreign office of the Palazzo Cavour, now at Brindisi, Italy, be interviewed for the purpose of ascertaining whether he has any more specific information than that contained in the Bureau memorandum of February 7, 1944, relative to the employment of Ezra Pound by the Ministry of Popular Culture to broadcast anti-United States propaganda. The source of his information should be ascertained and if he has no personal knowledge of the fact of Ezra Pound's employment, it should be ascertained if he can furnish any leads in this regard.

It is suggested that (b) (7)(C) be reinterviewed to ascertain whether or not he can identify any specific broadcast that Ezra Pound made and to secure from him the exact dates that he has personal knowledge of Ezra Pound officing in the Ministry of Popular Culture at Rome, Italy. It is suggested that it may be helpful if the transcripts of some of the broadcasts were played back to him to refresh his recollection, if possible.

It is suggested that (b) (7)(C) be reinterviewed to ascertain if she can identify the recordings that she saw Ezra Pound make on three different occasions in 1942, and if she can fix the exact dates they were made and the persons present. The Bureau memorandum of February 7, 1944, states that she is available as a witness.

It is noted that Bureau memorandum dated September 14, 1944, discloses that (b) (7)(C) was employed by EMBR for several years and that he stated that authorization to make a recording had to be secured from Torino, Italy, and that the authorization would be sent by wire, a Forgramme, or Rome directing that such and such a recording should be made. He informed that these Forgrammes would be attached to the work sheet by the operator who made the recording. It is requested that you advise the Criminal Division of the exact official position of this individual, and the details of the procedure relative to the recording and transmission of broadcasts or the payment therefor to which he can testify on the basis of his own personal knowledge. It is also requested that you ascertain whether the person who sent or received the Forgrammes has personal knowledge that Ezra Pound made the recording that was authorized thereby, together with such other information that he may have pertaining thereto. It appears incidentally, that the Forgrammes attached to the back of the copies of the registration sheets in the "color books" mentioned in your memorandum of September 14, 1944, are not less than certain recordings were made, rather than authorizations to make the recordings as stated by (b) (7)(C). It is requested that these facts be clarified.

With reference to your memorandum of September 14, 1944, it is noted that (b) (7)(C) appears to have intimate knowledge concerning Ezra Pound's visits to the Ministry of Popular Culture with his manuscripts for the purpose of having them approved. It is requested that the

Best Available Copy

Criminal Division be informed of the official position of this possible witness with the Ministry of Popular Culture and the radio station at the time Foudi frequented those places. It is suggested that this possible witness also be reinterviewed to determine whether or not he can identify any specific manuscripts or broadcasts or recordings made by Ezra Foudi. His interview should also cover any knowledge that he may have that Foudi made the recordings or broadcasts or wrote the manuscripts covered by the requests for payment or by any cash payment which he may be able to identify.

Your memorandum of September 14, 1944 discloses that (b7C) is the head of the Archives of the Banca D' Italia. It is suggested that (b7C) be recontacted to ascertain the extent which the records of the bank disclose the nature of the activities of Ezra Foudi in connection with the Ministry of Popular Culture. It is desired to know particularly whether or not the records of the bank identify the various payments of money to Foudi with specific requests for payment made by Foudi and if the payments can be connected up with a specific recording or broadcast.

It is also noted in your memorandum of September 14, 1944 that (b7C) was director of program at the radio station and in the same paragraph one (b7C) is identified as Director General at the radio station. It is suggested that these two individuals be located if possible and interviewed relative to their knowledge of Foudi's working for the Italian government and making recordings or broadcasts and if they have any knowledge of any specific manuscripts which Foudi wrote or of any recordings or broadcasts made by Foudi.

With further reference to your memorandum of September 14, 1944, it is noted that four original recordings made by Foudi have been discovered by the Bureau's confidential Italian source. It is requested that the Bureau ascertain whether any further recordings are available, and if possible, what disposition was made of recordings made by Foudi which can not be located.

With reference to the statement of (b7C) it is noted that she is acquainted with Ezra Foudi and that she heard his broadcast in 1942 and 1943 and recognized his voice. It is suggested that she be reinterviewed to ascertain if she can identify any specific broadcasts as to date or substance or furnish any information as to any other person who heard a particular broadcast. It is suggested that if any of the recordings made during this time are available that the playing of such records for (b7C) may help refresh her memory.

