

TELEGRAM

OFFICIAL BUSINESS—GOVERNMENT RATES

Chase

FROM CHAIRMAN WILLIAM O. DOUGLAS
BUREAU SECURITIES & EXCHANGE COMMISSION
CHG. APPROPRIATION STRAIGHT WIRE

U. S. GOVERNMENT PRINTING OFFICE: 1933 10-1723

MR. THOMAS E. DEWEY
DISTRICT ATTORNEY OF NEW YORK COUNTY
NEW YORK, NEW YORK

MARCH 22, 1938

I UNDERSTAND THAT RICHARD WHITNEY COMES UP FOR SENTENCE MARCH TWENTY EIGHT ON PLEA OF GUILTY TO AN INDICTMENT OBTAINED BY YOUR OFFICE. AS I HAVE PREVIOUSLY TOLD YOU THIS COMMISSION HAS BEEN CONDUCTING AN INVESTIGATION OF ALL PHASES OF THE CIRCUMSTANCES WHICH RESULTED IN THE INSOLVENCY OF RICHARD WHITNEY & CO. AND THE INDICTMENTS OF RICHARD WHITNEY. THIS INVESTIGATION HAS NOT AS YET BEEN COMPLETED. SOME PRIVATE HEARINGS HAVE BEEN HELD BUT MANY PHASES OF THE CASE WHICH ARE PECULIARLY OUR CONCERN HAVE NOT AS YET BEEN MADE A MATTER OF RECORD. IT WOULD BE DESIRABLE FROM OUR POINT OF VIEW IF RICHARD WHITNEY COULD BE KEPT AVAILABLE FOR EXAMINATION BY US FOR A PERIOD OF TWO WEEKS BEYOND MARCH TWENTY EIGHT. ACCORDINGLY WE WOULD APPRECIATE IT IF YOU WOULD TRANSMIT THESE FACTS TO THE COURT TO SEE IF IMPOSITION OF SENTENCE COULD BE POSTPONED UNTIL APRIL ELEVEN. I AM ^{ALSO} TRANSMITTING THIS MESSAGE TO MR. AMBROSE V. MCCALL, ASSISTANT ATTORNEY GENERAL OF THE STATE OF NEW YORK.

WILLIAM O. DOUGLAS
CHAIRMAN
SECURITIES AND EXCHANGE COMMISSION

Time 10:45 Mess. No. 200