

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign: **Substitute House Bill No. 62; also**
House Bill No. 62; also
House Bill No. 87.

REPORTS OF SPECIAL COMMITTEE
 REPORT OF SPEAKER JOHN L. O'BRIEN
 Member of Special Committee
 Created by House Resolution

To investigate the present location of records, documents and papers gathered by the Un-American Activities Committee, which committee was created by House Concurrent Resolution No. 10 of the 1947 House of Representatives.

To The Honorable, The House of Representatives
 of the State of Washington:

Pursuant to a House Resolution adopted by the House of Representatives on the thirty-eighth day of the Legislative Session, dated February 16, 1955, which provided that John L. O'Brien, Speaker of the House, and R. Mort Frayn, Representative from the Forty-Third District, be appointed a Special Investigative Committee to ascertain the whereabouts of the records of the Joint Fact-Finding Committee on Un-American Activities authorized by House Concurrent Resolution No. 10 of the Thirtieth Regular Session of the Legislature of the State of Washington, which Committee functioned from its origination in 1947 until the termination of its activities by making a final report to the Thirty-First Session of the Legislature in 1949, the members of the Special Committee held a public hearing on February 21, 1955 in the House Chambers. Immediately following this public hearing an Executive Session was held in the Speaker's office.

Following is a summary, conclusion and recommendation of the Committee:

SUMMARY

Witnesses examined were Albert F. Canwell, former chairman of the Un-American Activities Committee; Grant C. Sisson, former committee member; R. L. Rutter, former committee member; Victor Skinner, former Sergeant-at-Arms of the House of Representatives during the 1949 Session; S. R. Holcomb, former and present Chief Clerk of the House; P. J. Stroble, Washington state patrolman; Dana T. Robinson, former investigator for the committee; Viola C. Fritchie, former secretary of the Un-American Activities Committee, and Noyes Talcott, one of the owners of safety deposit vaults at Talcott Brothers, Jewelers.

I. Examination of Mr. Canwell disclosed the following facts:

- (1) That he destroyed certain reports, records, documents and papers gathered by the committee through its investigators.
- (2) That destruction of these reports, records, documents and papers extended through the entire life of the committee, but that the majority of them were destroyed after Mr. Canwell's term of office had expired, and that many of them were destroyed in the home of Mr. Canwell.
- (3) That microfilm was made of many of these reports, records, papers and documents, which presently exists today.
- (4) That Mr. Canwell refused under a direct question from Chairman John L. O'Brien to answer as to what disposal had been made of these microfilms and as to where they are presently located.
- (5) That Mr. Canwell refused to answer whether or not he had turned the microfilms over to the Federal Bureau of Investigation.
- (6) That Mr. Canwell claimed he had been given absolute authority to make whatever disposition (including destruction) he felt necessary of the papers, records and documents gathered by the investigators of the Interim Committee on Un-American Activities.
- (7) That Mr. Canwell further testified that the documents and records destroyed were of such a nature that they should not be allowed to fall into strange hands because of the danger to agents of the United States Government or danger or harm to innocent persons.

(8) That as further justification for the withholding and destruction of the papers, files and records, Mr. Canwell admitted that he was motivated by a feeling that the Legislature (1949) was not in sympathy with his "project" or would carry it out in an inadvisable manner.

II. Examination of Mr. Rutter disclosed the following facts:

- (1) That the committee had executive meetings and kept records of its activities.
- (2) That he regarded all of the records, reports, documents and papers of the committee as property of the state of Washington.
- (3) That no authority had been given to the chairman (Canwell) to destroy the records of the committee.

III. Examination of Mr. Grant C. Sisson disclosed the following facts:

- (1) That the committee made a record of its sessions.
- (2) That he regarded the reports, records, documents and papers gathered by the committee as the property of the state of Washington.
- (3) That at the origination of the committee, Mr. Canwell, as chairman, was granted certain broad authority.
- (4) That Mr. Canwell was not given authority to destroy the records.