Reference is made to your memorandum of July 14, 1944, which discloses that (b7C) was program arranger for the Rome radio from February 1943 to September 1943 and that Foudi made it a practice to come to the station approximately once a month to make recordings, reading from a manuscript which he had prepared at his home in Rapallo, Italy. It is suggested that (b7C) be reinterviewed for

the purpose of ascertaining if he can testify from personal knowledge that Ponder made any specific manuscript or recording or broadcast. Possibly his memory should be refreshed by showing him books, records and recordings pertaining to these matters as it appears that this person may be able to furnish valuable information.

It is also suggested that the predecessor of (b)(7)(C) be located and interviewed.

Reference is further made to your memorandum of July 14, 1944 in connection with (b)(7)(C) (b)(7)(C) It is desired that this individual be interviewed to the same end as (b)(7)(C)

Further reference is made to your memorandum of July 14, 1944 and in particular to (b)(7)(C) It is desired that the official composition of this individual with the Rome radio station be ascertained and that he be interviewed along the same lines as (b)(7)(C) above mentioned, particular stress being laid on his ability to identify any specific manuscript or recording or broadcast made by Ezra Ponder.

Further reference is made to your memorandum of July 14, 1944 wherein a possible witness by the name of (b)(7)(C) is mentioned. It is requested that the Criminal Division be advised of the details of this individual at the radio station and as to whether he can testify of his own personal knowledge that Ponder made any specific recordings or broadcasts and the date on which they were made. It is noted that he furnished a list of other employees who at one time or another may have handled the technical part of Ponder's recordings and it is presumed that they have been contacted and questioned relative to specific recordings, manuscripts and broadcasts made by Ponder.

Further reference is made to your memorandum of July 14, 1944 wherein it refers to (b)(7)(C) had with Ponder in May or June of 1942 he observed seven or eight radio manuscripts in Ponder's possession, one of which Ponder showed him and he identified in considerable detail. It is desired that (b)(7)(C) be reinterviewed with the view of securing additional information to facilitate identification of the particular manuscript which he read so that further evidence can be secured of the writing of the manuscript, the making of the recording and the transmission of the broadcast. Possible witnesses to these matters should also be interviewed in an effort to establish the writing of the manuscript, the making of the recording and the transmission of the broadcast as overt acts. It is suggested that (b)(7)(C) memory be refreshed concerning the content of the manuscript which he read and of the other manuscripts for broadcasts which Ponder had with him in May or June of 1942, in an effort to have (b)(7)(C) identify the manuscripts which Ponder had in his possession at the time of their writing.

Further reference is made to your memorandum of July 14, 1944, wherein (b)(7)(C) of the Ministry of Popular Science Record Section informed that (b)(7)(C) to the head of the Ministry of Popular Culture in 1943. He also stated that Ears Foud was paid by one (b)(7)(C) (b)(7)(C) It is suggested that these two individuals be interviewed for any information that they may have pertaining to Ears Foud making manuscripts or recordings, and if they can identify any specific dates and places where any of these were made. It is also suggested that (b)(7)(C) be further interviewed to ascertain whether he can identify any of the specific manuscripts that your memorandum discloses that he stated Foud brought to the Ministry of Popular Culture to be approved before making recordings.

Further reference is made to your memorandum of July 14, 1944 on page 3, wherein it is disclosed that (b)(7)(C) stated that he had been Secretary of the radio section of the Ministry of Popular Culture for several years and that from 1940 to about June of 1943 he saw orders prepared by the Ministry of Popular Culture to be taken by Foud to the Banco D'Italia to secure payment for his work. He also stated that in July 1943 Foud received a bonus of 50,000 lire. It is suggested that he be reinterviewed to determine if he has any knowledge as to any specific manuscripts or broadcasts or recordings that Foud made and whether he can furnish any further information or any documentary material to show that Foud actually received a 50,000 lire bonus and the amount that he was paid for various broadcasts prior thereto.

Reference is made to your memorandum of December 20, 1944 wherein it is disclosed that (b)(7)(C) of the Italian Ministry of Finance furnished the Bureau's source certain requests for payment made by Ears Foud after each of his broadcasts made during 1941 and 1942, and photostatic copies of receipts signed by Foud for monies received by him in payment of broadcasts made during 1943. It is requested that the Bureau secure the originals of these documents and that (b)(7)(C) be interviewed relative to the making of the broadcasts to which each of these documents pertain and that it be ascertained if he can identify the requests for payment with the receipts and each with specific broadcasts which they cover. He should also be questioned concerning a 50,000 lire bonus which Foud is reported to have received at the conclusion of his broadcast activities.

