
Franklin D. Roosevelt — “The Great Communicator”
The Master Speech Files, 1898, 1910-1945

Series 1: Franklin D. Roosevelt’s Political Ascension

File No. 456

c. 1931

**Draft statement calling for
Special Session of Legislature**



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From the Papers of
Samuel I. Rosenman

Draft of statement calling
the Special Session of 1931

in June 1931 would clear the
State the Executive and judicial
form given certain specific immunities
exercising what was not only

This
o ~~the~~ duty when it felt there

such action, determined to

dministration of the Government

nd the conduct of the officials

on directing such an investigation

on the clear intent of the Legis-
lature with the power to grant immunity

s it.

The First of Appeals has

Owing to a purly technical law, the courts have

full

held that such immunity could only be granted by the passage

An ~~especial~~ act requiring the signature of the Governor. The

Committee has appealed to me to call the Legislature together

in order that they ~~may lay their difficulties before~~ and

of the Legislature ^{to} ~~act~~

request the passage of the legislation needed to give them

this authority.

Whether it was the intent of the Legislature to give

them this authority by resolution, or whether they now deem

Jan. 1851

In my annual message to the Legislature I made clear the historic principle that while by statute the executive and judicial branches of the government have been given certain specific powers, ^{they} may exercise what was not only ^{given} them, but also ^{the} duty when it felt there ~~the~~ ^{of the} ~~right~~ ^{was} sufficient cause for such action, determined to ~~it~~ ^{to} always ^{investigate} ~~investigate~~ the general administration of the Government ^{and} ~~and~~ ^{the right conduct} ^{of} ~~of~~ ^{the} ~~right~~ ^{investigation} ^{of} ~~of~~ ^{the} ~~right~~ ^{government} ^{and} ~~and~~ ^{the} ~~right~~ ^{thereof}.

In the resolution directing such an investigation
~~it would appear to have been~~ ^{but} the clear intent of the Legislature to arm its committee with the power to grant immunity ^{for} ~~to~~ ^{to} witnesses called before it.

^{The intent of the Legislature has}
~~Owing to a purely technical flaw, the courts have~~
^{for} held that much immunity could only be granted by the passage ^{of} ~~of~~ ^{An} ^{special} act requiring the signature of the Governor. The Committee has appealed to me to call the Legislature together in order that they ~~may lay their difficulties before it and~~ ^{of the Legislature} ~~act~~ ^{may} request the passage of the ~~legislation~~ ^{legislation} needed to give them this authority.

~~Whether it was the intent of the Legislature to give them this authority by resolution or whether they now deem~~

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It is further, but ^{is} in ^{the} ^{same} ^{case}
no shape ^{now} ^{as} ^{it} ^{was} ^{when} ^{it} ^{left}
the camp ⁱⁿ ^{the} ^{front} ^{of} ^{the} ^{line}
Aug. 20th. Reg. Sely.

Claim has been made that this regiment ^{constituted a base}
to embarrass the Germans. ^{note} ^{for} ^{recall}. None of this was
the fact, and they sit in the ditch.



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F. D. R.

it wise to so empower them by special statute, is a matter
which should properly be considered and decided by the Legis-
lature itself.

Under the Constitution they may not consider this
matter before the last of January unless the Governor calls

An extraordinary session for this purpose. To delay
until the time of the regular session would enormously add to
the cost of the investigation, which will already add very con-
siderably to the taxpayer's burden.

I cannot conceive of any Governor refusing to call
any extra session under circumstances such as this. It is
the clear duty of the Legislative and Executive branches of our
Government to work in close cooperation with each other and
any action which thwarts or hinders a sister department in the
execution of what is clearly within its duty and within its
jurisdiction is unjustifiable. It has been urged that this
request should be denied on the ground that this investigation
is primarily prompted by political motives and a desire to embar-
rass the Governor of the State. Even if this were true, it



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It is further the clear duty of the Executive Branch of the government ~~not~~
to shape measures in form to hinder
the carrying out of a legislative function
notby authorized by the legislature itself.

~~The Legislature proceeds in
accordance with its constitutional rights
and duties.~~

This special session gives the
opportunity to clothe the Committee with
the full authority which it was intended
by the Legislature that it exercise.

To this purpose I give my
entire approval.

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