

**STATE OF WASHINGTON SPECIAL  
MESSAGE TO THE  
EXTRAORDINARY SESSION OF  
THE LEGISLATURE OF 1909; AND  
REPORT AND FINDINGS**

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State of Washington special message to the extraordinary session of the legislature of 1909; and Report and findings by M. E. Hay

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**M. E. HAY**

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STATE OF WASHINGTON

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11 Aug. 1909

SPECIAL MESSAGE

OF

GOV. M. E. HAY

TO THE

Extraordinary Session of the  
Legislature of 1909

AND

REPORT AND FINDINGS

OF

The Legislative Investigating Committee of the  
State of Washington, Authorized by House  
Concurrent Resolution No. 16

(ADOPTED MARCH 11, 1909)

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## GOVERNOR'S MESSAGE.

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*Gentlemen of the Senate and House of Representatives of the  
State of Washington:*

Since your adjournment on March 11th last, the State of Washington has sustained a severe loss in the death of Governor Samuel G. Cosgrove, who died at Paso Robles, California, Sunday morning, March 28th. Ill health after election gave Governor Cosgrove little opportunity to devote himself actively to the affairs of state, but we all know from the example he set as a citizen, the spotless record of his private life and his high ideals of the duties of an official as expressed in his public utterances, that, had he lived, he would have conducted his administration with an unselfish devotion to the general welfare, fearless in the performance of what he conceived to be right and courageous in the prosecution of wrong.

Fully aware of the confidence reposed in Governor Cosgrove by the people of Washington and the exceptional services they anticipated he would render to the state, it was with full appreciation of the grave responsibility thrust upon me by the provisions of our state constitution that I took the oath of office as Governor on March 29th. *29th*

Just prior to the adjournment last March of the eleventh regular session of your honorable body you passed a resolution creating an investigating committee. This action was taken as a result of serious and alarming charges that had been made in open session upon the floor of the legislature, involving the integrity and official conduct of certain state officers. You clothed your committee with authority to "investigate the affairs, doings and conduct of such state officers and such departments of the state government as said committee shall deem proper" and provided that it should "report the result of such investigation to the Governor of this state on or before the 12th day of July, 1909."

At a meeting held in Seattle on June 2nd, your committee made a verbal report to the Governor, informing him of the conditions it had found existing in some of our state offices and of the recommendations the written report would contain, also suggesting the advisability of calling your honorable body together for the purpose of considering and acting upon its report.

Knowing the conscientious manner in which the members of your committee have devoted themselves to the unpleasant but gravely important duty imposed upon them, convinced of the honesty of their purpose and believing them to be animated solely by a steadfast desire to ascertain the facts as they exist and report their findings without favor or prejudice, their recommendation weighed strongly with me. Added to this, the disclosures resulting from their investigation revealed the existence of conditions in certain public offices so inimical to the welfare of the state that I deemed an occasion had arisen that demanded the immediate attention of your honorable body. Accordingly I issued a proclamation on June 3rd calling upon you to convene in extraordinary session on this day to consider and act upon the report and recommendations of your committee, which I transmit herewith.

The findings of that committee bring to light conditions repugnant to the best interests of the state, conditions that cannot longer be tolerated. They contain a serious indictment against the present Insurance Commissioner of this state and the former Secretary of State. The evidence cited in these findings develops the fact that these officials were recreant to their duty, betrayed the trust placed in them and violated every consideration of honor and public obligation that should have regulated their conduct.

Because of these revelations, one of these officials has resigned his office and the evidence that has been gathered brands the other as unfit to continue in a position of responsibility. There is no denial of the moral obliquity on the part of the accused official—merely the specious plea that the letter of the law has not been violated. In the face of the evidence adduced and the admission of the charges made, one course only appears



open to the legislature, which is the removal from office of the delinquent officer. There are two methods open to you by which this official may be removed:

1. By impeachment proceedings.
2. By abolishing the office.

The power of impeachment, which is solely vested in the House of Representatives, is an extremely grave and serious responsibility, not lightly to be exercised or heedlessly invoked. But, when an occasion necessitating such proceeding arises, it should be met with firmness, the interests of the individual should be submerged in the interests of the community and deaf ears turned to the sophistry of the corrupt. Such procedure has better application to a case where there are disputed questions of fact as to the guilt or innocence of the officer charged. The other method can be properly applied where the guilt is confessed as in this case.