DIRECTOR, Federal Bureau of Investigation

June 6, 1945.

TOM C. CLARK, Assistant Attorney General,
Criminal Division.

TCC:KSL:tms

HERA POUND;
TREASON.

~~FOULIE~~

RECORDED
FILE

146-7-3672

B.D.B.
146-7-3672

Reference is made to our previous correspondence relative to the above-named subject, who is under indictment for treason because of his broadcasting activities over the Italian radio.

It is requested that the Bureau ascertain definitely at this time what recordings made in the United States by the Federal Communications Commission are available of broadcasts by Pound, and furnish the Criminal Division with a list thereof by date received, serial number or numbers of recordings, and title of broadcast. The Criminal Division has received information that recordings made by the Federal Communications Commission of broadcasts received subsequent to 1942 are presently in the custody of a (617LC) in the Foreign Broadcast Intelligence Service, Federal Communications Commission, and that recordings of previous broadcasts now repose in the Labor Department's archives at the Archives Building, 7th and Pennsylvania Avenue, Northwest, in the custody of a (617LC)

eg
JPC
MLC

(617LC) already has furnished a list of records, by date of broadcast and record number, to the Criminal Division, but he is making a search to ascertain if further records are available, and it is desired that the Bureau consult him in this matter. (617LC) list contains only one recording number covering each broadcast, whereas it is our impression that each broadcast required several recordings.

It is also requested that the Bureau ascertain what persons should be subpoenaed to introduce all these recordings, to explain the manner in which the broadcasts were received and the recordings made and that this was in the regular course of the business of the Federal Communications Commission; to establish the chain of possession of the particular recordings available at this time and their authenticity; and to establish that these recordings were of broadcasts from Italy beamed to the United States.

For your convenience, there is summarized hereinafter various information touching upon these matters contained in your previous reports in this case:

FILED
JUN 9 1945
WOK

CC: Records ✓
Miss Healy
Mr. Lazowska
Mr. Kliff

(617LC) Assistant to the Director, Foreign Broadcast Intelligence Service, Federal Communications Commission, 1424 K Street, Northwest, Washington, D.C., has advised that he can furnish in answer to a subpoena all of the recordings which the Federal Communications Commission had received

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pertaining to Ezra Pound (Report of Special Agent (b)(7)(C) dated at Washington, D.C., on January 13, 1943).

(b)(7)(C) Chief, Radio Intelligence Division, Engineering Department, F.O.C., U.S. Post Office Building, 12th and Pennsylvania Avenue, Northwest, stated he would be the proper person to introduce records of the Federal Communications Commission regarding the monitoring of subject's broadcasts which had been monitored by the F.O.C. monitoring station "Shinda", Silver Hill, Prince George's County, Maryland. He advised, however, that he preferred that his technical superintendent, (b)(7)(C) or his radio engineer, be subpoenaed for this purpose. He stated that any of them could testify that the frequency and wave length under which the receptions were received were such that they could be picked up by many of the radio receivers sold commercially in the United States. He said further that direction finders had not been applied, and that this would entail about two months work, but that call letters of the transmitting stations had been announced occasionally and had corresponded to the letters previously assigned the Italian station. He concluded therefore that the broadcasts actually came from Italy. (Report of Special Agent (b)(7)(C) dated at Washington, D.C., on January 13, 1943).

(b)(7)(C) Radio Engineer, Broadcast Recording Unit, Radio Intelligence Division, 1424 K Street, Northwest, Washington, D.C., advised that his records show the date, time and wave length relating to broadcasts received by him, as well as other information, and he advised that from the strength of the signals received during the recording it was apparent that the broadcasts being received were beamed to North America, and reception was very clear. He stated that all the recordings had been turned over to (b)(7)(C) Assistant to the Director, Foreign Broadcast Intelligence Service, F.O.C., 1424 K Street, Northwest. (Report of Special Agent (b)(7)(C) dated at Washington, D.C., on January 13, 1943).

