

[page 1]  
L-55295

office of Circuit Attorney  
for the City of St. Louis  
Missouri

Franklin Miller  
Circuit Attorney  
Municipal Courts Building

Mr. Carl F. Zarter,  
Record Clerk,  
United States Penitentiary,  
Leavenworth, Kansas,

July 13, 1939.

Dear Sir:- In re: Thomas J. Pendergast, your No. 55295—L.

Further answering your former letter of June 16th, 1939 with reference to the above named subject, I have to advise as follows:

The present June 1939 Term Grand Jury has finished its investigation of alleged bribery involving R. Emmet O'Malley, former State Superintendent of Insurance, as a possible bribe taker, and Thomas J. Pendergast as a possible bribe giver in connection with the pay-off of insurance company money in the years' 1935 and 1936, The Grand Jury has to-day made its report to the Court on this subject and has returned an indictment or true bill against R. Emmet O'Malley, charging him with the felony of accepting a bribe of \$62,500 in connection with said transactions. This indictment has been filed in Court and warrant for defendant O'Malley has been to-day issued on same, I enclose for your office a certified copy of said warrant, with request that you place a detainer against him at your institution for trial under this indictment when he has completed his sentence and is discharged from present confinement, and notify this office in usual time in advance so that we may arrange for his return upon his discharge.

As to Thomas J. Pendergast, the Grand Jury took no action but is referring the matter to the Prosecuting Attorney of Jackson County and the Foreman of that county's Grand Jury, and to the Attorney General of Missouri for appropriate action on the part of said authorities, looking to prosecution of him in that jurisdiction on the ground that his offense, if any, was committed in Jackson County, where the bribe money was received by him and transmitted to O'Malley in St. Louis. You will doubtless hear from the Jackson County authorities or the Attorney General on this subject in the near future as to whether or not such prosecution is instituted by them and the result thereof with reference to placing a detainer against Thomas J. Pendergast.

Thanking you for your cooperation, I am  
Yours very truly,

FRANKLIN MILLER,  
Circuit Attorney.

SPECIAL  
WANTED

[page 2]

Mr. Carl F. Zarter,  
Record Clerk,  
United States Penitentiary,  
Leavenworth, Kansas.

June 19, 1939.

L-55295

Dear Sir:-

In re: Thomas J. Pendergast, No. 55295-L

I have your form letter of June 16th stating that your office is in receipt of report to the effect that the State Grand Jury in St. Louis is conducting an investigation which may involve the above named subject in further criminal action, and asking that I advise what disposition, if any, has been made of the case and whether a detainer against him is wanted by this office. Answering your inquiry, I have to advise as follows:

The present June Term 1939 Grand Jury, under my direction, is investigating alleged bribery features involving R. Emmet O'Malley, former State Superintendent of Insurance, as possible bribe taker, and Thomas J. Pendergast as possible bribe giver, in connection with the payoff of insurance company money in the years 1935 and 1936. This investigation is now under way and witnesses are being examined, but no affirmative action has yet been taken. I expect to conclude the investigation, if possible, during the next few weeks and will then write you again. In the event an indictment should be returned, we will, of course, want a detainer placed against this subject.

Thanking you for your cooperation, I am

Yours very truly,

FRANKLIN MILLER,  
Circuit Attorney.

FM:R