IV. Examination of Mr. Skinner disclosed the following facts:

- (1) That he was Sergeant-at-Arms of the 1949 Session and was delegated to transfer the records of the Committee on Un-American Activities to Olympia for storage by the Legislature from the Committee's office in the New Armory Building at Seattle.
- (2) That this operation was carried out with the aid of the Washington state patrol and that the utmost security was observed.
- (3) That so far as he knew, he received all records, documents, papers and property of the committee for transfer to Olympia, but that the safes and files were locked and it was impossible for him to know whether they were full of records and papers or were empty.
- (4) That upon the arrival of the records at Olympia, after storage over night in the State Patrol building garage, under State Patrol guard, they were turned over to the Speaker of the House of Representatives, and Senator Lester Parker, President of the Senate.

V. An examination of P. J. Stroble of the Washington state patrol disclosed the following facts:

- (1) That the Washington state patrol participated in the movement of the records from the headquarters of the committee in Seattle to Olympia, and that the utmost security precautions were taken for their protection.
- (2) That from the time the records were delivered to Victor Skinner the safes and filing cabinets supposed to contain them were under his constant supervision while on the way from Seattle to Olympia.

VI. An examination of Mr. S. R. Holcomb disclosed:

- (1) That he was Chief Clerk of the House in the 1949 Session and is Chief Clerk of the House in the 1955 Session.
- (2) That the purported records, papers, documents and property of the Un-American Activities Committee were brought to Olympia pursuant to direction of the House.
- (3) That they were stored, unopened, in a locked room in the Capitol Building and that the utmost security was observed in bringing such records and property to Olympia and in storing the same.
- (4) That in order to preserve security as to such articles, the key to the door of the room where they were stored and certain keys to files, and safe combinations, were deposited in the safety deposit vaults of Talcott Brothers Jewelry Company in Olympia, Washington, with the direction that such safety deposit box was only to be opened by a representative of the Senate and representative of the House, to-wit, the Speaker of the House and President of the Senate; and that they were neither opened nor examined by the Speaker of the House or President of the Senate, Mr. Hodde or Senator Parker, or by their successors, until 1955.
- (5) That he had heard Mr. Canwell say, at a discussion of the importance of the records and files of the committee prior to the storage of the same in Olympia, that they were of an extremely explosive character and would affect the state, and that they should be preserved from unauthorized persons.
- (6) That so far as he knew, the records, files and property had not been tampered with or opened since their deposit in such room.
- (7) That when opened by direction of the 1955 Legislature, such files, cabinets and safes appeared only to contain a small portion of the committee records, files and papers

as is shown by a receipt from the F.B.I., a copy of which was admitted in evidence at the hearing.

VII. An examination of Viola C. Fritchie disclosed the following facts:

- (1) That she, as former secretary to the Un-American Activities Committee, was aware of its practices as to the maintenance of reports, records, documents and files.
- (2) That the committee maintained an elaborate card index containing many hundreds of names, which index was keyed to the files of the committee.
- (3) That the records, documents and papers of the committee were intact as of January 1, 1949.

VIII. An examination of Dana T. Robinson disclosed the following facts:

- (1) That he was the accountant for the Committee on Un-American Activities during its existence, and that the committee maintained extensive and voluminous files.
- (2) That he did not see the contents of the files, cabinets and safes the day they were turned over to Mr. Skinner.
- (3) That while not aware of the individual items in the files of the committee, he was of the opinion that the files were maintained in an intact condition until their delivery to Olympia.
- (4) That he participated in the surrender of the files to the representatives of the Legislature in 1949.

CONCLUSION

From the foregoing summary of the testimony taken by your committee, the following report and recommendations are made:

- (1) That the records, files and property of the Un-American Activities Committee which were returned to the Legislature of the Thirty-First Session were returned with the utmost security by the proper officials and stored in the Legislative Building.
- (2) That during such return and during such time of storage such records as were returned were not tampered with or molested in any way.
- (3) That all of the actual records and files of the committee were *not* turned over to the Legislature in compliance with its directive, the portion being transferred to Olympia being but a card index, a transcript of certain public hearings and other matters.
- (4) That the larger portion of the underlying files, records and reports had been removed prior to the return of the purported records to Olympia.
- (5) That Albert F. Canwell, former chairman of the Joint Fact-Finding Committee on Un-American Activities, destroyed the greater and most important portions of the files and records of the committee, without the authority of the committee.
- (6) That with the exception of rough drafts and other writings of like nature, the basic files and records of the committee were public documents and the property of the state of Washington, assembled pursuant to an investigation which occasioned a public expenditure of about \$140,000 of state funds.
- (7) That many of these records and documents were microfilmed, through the expenditure of public funds, and that such microfilm constituted public documents and was the property of the state of Washington.
- (8) That when questioned as to the whereabouts of microfilmed copies of the records and files of the committee, said Albert F. Canwell refused to answer.
- (9) That Albert F. Canwell in failing to answer the question was in contempt of the Special Committee created by the Thirty-Fourth Legislature (House of Representatives).