417(C) Chief Deputy, Monitoring
 Division, Federal Broadcast Intelligence Service,
 P.O. Box, 1424 K Street, Northwest, caused a search
 to be made of the records of the Federal Com-
 munication Commission for broadcasts by Dr. Ezra
 Pound subsequent to July 26, 1943, which search
 resulted negatively. Although the Bureau advised
 that a few transmissions by Pound were heard until
 September 1943, none could be located by the Federal
 Communication Commission. (Report of Special Agent
 417(C) dated at Washington, D.C., on
 April 28, 1948).

b2

It is requested that all transcripts of broadcasts made
 by Ezra Pound which have not yet been made available to
 the Criminal Division be forwarded to it. The following
 list identifies the Federal Communication Commission's
 transcripts which already have been made available to
 the Criminal Division:

Date	Time	Record No.
12-7-41	12:12 p. m.	7-4792-4794
1-29-42	9:20 p. m.	9481-89
2-7-42	8:20 p. m.	10601-208
2-10-42	10:20 p. m.	13896-97
2-13-42	10:20 p. m.	2-15163-64
2-17-42	10:20 p. m.	17367-68
2-19-42	10:20 p. m.	17302-17448
2-26-42	10:20 p. m.	19863-64
3-2-42	1:15 p. m.	2-778-79
3-6-42	1:15 p. m.	1876-77

Date	Time	Record Nos.
2-8-42	5:00 p.m.	2814-15
2-11-42	10:50 p.m.	4642-43
2-18-42	5:00 p.m.	5378-74
2-18-42	10:00 p.m.	6723-24
2-21-42	12:50 a.m.	7150-51-52
2-22-42	5:00 p.m.	6571-72
2-23-42	7:15 p.m.	7700-51-52
2-24-42	10:00 p.m.	8284-85-86
2-24-42	10:00 p.m.	9423-24
2-25-42	12:20 a.m.	9752-53
2-29-42	5:00 p.m.	10532-33-32
2-30-42	7:15 p.m.	10959-60
2-31-42	10:00 p.m.	11405-04
3-6-42	1:45 p.m.	12145-47
3-7-42	10:00 p.m.	14009-10
3-9-42	10:00 p.m.	15051-53
3-11-42	12:20 p.m.	15856-57
3-12-42	5:00 p.m.	15443-49
3-15-42	1:40 p.m.	15543-47
3-18-42	10:00 p.m.	17573-74
3-18-42	12:20 a.m.	19284-85
3-19-42	5:00 p.m.	19634-35
3-23-42	1:42 p.m.	19243-49
3-21-42	10:00 p.m.	15914-15
3-25-42	5:00 p.m.	740-41
3-27-42	1:42 p.m.	700-701
3-28-42	10:00 p.m.	1183-84
3-30-42	10:00 p.m.	3557-58
3-31-42	12:20 a.m.	3206-07
3-31-42	5:00 p.m.	2812-13
3-31-42	1:42 p.m.	2-2821-22
3-31-42	10:00 p.m.	5018-19
3-9-42	12:20 a.m.	5774-5
3-10-42	5:00 p.m.	7001-02
3-11-42	1:40 p.m.	5718-9
3-12-42	10:00 p.m.	7676-77
3-14-42	10:00 p.m.	2-2041-42
3-15-42	12:20 a.m.	8580-81
3-17-42	5:00 p.m.	5717-18
3-18-42	12:20 a.m.	8250-51
3-19-42	10:00 p.m.	16144-45
3-21-42	10:00 p.m.	11023-23
3-22-42	12:20 a.m.	11719-20
3-24-42	5:00 p.m.	12451-52-50
3-25-42	12:20 a.m.	12577-78
3-25-42	10:00 p.m.	13150-51-53

Date	Time	Record No.
5-28-42	12:50 a.m.	15945-47
6-31-42	6:00 p.m.	15528-29
6-1-42	12:50 a.m.	16621-22
6-4-42	12:30 a.m.	14903-04
6-5-42	10:00 p.m.	18017-18
6-9-42	9:30	18920-21
6-14-42	2:00	03313-14
6-19-42	2:00	04320-21
6-25-42	9:15	05321-22
6-28-42	17:00	0679-80
7-2-42	0:30	09576-77
7-3-42	21:55	12315-37
7-5-42	9:30	12955-57
7-7-42	21:55	12958-59
7-10-42	23:00	12536-37
7-12-42	17:00	14522-23
7-13-42	06:20	15359-50
7-14-42	23:00	15542-49
7-17-42	23:00	17242-49
7-19-42	17:00	19821-23
7-20-42	00:20	17823-20
7-21-42	22:00	18717-18
7-28-42	17:00	00429-40

Reference is made to the report of Special Agent (b7C) dated at Denver, Colorado, December 17, 1942, wherein it is indicated that

(b7C) Colorado State Highway 7 near Allens Park, Colorado, heard certain broadcasts made by Ezra Pound. It is requested that it be ascertained what other broadcasts of Ezra Pound's

heard other than the four set out in the above mentioned report, including those prior to Pearl Harbor and those after the date of the report above mentioned.

