

Kent Removed 1,500 Embassy Documents, Official Report Says

Immunity Waived for Trial in Britain, State Department Reveals

By JOSEPH H. BAIRD.

In the first complete report on the arrest and conviction of Tyler G. Kent, clerk in the American Embassy in London, by British courts in 1940, the State Department today revealed that he had taken more than 1,500 documents from the Embassy, some of which are believed to have been transmitted to Germany.

Kent's arrest, it was revealed, was authorized by the American Embassy, which waived his diplomatic immunity after agents from Scotland Yard had presented evidence implicating him with a group of alleged spies and particularly with Anna Wolkoff, a White Russian emigre who had become a British subject.

Both Kent and Miss Wolkoff were tried for violation of the British Official Secrets Act. Kent was sentenced to seven years of penal servitude and Miss Wolkoff to 10.

The State Department said that the question of whether Kent, after his release in Britain, will face a new trial under American law for the theft of Government documents remains to be decided.

The official report was issued by the State Department's office of foreign service administration, which
(Continued on Page A-3, Column 6.)

Kent Removed 1,500 Embassy Documents, Official Report Says

(Continued From First Page.)

had been ordered by Secretary Hull to make a thorough study of the case. It apparently was designed as a reply to congressional critics, who have assailed the State Department for releasing the diplomatic clerk to British custody when he was protected by diplomatic immunity.

Kent, 33, was born in Newchang, Manchuria, but spent most of his life in Washington. He attended St. Albans School, George Washington University, Princeton, the Sorbonne in Paris and the University of Madrid before entering the foreign service as a clerk in the American Embassy at Moscow.

He is the son of a former American foreign service officer. His mother still lives in Washington.

Kennedy Action Defended.

In a defense of the action of Joseph P. Kennedy, then American Ambassador to London, in releasing Kent for trial in British courts, the State Department said:

"In reviewing the Kent case it is important to bear in mind the circumstances surrounding it. At the time of Kent's arrest and trial, Great Britain was at war and the United States was not. The case involved a group of people suspected of subversive activities. The evidence relating to individuals of the group was inextricably mixed, and the activities of no single suspect could be separated from the activities of the others.

"The interest of Great Britain in such a case, at a time when it was fighting for its existence, was, therefore, pre-eminent. Deep as was the concern of the Government of the United States over a betrayal of trust by one of its employes, it is hardly conceivable that it would have been justified in asking the government of Great Britain to waive jurisdiction over an American citizen in the circumstances described.

"Kent was within the jurisdiction of the British courts and all the evidence, witnesses, etc., were available to the British courts. Moreover, it was, as has been mentioned, in the interest of the United States to have determined immediately on the spot, where the evidence was available, whether or not one of its employes in a position of trust was violating such trust."

According to the State Department's resume, a representative of Scotland Yard called at the American Embassy on May 18, 1940, to report that Kent was associating with "a group of persons suspected of conducting pro-German activities under the cloak of anti-Jewish

propaganda."

Particularly, the agent said, Kent was in frequent association with Miss Wolkoff, that they were sharing an automobile for which Kent allegedly was supplying the gasoline, and that it was believed that the Russian girl was receiving confidential information from Kent which was being sent to Germany.

Kent's Rooms Searched.

The Scotland Yard men asked Ambassador Kennedy's permission to search Kent's rooms on May 20, 1940, the date on which they planned to arrest Miss Wolkoff. After consulting the State Department, the Ambassador gave his permission.

The Embassy was concerned, it was revealed, not only over the British charges, but over the possibility that Kent, who had access to the American secret diplomatic code, might have revealed it.

Kent's rooms, the report said, were searched by British detectives in the presence of a representative of the American Embassy. They found he had not only taken some 1,500 documents from the Embassy to his quarters, but had made two duplicate keys to the Embassy's code room and index bureau and was in the process of carefully indexing all documents.

Also, the report said, police found in Kent's possession two photographic plates of Embassy documents which were believed to have been made by his confederates for the purpose of transmitting parts of them to Germany.

Papers Given to Foreign Power.

The police also established, the report said, that some of the papers taken by Kent had been transmitted to an agent of a foreign power. The documents, it was said, included copies of telegrams containing information collected by the American Embassy for transmission in diplomatic code which would never have been allowed to leave England without censorship. Some of the information, it was said, would have been useful to Germany.

"Regardless of the purpose for which Kent had taken this material from the Embassy" the report said, "he had done so without authorization, in violation of the most elementary principles governing the rules for the preservation of the secrecy of the Government's correspondence.

"By his own showing he had, while occupying a very special position of confidence within the Embassy, displayed a shocking disregard for every principle of decency and honor so far as his obligations toward the United States were concerned."