RECOMMENDATIONS

It is recommended that the matter of the contempt of the said Albert F. Canwell in refusing to answer as to the whereabouts of the microfilms of the records of the Committee on Un-American Activities and the matter of his admitted destruction of public documents which were property of the state of Washington, to-wit, certain papers, records and files of the Joint Fact-Finding Committee on Un-American Activities be referred to the Attorney General of the state of Washington for appropriate legal action, either civil or criminal as the case warrants.

It is further recommended that the transcript of the hearing held by the Committee, including both the public and executive hearings, be referred to the Attorney General for his use in connection with the above recommendation.

Respectfully submitted,

/s/ John L. O'Brien
JOHN L. O'BRIEN, Speaker
House of Representatives

Dated March 1, 1955.

REPORT OF R. MORT FRAYN

Member of Special Committee

Created by House Resolution

To investigate the present location of records, documents and papers gathered by the Un-American Activities Committee, which committee was created by House Concurrent Resolution No. 10 of the 1947 House of Representatives.

To the Honorable, The House of Representatives
of the State of Washington:

Pursuant to a House Resolution adopted by the House of Representatives on the thirty-eighth day of the Legislative Session, dated February 16, 1955, which provided that John L. O'Brien, Speaker of the House, and R. Mort Frayn, Representative from the Forty-Third District, be appointed a Special Investigative Committee to ascertain the whereabouts of the records of the Joint Fact-Finding Committee on Un-American Activities authorized by House Concurrent Resolution No. 10 of the Thirtieth Regular Session of the Legislature of the state of Washington, which committee functioned from its origination in 1947 until the termination of its activities by making a final report to each House of the Thirty-First Session of the Legislature in 1949. The members of the Special Committee held a public hearing on February 21, 1955, in the House Chambers. Immediately following this public hearing an Executive Session was held in the Speaker's office.

Page 176 of the House Journal for the Thirty-First Session of the House of Representatives discloses the following information:

House Journal—1949—page 176.

REPORT OF SPECIAL COMMITTEES

Report of the Joint Fact-Finding Committee on Un-American Activities (Established by House Concurrent Resolution No. 10 of the Thirtieth Legislature, 1947).

There being no objection, the Clerk was instructed to read the last line of the report. (For copy of report see Appendix, page 1095, House Journal, 1949.)

Resolution by Mr. Paulsen:

Be It Resolved, That the Report of the Interim Joint Fact-Finding Committee on Un-American Activities, authorized under House Concurrent Resolution No. 10 of the Thirtieth Legislature, be referred to a committee of six (6) members of the House to be appointed by the Speaker;

And Be It Further Resolved, That the records of the committee together with all property of the committee be deposited with the Legislature in the same manner as were the records and property of the Legislative Council.

Mr. Paulsen moved the adoption of the resolution.

Debate ensued.

On motion of Mr. Rasmussen, the previous question was ordered.

The Speaker declared the question before the House to be the motion by Mr. Paulsen that the resolution be adopted.

The motion was carried and the resolution was adopted.

The Senate Journal for the Thirty-First Session of the Senate, page 155, discloses the following:

Senate Journal—1949—page 155.

COMMUNICATION

Joint Fact-Finding Committee on Un-American Activities
Established by the Thirtieth Legislature
Under House Concurrent Resolution No.10
To the Thirty-First Washington Legislature
January, 1949.

To the Honorable Members of the Thirty-First Washington State Legislature:

We submit herewith our report and recommendations on subversive activities in the state of Washington as authorized and directed by House Concurrent Resolution No. 10 passed by the Thirtieth Legislature.

Made a part of this report are the two printed volumes of testimony taken by this committee at two public hearings, both of which have been made available to each legislator.

Respectfully submitted,

/s/ A. F. Canwell

(Representative A. F. Canwell, Chairman)

/s/ Thos. H. Blenz

(Senator Thomas H. Blenz, Secretary)

/s/ H. G. Kimball

(Senator Harold G. Kimball)

/s/ R. L. Rutter, Jr.