The report of Special Agent (b7C) dated at Boston, Massachusetts, 2-6-43, discloses that (b7C) of the Boston Globe short-wave listening post and who resides at (b7C) Brookline, Massachusetts, stated that he had sporadically heard Ezra Pound broadcast and that he has two recordings which he made of broadcasts by Pound, one being made October 2, 1941, and the other September 19, 1942. (b7C) stated that he would be willing to loan these recordings to the Bureau if they were desired. It is suggested that (b7C) be reinterviewed to determine if he has listened to any other broadcasts by Ezra Pound since he was previously interviewed. It is desired that the contents of these two recordings be made available to the Criminal Division. It is also desired that you advise us as to the desirability and availability of (b7C) at a witness.

Reference is made to the report of Special Agent (617CC) dated at New York City, February 18, 1943, which disclosed that (617CC) heard 30 to 40 of Pound's broadcasts over short wave, and his wife, (617CC) heard Pound broadcast Saturday, July 17, 1943, and Tuesday, July 20, 1943. They stated, 63

It is requested that it be ascertained whether or not (617CC) can identify either by date, context, or title of the broadcast any other broadcasts than those of April 13, 1943, and June 2, 1943, which are mentioned in the report of Special Agent (617CC) dated at New York City, April 27, 1943, and in the Bureau memorandum dated July 23, 1943, and the two broadcasts mentioned at the Grand Jury investigation.

Reference is made to the report of Special Agent (617CC) dated January 13, 1943, at Washington, D.C. This report refers to an application for replacement passport dated April 4, 1941, and to an application for validation of passport dated April 4, 1941. It is noted that Ezra Pound swore to these documents before Paul C. Squire, Consul of the United States, at Venice, Italy, on April 4, 1941, and that the application for replacement passport discloses that Ezra Pound was a native citizen of the United States, being born at Halley, Idaho, on October 30, 1885. It is requested that inquiry be made at the State Department at Washington, D.C., to ascertain where Mr. Squire is presently located and if he is available as a witness, and, if he is, that he be interviewed relative to any information that he may have pertaining to Ezra Pound and his activities and whether or not Ezra Pound gave the Fascist salute when he appeared before him on April 4, 1941.

Further reference is made to the report of Special Agent (617CC) dated January 13, 1943, at Washington, D.C., and particularly to the enclosure entitled "Dispatch No. 294," dated June 4, 1941, from the American Consul General in Genoa to the Department of State. This appears to be a letter signed by Henry H. Balch, American Consul. It discloses that Mr. Balch had then been acquainted with Ezra Pound for a number of years and that Ezra Pound had been broadcasting over the Italian radio system from time to time against the policies of the United States, and that he had made undignified remarks about the American Government at the Consular office and had given the Fascist salute upon entering and leaving the consulate. It is requested that (617CC) be interviewed to determine what the undignified remarks made by Pound were and to secure any other information that he may have pertaining to Pound or his activities.

Reference is made to the report of Special Agent (617CC) dated at Boston, Massachusetts, February 8, 1943. In this report it appears that (617CC) New York City, stated that he met Pound in the summer of 1937 at Rapallo, Italy,

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and that the following summer Pound came to the United States and lectured at Harvard. The report of Special Agent (617CC) dated at Newark, New Jersey, March 17, 1943, discloses that Pound returned to the United States according to (617CC) the last few days of 1938 or the early part of 1939; it is therefore requested that (617CC) be reinterviewed as to what year Mr. Pound returned to the United States as 1939 appears to be the correct date.

Reference is made to the report of Special Agent (617CC) dated at New York City April 8, 1943. It is noted that the above-mentioned report discloses that between December 11, 1941 and May 10, 1942, (617CC) while going along a street in Rome with a police guard saw Pound walking along the street without any guard and moving about freely. It is requested that it be ascertained if

(617CC) formerly Vice Consul at Genoa, Italy, and at the time of said report on leave from the State Department, is available as a witness.

