

The following is a list of witnesses and a general account of the events which they could testify.

On the morning of the 1st of June, 1964, the following witnesses were present at the scene of the crime:

All of the witnesses testified that they saw the defendant at the scene of the crime on the morning of the 1st of June, 1964. The defendant was seen to enter the premises at approximately 8:00 a.m. and to remain there until approximately 10:00 a.m. The defendant was seen to be in possession of a firearm and to be acting in a suspicious manner. The witnesses also testified that they saw the defendant flee the scene of the crime at approximately 10:00 a.m.

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JMK:tas

146-7-51-1708

OFFICIAL PERSONAL
AND CONFIDENTIAL.

June 11, 1948

Mr. Noel E. Story,
Office of the Deputy Director of Intelligence,
Headquarters European Command,
APO 757, % Postmaster,
New York, New York.

Dear Mr. Story:

Re: Mildred Elizabeth Gillars, was Treason.

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There is no doubt but what apologies are in order for my failure to write you before. After your departure I was given certain special assignments that fully occupied my time and while I followed very carefully all of the material that you sent on, I never was able to sit down and write you as I desired. I believe that Miss Smith wrote you of my recent illness and while I'm now out of the hospital it is still necessary for me to spend another two weeks in recuperation. However, I have with me all of the "Axis Sally" files and have thoroughly digested all of the material that you have forwarded. I do not believe we have acknowledged receipt of your letter of May 19, inclosing statement of _____ and your letter of May 26, including statements of _____ together with memoranda relating to _____

. These were received and I have gone over them carefully. I am most pleased with the manner in which you handled ET AL, and with the results obtained. As you know, _____ is now in this country and has been interrogated by the FBI. He will make a good witness with respect to the "Vision of Invasion" overt act. I am not yet sure that it will be necessary to bring _____ over, but I am most anxious that both _____ be persuaded to come. I have carefully noted your observations concerning _____ and his attitude with respect to coming to the USA and testifying against GILLARS. Because it is all important that _____ be here, I suggest that you approach him on this basis, viz., persuade him to make a trip to the USA voluntarily with the understanding that a decision will be made here after I have talked with him as to whether or not he'll be called as a

witness. He can be assured that, in the event that I decide to call him as a witness, he will be served with a subpoena--official legal process--requiring him under compulsion to appear and testify. This should satisfy the objections that he raises. However, since I am in doubt as to our authority to compel his departure from Germany, every effort should be made to persuade him to agree to make the trip with the understanding above stated that should he be called as a witness it will be under the compulsion of a subpoena to be served on him in this country.

I am anxious to fix a date for the return of GILLARS to this country. Tentatively I have considered the date July 15 and hope that all aspects of the investigation can be concluded sufficiently prior to that time to enable me to request the Army to fly her back here not later than July 15 -- 20. The Bureau has completed its investigation here and there should be no reason why the date July 15 cannot be adopted, dependent only upon

- (1) Your success in persuading _____ to come over at the prevailing rate of compensation.
- (2) Your completion of the _____ investigation.

The Department is most anxious that I proceed as rapidly as possible in bringing GILLARS here and securing her indictment. I realize that at the pace you are going and in the light of arrangements which you probably have made it may be difficult for you to wind up the Hilversum investigation within the period of time above suggested, but I urge that if it is at all possible you make every effort to do so because as of today that is the only angle to the case that is holding up the proceedings. In view of the abundance of evidence which has now been gathered I don't think it is necessary to develop the Hilversum angle in great detail. If we could find two or possibly three good witnesses to the "Fiftieth Anniversary" broadcast I would say that that would be sufficient. This would involve only an investigation of the () orchestra. I think it best that we concentrate on that band and particularly on the "Fiftieth Anniversary" program, first, because we have more F.C.C. recordings of that band and, second, because the "Fiftieth Anniversary" recording is the most audible F.C.C. recording that we have. One overt act from Hilversum should be sufficient. In connection with the "Fiftieth