(Senator R. L. Rutter, Jr.)

/s/ Grant Sisson

(Representative Grant Sisson)

/s/ Sydney A. Stevens

(Representative Sydney A. Stevens)

*(Representative George Yantis)

* Deceased.

On motion of Senator Binzer, seconded by Senator Westberg, the report was referred to the Committee on Rules and Joint Rules.

The same journal at pages 188 and 189 discloses the following:

Senate Journal—1949—pages 188 and 189.

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., February 10, 1949.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, to whom was referred the report of the Joint Fact-Finding Committee on Un-American Activities as authorized and directed by House Concurrent Resolution No. 10 of the Thirtieth Legislature, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said report be referred to a select committee to consist of five Senators, for their consideration and findings on said report.

(Signed) Lester T. Parker,

Virgil R. Lee,

Victor Zednick,

Harry A. Binzer,

Dave Cowen,

A. E. Edwards,

Henry J. Copeland,

W. Ward Davison,

B. J. Dahl,

E. J. Flanagan,

Jack H. Rogers,

Ted Schroeder.

On motion of Senator Binzer, seconded by Senator Davison, the report of the Committee on Rules and Joint Rules was adopted.

The President appointed Senator Davison, Chairman; Senators Clark, McMullen, Lindsay and Roup as a committee of five to study the findings on said report.

On motion of Senator Binzer, seconded by Senator Lee, the appointment of the committee was confirmed.

The Senate Journal at pages 402 and 403 discloses the following:

Senate Journal—1949—pages 402 and 403.

REPORT OF SPECIAL COMMITTEE

Washington State Senate

(Investigating Report of the Joint Fact-Finding Committee on Un-American Activities.)

Olympia, Washington,
February 25, 1949.

Report follows on pages 402 and 403, ending on page 404.

(Signed) W. Ward Davison, Chairman,

Asa V. Clark,

Dale McMullen,

Roderick A. Lindsay,
Howard Roup.

On motion of Senator Davison, seconded by Senator Lee, the report was adopted. It should be noted that the report of the Special Senate Committee set forth on above captioned pages of the Journal does not instruct the committee to deposit its records and property with the Legislature in the same manner as were the records and property of the Legislative Council, or in any manner.)

Following is a summary, conclusion and recommendation of the committee:

SUMMARY

Witnesses examined were Albert F. Canwell, former chairman of the Un-American Activities Committee; Grant C. Sisson, former committee member; R. L. Rutter, former committee member; Victor Skinner, former Sergeant-at-Arms of the House of Representatives during the 1949 Session; S. R. Holcomb, former and present Chief Clerk of the House; P. J. Stroble, Washington state patrolman; Dana T. Robinson, former investigator for the committee; Viola C. Fritchie, former secretary of the Un-American Activities Committee, and Noyes Talcott, one of the owners of safety deposit vaults at Talcott Brothers, Jewelers.

I. Examination of Mr. Canwell disclosed the following facts:

(1) That he destroyed certain reports, records, documents and papers gathered by the committee through its investigators.

(2) That destruction of these reports, records, documents and papers extended through the entire life of the committee, but that the majority of them were destroyed after Mr. Canwell's term of office had expired, and that many of them were destroyed in the home of Mr. Canwell.

(3) That microfilm was made of many of these reports, records, papers and documents, which presently exists today.

(4) That Mr. Canwell refused under a direct question from Chairman John L. O'Brien to answer as to what disposal had been made of these microfilms and as to where they are presently located.

(5) That Mr. Canwell refused to answer whether or not he had turned the microfilms over to the Federal Bureau of Investigation.

(6) That Mr. Canwell claimed he had been given absolute authority to make whatever disposition (including destruction) he felt necessary of the papers, records and documents gathered by the investigators of the Interim Committee on Un-American Activities.

(7) That Mr. Canwell further testified that the documents and records destroyed were of such a nature that they should not be allowed to fall into strange hands because of the danger to agents of the United States Government or danger or harm to innocent persons.

(8) That as further justification for the withholding and destruction of the papers, files and records, Mr. Canwell admitted that he was motivated by a feeling that the Legislature (1949) was not in sympathy with his "project" or would carry it out in an inadvisable manner.

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(3) That no authority had been given to the chairman (Canwell) to destroy the records of the committee.