It is noted that an article in the May 13, 1945 issue of the Observer-Dispatch, Utica, New York, contains the following:

"In May, 1942, Pound attempted to return to this country from Italy, but was denied permission by George Wadsworth, American charge d'affaires in Rome, to board a diplomatic train which carried the last group of Americans from Rome to Lisbon, where they boarded a ship bound for this country."

It is requested that Mr. Wadsworth be interviewed relative to all the information he has about Ezra Pound and his activities in Italy and whether he was denied permission to board a diplomatic train carrying Americans out of Italy to board a ship to return to the United States.

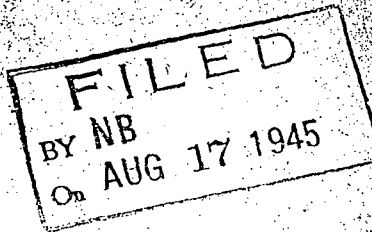
Office Memorandum • UNITED STATES GOVERNMENT

TO : The File

DATE: July 19, 1945

FROM : Samuel C. Ely *set*

SCE:lr

SUBJECT: EZRA POUND;
TREASON.

146-7-3572

146-28-237-1

Special Agent *(617)(C)* Supervisor in charge of treason cases in the FBI, conferred today with Mr. Donald B. Anderson and the writer concerning the advisability of making their local Field Office the "Office of Origin" of this and other treason cases which have arisen outside the United States, for the reason that prosecution, if instituted, would in all probability be in the District of Columbia. We advised that we had no objection to such procedure although we could not assure him that prosecution, if any, would be in the District of Columbia.

We also discussed the urgent necessity that two witnesses be developed who can testify to the same overt act of treason. *(617)(C)* stated that he fully understood this constitutional requirement, and that the European representatives of the Bureau were also cognizant of this fact and of the desire of the Department that one or more acts of broadcasting or of making recordings for broadcast purposes be established by two witnesses. He advised, further, that he would again call these matters to the attention of the Bureau's Rome representative and emphasize the fact that such witnesses should be located as soon as possible.

*File
MLC*

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Files

FROM : Samuel C. Ely *SCE*

SUBJECT: Ezra Pound - Treason

DATE: August 14, 1945

SCE:lr

146-7-3672 *E.P.*

Special Agent *(P, N, C)* of the FBI conferred today with Messrs. Nathan T. Elliff, Donald B. Anderson and the writer relative to the contents of a letter received from the Bureau representative in Rome, Italy, pertaining to witnesses developed in this case. The letter disclosed that two technicians at the Rome Radio Station had both been present on at least ten different dates when Pound had made recordings for broadcast to the United States. The witnesses could not recall the dates or otherwise identify the times that they saw and heard Pound make his recordings, but remembered only that it was during the years 1942-43. These witnesses do not understand the English language.

The letter disclosed that two other witnesses had jointly seen and heard Pound make recordings on at least ten different occasions during the years 1941-43 while at the Ministry of Popular Culture. These dates cannot be recalled by the witnesses, nor can they identify the subject matter of the talks as they do not understand the English language.

It was suggested to *(P, N, C)* that the Bureau's Rome representative should further interview these witnesses for the purpose of identifying, as closely as possible, the dates on which two persons saw the subject make recordings. *(P, N, C)* advised that this would be done, that he would furnish us the information contained in the letter in the form of a memorandum in the near future, and that the memorandum would set out the additional investigation to be conducted as suggested by us.

~~HOLLER~~

File
MLG

Memorandum • UNITED STATES GOVERNMENT

TO : Theron L. Caudle, Assistant Attorney General, DATE: September 6, 1945
Criminal Division

FROM : Nathan T. Elliff, Chief, Internal Security Section DBA:lr

SUBJECT: EZRA POUND; 146-7-3672
TREASON.

~~CONFIDENTIAL~~

File
LLC

The following is a brief summary of the evidence developed to date in this case:

Pound was born October 30, 1885 at Hailey, Idaho. In signed statements made to Special Agent (SAC) on May 6 and May 7, 1945, he discloses that he has never renounced his citizenship.

Several State Department documents disclose that he continued to claim American citizenship although he returned to the United States for short periods of time only twice since 1908. The most recent of such documents is an application for a replacement passport, submitted on April 4, 1941, to (SAC) United States Consul, Venice, Italy.

On May 7, 1945, a letter from Pound to (SAC) was found in subject's home which is dated November 13, 1943. It contains among other things the following:

"I am an American but I have been waging a war much longer than that which broke out in 1939."

