

Telegram  
Official Business  
Government Rates

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 SENTENCING MARCH TWENTY EIGHT ON PLEA OF GUILTY TO AN INDICTMENT OBTAINED BY YOUR OFFICE. AS I 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 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 WHINTEY 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