III. Examination of Mr. Grant C. Sisson disclosed the following facts:

(1) That the committee made a record of its sessions.

(2) That he regarded the reports, records, documents and papers gathered by the committee as the property of the state of Washington.

(3) That at the origination of the committee, Mr. Canwell, as chairman, was granted certain broad authority.

(4) That Mr. Canwell was not given authority to destroy the records.

IV. Examination of Mr. Skinner disclosed the following facts:

(1) That he was Sergeant-at-Arms of the 1949 Session and was delegated to transfer the records of the Committee on Un-American Activities to Olympia for storage by the Legislature from the committee's office in the New Armory Building at Seattle.

(2) That this operation was carried out with the aid of the Washington state patrol and that the utmost security was observed.

(3) That so far as he knew, he received all records, documents, papers and property of the committee for transfer to Olympia, but that the safes and files were locked and it was impossible for him to know whether they were full of records and papers or were empty.

(4) That upon the arrival of the records at Olympia, after storage over night in the State Patrol Building garage, under State Patrol guard, they were turned over to the Speaker of the House of Representatives, and Senator Lester Parker, President of the Senate.

V. An examination of P. J. Stroble of the Washington state patrol disclosed the following facts:

(1) That the Washington state patrol participated in the movement of the records from the headquarters of the committee in Seattle to Olympia, and that the utmost security precautions were taken for their protection.

(2) That from the time the records were delivered to Victor Skinner the safes and filing cabinets supposed to contain them were under his constant supervision while on the way from Seattle to Olympia.

VI. An examination of Mr. S. R. Holcomb disclosed:

(1) That he was Chief Clerk of the House in the 1949 Session and is Chief Clerk of the House in the 1955 Session.

(2) That the purported records, papers, documents and property of the Un-American Activities Committee were brought to Olympia pursuant to direction of the House.

(3) That they were stored, unopened, in a locked room in the Capitol Building and that the utmost security was observed in bring such records and property to Olympia and in storing the same.

(4) That in order to preserve security as to such articles, the key to the door of the room where they were stored and certain keys to files, and safe combinations, were deposited in the safety deposit vaults of Talcott Brothers Jewelry Company in Olympia, Washington, with the direction that such safety deposit box was only to be opened by a representative of the Senate and a representative of the House, to-wit, the Speaker of the House and President of the Senate; and that they were neither opened nor examined by the Speaker of the House or the President of the Senate, Mr. Hodde or Senator Parker, or by their successors, until 1955.

(5) That he had heard Mr. Canwell say, at a discussion of the importance of the records and files of the committee prior to the storage of the same in Olympia, that they were of an extremely explosive character and would affect the state, and that they should be preserved from unauthorized persons.

(6) That so far as he knew, the records, files and property had not been tampered with or opened since their deposit in such room.

(7) That when opened by direction of the 1955 Legislature, such files, cabinets and safes appeared only to contain a small portion of the committee records, files and papers as is shown by a receipt from the F. B. I., a copy of which was admitted in evidence at the hearing.

VII. An examination of Viola C. Fritchie disclosed the following facts:

(1) That she, as former secretary to the Un-American Activities Committee, was aware of its practices as to the maintenance of reports, records, documents and files.

(2) That the committee maintained an elaborate card index containing many hundreds of names, which index was keyed to the files of the committee.

(3) That the records, documents and papers of the committee were intact as of January 1, 1949.

VIII. An examination of Dana T. Robinson disclosed the following facts:

(1) That he was the accountant for the Committee on Un-American Activities during its existence, and that the committee maintained extensive and voluminous files.

(2) That he did not see the contents of the files, cabinets and safes the day they were turned over to Mr. Skinner.

(3) That while not aware of the individual items in the files of the committee, he was of the opinion that the files were maintained in an intact condition until their delivery to Olympia.

(4) That he participated in the surrender of the files to the representatives of the Legislature in 1949.

