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DIRECTOR

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BUREAU OF PRISONERS

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May, 1937

UNITED STATES BUREAU OF PRISONS

INTRA-BUREAU CORRESPONDENCE

UNITED STATES PENITENTIARY

LEAVENWORTH, KANSAS

January 22, 1940

(Date)

TO: Director, Bureau of Prisons

RE: Thomas J. Pendergast, No. 55295

IN REPLY REFER TO:

About two weeks ago Mr. Lane, Special Agent assigned to the Kansas City Office of the Intelligence Unit, Bureau of Internal Revenue, called at this institution and requested permission to check the records for the purpose of determining what individuals had visited Pendergast since his incarceration here. Although I have cooperated fully with the representatives of the Internal Revenue Bureau in its efforts to effect a settlement with Pendergast and other income tax violators, it was not evident to me in what manner the names of all persons who had been permitted to interview Pendergast would be of any benefit to that department in its negotiations with him, and I so expressed myself to Mr. Lane, informing him that such records were confidential unless it could be shown that they were definitely required in the course of an officially authorized investigation.

Mr. Lane then informed me that information had been obtained by his department at the funeral of a man prominent in Kansas City politics and a member of the Pendergast faction, that Pendergast was directing his political organization from the institution and that his, Mr. Lane's, supervisor, Mr. Charles O'B. Berry, had instructed him to visit the institution for the purpose of determining the names of those from whom Pendergast had received visits so that it might be known whether or not the rumor were true. Mr. Lane was informed that there was nothing to the report and that the only visitors Pendergast had had besides the immediate members of his family were the attorneys who had represented him at his trial and who had presented a letter to the Warden from Mr. Lane's own chief, Mr. Berry, in which it was recommended that they be

permitted to interview Pendergast because such interview would be of benefit to the Government in effecting a settlement of income taxes and penalties owed by the prisoner. In at least two instances representatives of Mr. Berry's office were present with the attorneys in interviews with Pendergast, one of the representatives being Mr. Lane himself.

A few days after Mr. Lane's interview with me the article appeared in the Kansas City Star to the effect that Governor Stark in a campaign speech made the statement that Pendergast was directing his political organization from the penitentiary. The article went on to state that Governor Stark declared this report had been confirmed by reliable Federal sources.

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At the time of Mr. Lane's visit I did not attach enough significance to the rumor which he bore to feel it worthy of reporting to you, but when the article appeared in the newspaper as a result of Governor Stark's allusion to it, I felt I should report to you upon the visitors Pendergast had received and the business transacted during his interviews so that you might be in a position to answer any inquiries on the subject. This explains my letter to you of January 19th. I was inclined to pass over the implication which might be taken from Mr. Lane's visit, viz., that his department gave considerable credance to the ridiculous rumor that Pendergast was permitted by the management of this institution to continue his political administration from his prison cell.

ROBERT H. HUDSPETH
WARDEN