A letter to Attorney General Biddle, contains the following:

"I obtained the concession to speak over Rome radio with the following proviso. Namely that nothing should be asked of me contrary to my conscience or contrary to my duties as an American citizen."

The FBI has furnished the Department a considerable amount of documentary evidence relating to Pound's broadcasting activities, including personal letters, original manuscripts, requests and receipts for payments for services rendered, and record books from the Rome radio station and the Ministry of Popular Culture. Numerous individuals have been interviewed but until recently two persons had not been located who could testify as to the same overt act.

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Pound wrote his manuscripts at his home and took them to the Ministry of Popular Culture for approval. (b)(7)(C) has knowledge of this as does (b)(7)(C) and (b)(7)(C) radio station technicians, on at least ten occasions between 1942 and 1943, saw and heard Pound make recordings while they were both present at the Rome radio station E.I.A.R. They are unable to identify the nature of the recordings as they do not understand English. They can also identify entries in the official record books of the radio station.

(b)(7)(C) saw and heard Pound make the same recordings on at least ten different occasions during the years 1941-43 at the Ministry of Popular Culture, but they cannot better fix the dates of these occasions or identify the recordings. They do not understand the English language.

(b)(7)(C) employees of radio station E.I.A.R. transmitted Pound's recordings via short-wave to the United States at least one-hundred times in 1942 and until September, 1943.

(b)(7)(C) saw Pound make three recordings in 1942. (b)(7)(C) also saw Pound make recordings in 1942, but not the same ones that (b)(7)(C) saw. (b)(7)(C) saw Pound make many recordings in the first half of 1943.

(b)(7)(C) can testify as to payments to Pound in 1942 for his broadcast work.

An official of the Foreign Broadcast Intelligence Service, Federal Communications Commission, can testify as to the monitoring of broadcasts and produce all of the recordings made by Federal Communications Commission. (b)(7)(C) F.C.C. engineer, can testify that from the strength of the signals received during the recordings, it was apparent that the broadcasts were beamed to North America.

(b)(7)(C) and others can testify to hearing a few of Pound's broadcasts in the United States and recognizing his voice.

Pound has been given two independent psychiatric examinations by Army doctors. Their reports were requested and have been furnished us by the War Department.

The FBI has just advised that its representative in Rome has seen a copy of the Italian Code which provides, among other things, that the Italian Government was to control completely all short-wave foreign broadcasts.

Hall
JLC

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Theron L. Caudle, Assistant Attorney General, DATE: September 12, 1945-
Criminal Division

FROM : Mr. Nathan T. Elliff, Chief, Internal Security Section NTE:lr

SUBJECT: EZRA POUND;
TREASCN.

146-7-3672

~~CONFIDENTIAL~~

E.P.

Reference is made to my memorandum dated September 6, 1945, concerning the evidence developed to date in this case.

You will recall that on September 5, 1945, you stated that you had talked to the Attorney General and that he advised that Pound should be brought back for prosecution in the District of Columbia as soon as possible. I mentioned at the time that several matters would have to be considered before we requested the Army to return Pound.

It should be determined now, if possible, who is to present the case to the grand jury and try the case. Mr. Ely of my section has worked on this case for three years and should, I believe, have a leading part in the trial. Mr. Anderson, also of my section, has been working on the case for the past several months and will also be available. However, it may be that someone should be assigned to the case in addition to Mr. Ely and Mr. Anderson. If this is done, it would be helpful to have such person's views as to the evidence and witnesses at this time before Pound is returned.

Plans should be made to secure a new indictment as soon as possible after Pound's return. This presents the question of what witnesses should be brought from Italy to be used before the grand jury. Arrangements for these witnesses should be made at the same time that Pound's return is requested.

My thought is that (417(C))
are the two witnesses to be relied on to prove the necessary overt act. Each of them saw and heard Pound make numerous recordings while working for the Italian government's radio station. However, they could not understand what Pound said since they do not speak English. On at least ten occasions in 1942 and 1943 they were both present and saw and heard Pound make the same recording, but they are unable to identify the dates. We have requested the Bureau to see if they cannot furnish more specific information as to the dates of these occasions, but we have had no further word.

My view is that these two witnesses can provide the necessary direct testimony to the same overt act of aid and comfort, as required by the Cramer decision. This is true, even though they may not be able

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