Anniversary" program it occurs to me that the vocalist (probably) would be a likely source of information since she probably worked from the same mike used by GILLARS and would, therefore, be more likely to recall what GILLARS said than members of the orchestra who were working at some distance from the second mike. Of course, your judgment as to who would constitute best witnesses will be my judgment, since I cannot get over to Europe as earlier considered. Two witnesses to the "Fiftieth Anniversary" program who can speak reasonably good English and who would be certain and persuasive in their testimony would be the minimum requirement. If you develop one or two additional witnesses who are in a position to give strong supporting testimony or colorful testimony establishing GILLARS' treasonable intent, of course, that would make the situation all the better. I suggest that you do not spend too much time on the orchestra since our F.C.C. recordings of this band are not too clear. However, if you should run into an original phonographic recording or official manuscripts of any of the broadcasts the situation would be different and it might be worthwhile to develop an overt act around such. In this connection I know you will make every effort to locate original phonographic recordings of any of GILLARS' programs made at Hilversum, as well as manuscripts and other documentary proof. (Since you uncovered an original manuscript of "Vision of Invasion" I look upon you as Houdini and expect that you can dig up just about everything required.)

This letter is perhaps a rambling one and I'm sure that it is much more concise than I desire. You have done a wonderful job and I would like to discuss the case in much greater detail with you, but I am feeling so weak and lousy that it's difficult for me to do so. In any event, Noel, I'll appreciate it indeed if you will make every effort to wind up the Hilversum angle since that is the only element in the case that is holding up the "go signal" to bring the back and go to work before the grand jury. The degree of success which you have achieved is far beyond my expectations and I know full well the amount of zeal and effort that must have been put forth in order to have obtained the splendid results that you have shown. I am mindful of the many other labors -- apart from "AXIS SALLY" -- that have been yours and this merely adds to the size and lustre of the halo which I believe you to deserve. I might suggest, however, that you don't overdo it. I recently did and ended up in the hospital.

Best of luck to you, Noel, and will be grateful if you will drop me a short personal word as soon as convenient, indicating when you feel you can undertake the investigation and whether or not is definitely agreeable to come over -- sometime in July -- upon the understanding hereinbefore outlined. [I don't want to overburden you but if you can work out some arrangement to satisfy concerning the care of his wife, etc., I will request that he be brought over as a witness. If this is beyond your powers and if will come I could forget about but, of course, would rather have him if things can be worked out. If you can't do anything about what can I do? Would it require money or arrangements for food and lodging which could be taken care of by the military in Germany? Or what?]

Miss Smith joins me in sending best regards. When do you think you will be back in the States?

Sincerely,

JOHN M. KELLEY, JR.

ON TIMES SQUARE AT RADIO CITY

ALFRED LEWIS, MANAGER

HOTEL
TAFT
7th Ave. at 50th St. NEW YORK 19
JING & BING INC. MANAGEMENT

June 13, 1948.

Mr. J. Vincent Quinn
Asst. Attorney General
Criminal Division
Department of Justice
Washington D. C.

Dear Sir,

Confirming my conversation with Mr. Story of your Department, I wish to give you my address in New York until July 15, 1948.

I met Mr. Story in Frankfurt/Main on April 14th 1948 at the European Headquarters Command Building (Aerom) G. 2 Section, where I was invited to appear as a witness in the "Mildred Gillars Case".

I have been with the 88th Inf. Div. in Venezia Giulia for 2 1/2 years and later with Just (United States Troops.) until May 2nd 1948, when I left for New York.

TARRY AT THE TAF

2000 ROOMS WITH BATH—RADIO—CIRCULATING ICE WATER

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Following you will find my address
in the United States, as I promised
to Mr. Story and shall be at your disposal
whenever you need me.

I remain
yours very sincerely.

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DEPARTMENT OF JUSTICE
Interrogation Center
Hoechst, Germany

24 June 1948

Mr. John M. Kelley, Jr., Esquire
Criminal Division
Department of Justice
Washington 25, D.C.

re: Mildred Elizabeth Gillars

Dear Mr. Kelley:

At long last, _____ was induced to put in an appearance at my office for an interview. _____ was exhaustively interviewed concerning all of Mildred Gillars' activities while at the short wave radio station, but Templin has no specific information concerning any of these activities which would be of any use to you in establishing an overt act. _____ spoke no English at all during the time he worked with Gillars in making recordings for the German Radio Broadcasting Corporation, and has only since the occupation picked up a very few words of English. This is not sufficient to talk to him without the aid of an interpreter.