SUMMARY

The undersigned member calls attention to the fact that House Concurrent Resolution No. 10 of the Thirtieth Regular Session of the Washington State Legislature by

which the Joint Fact-Finding Committee on Un-American Activities was created conferred upon the committee all the powers conferred upon legislative committees by Chapter 6, Laws of 1895; except when inconsistent with the said Concurrent Resolution, all the powers conferred upon the committee by the House of Representatives, the Rules of the Senate, and the Joint Rules of the Senate and House of Representatives as they were and are enacted from time to time, and such rules were incorporated in such Concurrent Resolution and made a part thereof, the same as if they were set forth in full; and that said resolution further granted to said committee all the powers necessary or convenient to accomplish the objectives and purposes of the resolution including, but not limited to the following duties and powers:

(1) To employ and fix the compensation of a secretary and such clerical, legal, expert and technical assistants as it may deem necessary, and to lease, rent or buy such supplies and facilities as may be required;

(2) The chairman shall have authority to create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in the state of Washington at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing upon or relating to the subject of this resolution;

(7) To meet at any and all places in this state, in public or executive session;

(8) To act during this session of the legislature, including any recess hereof, and after final adjournment hereof until commencement of the Thirty-First Legislature;

(9) To file a report with the Thirty-First Legislature;

(10) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description; to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; to pay fees and traveling expenses of witnesses to insure their attendance, if necessary; to procure from any court having jurisdiction, upon complaint showing probable cause to believe that pertinent evidence is being concealed or withheld from the committee, a search warrant and cause a search to be made thereof;

(11) To cooperate with and secure the cooperation of county, city, city and county and other local enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee; and

(12) To do any and all other things necessary or convenient to enable it to fully and adequately exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and in case of disobedience on the part of any witness to comply with any subpoena issued by the committee or on the refusal of any person to testify regarding any matter on which he may be lawfully interrogated, the superior court of any county, or the judge thereof, on application of the committee, shall compel compliance by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein; and

Section 16, chapter 6 of the Laws of 1895 reads as follows:

Every such committee shall keep a record of its proceedings under the provisions of this act, which record shall be signed by the chairman or the presiding officer of the committee, and the same returned to the legislative body by which the committee was appointed, as a part of the report of such committee.

CONCLUSIONS

From the foregoing combined summaries taken by your committee, the following report and recommendations are made:

- (1) That the records, files and property of the Un-American Activities Committee which were returned to the Thirty-First Session of the House of Representatives were returned with the utmost security by the proper officials and stored in the Legislative Building.
- (2) That during such return and during such time of storage such records as were returned were not tampered with or molested in any way.
- (3) That all the actual records and files of the committee were *not* turned over to the House of Representatives in compliance with its directive, the portion being transferred to Olympia being but a card index, a transcript of certain public hearings and other matters.
- (4) That with the exception of rough drafts and other writings of like nature, the basic files and records of the committee were public documents and the property of the state of Washington, assembled pursuant to an investigation which occasioned a public expenditure of about \$140,000 of state funds.
- (5) That many of these records and documents were microfilmed, through the expenditure of public funds, and that such microfilm constituted public documents and was the property of the state of Washington.
- (6) That when questioned as to the whereabouts of microfilmed copies of the records and files of the committee, said Albert F. Canwell refused to answer.
- (7) That the Committee on Un-American Activities of the Thirtieth Regular Session of the Legislature of the state of Washington was given extremely broad powers by the said Legislature and that the committee in turn, negligently granted these powers without proper supervision to its chairman, Albert F. Canwell, who in turn usurped and misused the powers thereby granted to him; but that the said Albert F. Canwell acted in what he presumed was good faith.

RECOMMENDATIONS

It is recommended that the transcript of the hearing held by the committee, including both the public and executive hearing, be referred to the Attorney General of the state of Washington for his use and study and that he determine therefrom whether the refusal of Albert F. Canwell to answer to the whereabouts of the microfilms of the records of the Committee on Un-American Activities and of his destruction of certain documents which were the property of the state of Washington, require any further legal action.

Respectfully submitted,

R. MORT FRAYN, *Representative,*
Forty-Third District.

MOTION

Mr. Gallagher moved that the reports, together with the transcript of the hearing held by the Special Committee, be referred to the Attorney General of the state of Washington.

Debate ensued.

The motion was carried.

MESSAGES FROM THE SENATE

Senate Chamber,
Olympia, Wash., March 1, 1955.

MR. SPEAKER:

The Senate has passed: Engrossed Senate Bill No. 217; also Senate Bill No. 229; also Senate Bill No. 418; also Substitute Senate Bill No. 430; also Senate Bill No. 459; also Substitute House Bill No. 26, and the same are herewith transmitted.

HERBERT H. SIELER, *Secretary.*