I recommend that you pursue one or the other of the above methods as you see fit and deem most advantageous.

The fair name of the State of Washington depends upon your action, for, as ex-President Roosevelt so truthfully said, "the exposure of corruption is an honor to a nation, not a disgrace. The shame lies in toleration, not in correction. No city or state, much less the nation, can be injured by the enforcement of the law. \* \* \* If we fail to do all that in us lies to stamp out corruption, we cannot escape our share of the responsibility for the guilt. The first requisite of successful self-government is unflinching enforcement of the law and the cutting out of corruption."

That old saying that "Public office is a public trust" is just as true now as when first uttered, and the official who betrays that trust is a greater menace to society than the highwayman or the murderer. A public official who is so lacking in principle, whose sense of public duty is so dulled that he sees no impropriety in levying a tax or assessment which is little short of blackmail upon those who are compelled to transact business with him officially, outrages every sense of right and morality.

In the case before you for consideration the course for your honorable body to pursue is as well defined as black

from white. There is no complication to cloud the right or conceal the wrong. The facts are before you. They have been gathered by a committee of your own creating, a committee composed of those who favored and those who opposed this investigation, and the report of that committee is the unanimous verdict of its members. This case is one which in its gravity rises above the considerations of personal malice or party faction. The question of motive sinks to insignificance in the presence of the revelations resulting from this investigation. The integrity of the republican party, the honor of the state and the interests of the people are at stake. The responsibility of preserving the party, protecting the state and safeguarding the people rests with you. He who would counsel you to disregard the charges presented in the findings of your committee is not only an enemy to the republican party but false to his state and to his constituents.

This legislative body is almost unanimously republican in its composition, and in you is reposed the dual trust of protecting the interests of your constituents and the reputation of your party. The people who gave to you their suffrage will not only hold you individually to account for the course each of you pursue, but will also hold the republican party to account for the result of your collective action.

The republican party has been returned to power in this state with increasing majorities at each succeeding election because the people believed not only in the wisdom of its policies, but also because they had confidence in the ability and integrity of the men it nominated for office. The only manner in which the party can retain this confidence is to prove itself worthy of the great trust and responsibility of government by purging its ranks of unworthy, dishonest and corrupt officials. The republican party is greater than any individual that it elevates to a position of honor, and, when any such individual fails to measure up to the standard of efficiency and probity demanded by the people, the party cannot afford to countenance the continuance of his presence in its councils or in the place he has debauched. A man who secures an office through his affiliation with a party and then prostitutes that office to mere pecuniary

profit deserves no more sympathy from the party which he has imposed upon than from the people whom he has betrayed.

By reason of the exposures made by your investigating committee, a widespread and insistent public demand has arisen for a thorough probing of all offices, departments and institutions of the state government against which the slightest breath of suspicion has been directed. In order that all wrong, if any further exists, may be exposed and corrected and that the honest officials may be freed from unjust suspicion, I recommend that your honorable body continue the present committee and make the necessary provisions for a thorough and searching examination into the administrative affairs of the state.

Opposition to further investigation can come only from those who have something in their official records which they desire to conceal. An honest official welcomes examination into the conduct of his affairs, as such examination can only reflect credit upon him. Absolutely no weight should attach to the argument of expense against the continuance of this committee. The people of this state will never begrudge one cent that is expended in ridding the public service of corruption. You can render no better service to the state than in providing for a continued and effective crusade against dishonesty and venality in office.

In conclusion, I trust your deliberations will be characterized by a spirit of fairness and be confined to the matters growing out of a consideration of the report of your committee.

M. E. HAY, *Governor.*