_____ can recall that he appeared on some fifteen to twenty programs with Miss Gillars, and on these programs, Gillars appeared alone at the microphone. _____ was required on these occasions by the musical director of the radio station to submit a musical program two days in advance of the actual recording, which he states Gillars used while writing her manuscript, and more or less interwove her lines into the musical program. On some of these occasions, _____ stated that the order in which musical numbers were to be played were changed by Gillars and he was notified of the order in which the musical numbers were to be played shortly prior to the recording. Gillars used a manuscript most of the time, but on some occasions ad libed at the Microphone.

_____ recalls that the majority of the time he participated in the Home Sweet Home broadcasts and can only recall one other program which Gillars broadcast and that was Anzac Tatoo; it usually took from half an hour to one hour to record these programs. _____ stated that the members of his band liked the Gillars program because it was the only

program in which they could play popular American music, which was well liked by the members of the band. stated that Gillars was in the habit of appearing late for most of these recordings, much to the annoyance of himself and the members of the band; that Gillars had a particular style of "swinging it" at the microphone and occasionally did a few dance steps around the microphone, and was generally rather active at the microphone.

knew that these programs were of a propaganda nature and knew that the programs were intended to create homesickness and discontent among the American troops, and he knows that these programs were usually beamed at the American troops in Europe. He stated that most of the programs on which he appeared with Gillars were of the same general type, and in view of the fact that he nor any of the members of his band, with the exception of spoke English, that it is impossible for him to recall any particular broadcast.

recalls that it was necessary in many instances to re-record portions of the play when either Gillars or the band made mistakes, and due to the fact that this occurred often, he could not recall a specific program because of these incidents. On no program in which band furnished the music was a vocalist present and participating. The recordings were made on magnetic bands and because of this, he never received any souvenir recordings as he did not have the technical machine necessary to play these bands.

assumes that Gillars was well paid for her participation in these programs, because Gillars always appeared very well dressed around the studio. Gillars was a hard worker and appeared to be very interested in her work, and gained the impression that she was generally well liked by all the personnel at the radio station.

left Berlin in August 1943 and never returned to Berlin with his band to do any recording broadcasts for the German radio in Berlin. band moved to Stuttgart and he knows for sure that Gillars never appeared at Stuttgart to make any recordings.

Respectfully yours,


NOEL E. STORY
Attorney
Department of Justice

DEPARTMENT OF JUSTICE
Interrogation Center
Hoechst, Germany

5 July 1948

Honorable T. Vincent Quinn, Esquire
Assistant Attorney General
Criminal Division
Department of Justice
Washington 25, D.C.

Attention: Mr. John M. Kelley, Jr.

Subject: Mildred S. Gillars - treason

Dear Mr. Quinn:

I proceeded, as requested, from Germany to Holland on 26 June, 1948 to conduct the investigation of the recordings of the "Home Sweet Home" programs of Axis Sally recorded in Hilversum, Holland.

1. Search for Recordings. I proceeded immediately to Hilversum upon arriving in Holland and made a very thorough check at the studios of the KRO, AVRO, and NCRV Broadcasting studios for recordings of the "Home Sweet Home" programs recorded in Holland. The Dutch officials in charge of the records rooms of these radio studios were very cooperative in the search, but no recordings of value could be found. In the NCRV studio, a short piece of magnetophone tape was found of a "Home Sweet Home" recording. I listened to this recording in the studios of NCRV, and found that the tape was seven minutes and fifty-five seconds running time, and contained only two short announcements by Axis Sally in which she introduced musical numbers and the vocalist, Lammy, sang a song in the recording. The great majority of this tape is music and nothing which Sally spoke in the recording would be of interest because there is absolutely no propaganda in this short piece of tape. I have left money with the Decca Recording Shop in Hilversum for a recording from this tape, which should be forwarded to me in Germany within a few weeks.

a. After discussing the possible whereabouts of a "Home Sweet Home" program recording with the technicians at the studios, it is felt that it was impossible for the Dutch technicians to have in their possession any of these recordings. Professor Koischwitz always

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