

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 79

EXONERATING MR. RAY HURLEY, CENSUS EXPERT IN THE OFFICE
OF THE PRESIDENT, FROM CERTAIN CHARGES

This case involves an alleged attempt to favor a certain machines corporation in the matter of the purchase of equipment for the Census Office.

Although the allegations were in the nature of mere insinuations and veiled statements I deemed it my duty to order a thorough investigation of the matter in order to ascertain if there has been any willful attempt to defraud the Government or any improper act committed. I therefore appointed Judge Enage to investigate the facts in this case. He has submitted the full record of the proceedings with his comment and recommendation. The Commissioner of Civil Service to whom the whole record was referred has likewise submitted his report.

To summarize, it appears that a certain machines corporation which has dealt in census machines had suggested, while our Census Office was being organized, the appointment of a Census Officer who had served the United States Census Bureau long and creditably to serve as Census Expert or Adviser for the Philippine Government. The man suggested, however, was not appointed. Upon my request the Bureau of Insular Affairs secured for this Government the services of Mr. Ray Hurley who was recommended by the United States Census Bureau. It also appears that while Mr. Hurley was on the way to the Philippines and even before his appointment, a local agent of the business firm in question concerned himself with the proper hotel accommodations for Mr. Hurley and met him on the boat upon arrival; that this same agent made frequent calls on Mr. Hurley, presumably to persuade him as to the merits of the machine he represented; that subsequently Mr. Hurley came to live in the same apartments where the agent in question lived; that Mr. Hurley and Commissioner Festin had serious

differences of opinion as to whether certain forms should be used and whether the major portion of the census work should be compiled and tabulated by hand methods or by machine; and that Dr. Victor Buencamino, at some luncheons given by him, had brought together the agent in question, the Census officials and other officers of the Government interested in statistics.

The foregoing facts gave occasion for certain veiled comments as pointed out at the beginning.

It is admitted that some of these happenings are mere coincidences, others are the result of high-powered salesmanship, and still others, such as repeated calls at the office, are in due course of business. The intervention of Dr. Buencamino has been that of a man who has been in the service of the Government, is now employed in one of the government companies and who was interested that accurate statistics for the Census be obtained.

Judge Enage, who conducted a minute investigation of the case, as well as the Commissioner of Civil Service, recommends the exoneration of Mr. Hurley and for that matter Commissioner Festin himself at the beginning of the investigation insisted that it was not his intention to file formal charges against Mr. Hurley.

The particular make of the machine to be secured was not and it is not within the province of Mr. Hurley to decide. This question was entirely within the powers and duties of the Director of the Census, Commissioner Festin.

One thing which has been revealed in the investigation is a spirit of animosity and misunderstanding between Commissioner Festin and Mr. Hurley, which mutual courtesy, respect and consideration, could have avoided.

I have made a very careful study of the records and I concur in the finding of Judge Enage and the Commissioner of Civil Service that nothing therein establishes the slightest evidence against the honesty and integrity of Mr. Hurley. I, therefore, hereby exonerate him. I regret that careless statements on the part of Commissioner Festin which can be construed as insinuations against the honesty and integrity of Mr. Hurley should have been made causing thereby unjustified temporary mortification to an honest man, an official of the Government of the United States with clean and excellent record, who is serving this Government for the time being purely upon our request and for our exclusive benefit. Knowing intimately as I do Commissioner Festin, I am positive that he had no intention of maligning Mr. Hurley.

Commissioner Festin is that type of man who is instinctively suspicious and his mental attitude is reflected in his dealings with people. In a way it is better that this whole matter has been cleared up in a manner that should leave no doubt in the mind of every reasonable person that nothing shady has occurred in the transactions alluded to in the allegations of Commissioner Festin. Mr. Hurley is entitled to full and complete exoneration.

Done at the City of Manila, this 27th day of September, in the year of Our Lord, nineteen hundred and thirty-eight, and of the Commonwealth of the Philippines, the third.

(Sgd.) MANUEL L. QUEZON
President of the Philippines