

State of the State
Governor Leon Phillips
January 5, 1943

To The Honorables
The Lieutenant Governor
The President Pro Tempore of the Senate
The Speaker of the House of Representatives and
The Members of the Senate and House of Representatives

Gentlemen:

As we begin the Nineteenth Session of the Oklahoma Legislature the Constitution makes it my duty to discuss with you the condition of the State. It likewise requires me to make recommendations calculated to give us the best opportunity for progress. As we have almost come to the end of my administration, the few suggestions that I make will be solely for the purpose of being helpful, rather than to carry on any political feud with my successor, as that has already been largely exaggerated by a few of the Oklahoma newspapers.

It is with a feeling of pride that I exercise this duty of my office. More than four years ago, when I was a candidate for the office of Governor, I had a very definite program. I frankly stated the program in every county in the State. It was adopted as the party program by those then in control of the affairs of the Democratic Party, and it was adopted by most of the legislators who were members of the Republican Party. It was enacted into law, and we have had an opportunity to see how it works. In this feeling of pride that I have for the accomplishments of that program, I must give full credit to a majority of the members of the Senate and House of Representatives of the Oklahoma Legislature. We had a few who wanted to harass and obstruct; who wanted to get a personal advantage or a monetary return out of the legislation to be passed, or not to be passed. But it was the good men in the Legislature that made the enactment of that program possible and we have had in Oklahoma, for the past four years, a government according to the original plan of our forefathers; three separate branches – the Executive, the Legislative and the Judicial. None of the branches has usurped the province and field of the others for the last four years. A government may be strong without the three branches, but whenever any one of them fails to act, the people begin losing their liberties and they will not long continue to be happy. A government may function for a while with two branches strong and acting independently, with one-third of them weak, but if the Legislative and the Judicial branches supinely submit to the wish of the Executive, then the country ceases to be democratic and approaches dangerously close to government by a dictator. We have not had that condition in Oklahoma for the last four years. The Supreme Court has been independent and honorable, and a great majority of the Legislature has been industrious, patriotic and honorable, and the Chief Executive, in carrying out the duties imposed upon him by the Constitution, has seen fit to frankly and truthfully state his views on every question that affected the welfare of the people. In Oklahoma we have had a good form of Democratic Government.

Immediately after the last primary, I announced publicly to the State that Oklahoma was in good condition because of the return of so many good men to the State Senate, and the election of patriotic appearing members in the House of Representatives. That statement of mine was amply verified just recently when in the caucus of the State Senate the Senators themselves announced to the State and to the world that the economic policies in force during the full time of

my administration would be continued or carried on yet farther, to get to the ideal condition in the State of Oklahoma. The whole-hearted response that has been accorded by the people of Oklahoma to those statements of you members of the Senate shows that our program is popular; it is the safe program; it is the one I know you will carry on. I hope that not one of you, and no citizen of the State, will feel that I shall ever have any objection to the further curtailment of the employees of the State, and the stream-lining of the government to fit the needs of the people when the government to fit the needs of the people when the heavy toll of war shall take so much of their earning power, their ability to earn and their earnings in taxes.

Since December 7th, 1941, the administration in Oklahoma has cooperated in every particular with the war effort. We went from the security of peacetime pursuits to the activities for war in the twinkling of an eye. Draft boards have been set up and many of our citizens have been organized into doing work without compensation in order to carry on the war effort. After our draft operations had been in force for a while, I received a letter from General Lewis B. Hershey, commending us for our wholehearted cooperation. Because of the personal element involved, I will not read that one, but will read one directed to Col. Clive Murray, State Director of Selective Service, dated June 26th, 1941:

“State Director of Selective Service,
National Guard Armory
200 N. E. 23rd Street
Oklahoma City, Oklahoma

Dear Colonel Murray:

Your letter of June 11, reporting a real reduction in the number of persons employed in State Headquarters is evidence of your cooperation with the efforts of National Headquarters to keep the costs of administering the System within reasonable figures.

I am writing to Governor Phillips commending you and thanking him for his helpful cooperation. This letter is simply to express my own appreciation of your part in this program.

Sincerely yours,

(Signed) Lewis B. Hershey
Deputy Director.”

From my office I have made many proclamations calling on the people to buy defense bonds and stamps, and to curtail other activities which are unnecessary and undesirable in the time of war. Many of the employees of the State have gone into the active service; many of the good members of the Legislature of the last session are now in service in the different branches of service in the defense of our way of life. In justice to them, and as an example to some of you, I proudly read their names: Paul Carilile, Robert Harbison, Louis H. Ritzhaupt, John T. Sanford, Virgil Stokes, Joe B. Thompson, Chas. G. Ozmun, Paul Ballinger, Robert Hert, Herbert Hope, Richard T. Pendleton, Glen Johnson, Bill Selvidge and Holly Anderson.

STATE DEFENSE COMMITTEE

Immediately after the outbreak of the war, and in cooperation with other States, we created in Oklahoma a State Council for Defense, composed of N. G. Henthorne, of Tulsa, Chairman, and the other members, Mr. King Aitken, of Alva; Dr. John W. Raley, of Shawnee; W. A. Fleming of Weleetka; Mrs. E. Lee Ozbirn of Sentinel; Mr. George Knapp of Okmulgee, and Randell S. Cobb of the Attorney General's Office. County committees were organized and their activities were carried on largely through the efforts of J. Wm. Cordell, General George A. Davis, Randell S. Cobb and W. A. Barnett. Every line of defense has been thoroughly considered, organized and planned. Their work was so thorough that the people at no time became hysterical, nor did we have any useless program to harass the people. I think, by comparison with other States, that the work done by Mr. Henthorne and the rest of the Committee, and the executive group, will rank well near the top, if not at the top, in the Nation.

In the defense industries of the State, Oklahoma has done her part. Even though the evil influence of the labor racketeers has been present in our midst, I am proud to say, and it is a credit to our citizenship, that we have not been cursed with the set-down strikes since the one we had that was going on when my term began. When the war began, I made several proclamations and statements calling upon our people to be calm and determined. I recount it now as a tribute to the State that we have not had an outbreak of any kind. I was abused by a certain politician in the Oklahoma delegation in Washington who has since been retired from elective office, because I did not organize a so-called home guard. As a matter of precaution, the last Legislature created the authority for the setting up of a home guard, but through the wisdom of General George A. Davis, Adjutant General, and the energy, diligence and courage of Walter B. Johnson, Commissioner of Public Safety, we have gone through the war thus far and have illustrated that there is no need to squander from seven hundred and fifty thousand dollars up in to the millions creating a home guard with titles and paper commissions giving inexperienced men the rank of lieutenants, captains, majors and colonels, fit only to wear insignias they have not earned, and to swagger about hotel lobbies and march in parades. The home guard that Oklahoma has been using is the every day peace officer in whom we have placed our confidence and trust, coupled with the activities of the Department of Public Safety, composed, as it is now, of good men.

In the legislative program of two years ago, when we could see that our leaders were heading us in to war, we tried to write a tax program that would leave Oklahoma prosperous, independent and happy, even though the demands were enormous that we might have to pay in national taxes. The Budget Balancing Amendment, the Coordinating Board Amendment, and the Amendment for full cooperation with the Federal Government on the old age pension, put us in line to be able to stand the shock of federal taxation, both for the necessities of war and aid for our allies, as well as the boondoggling things that have gone before.

I have the pleasure and opportunity now to make a statement that no former Governor of Oklahoma has ever had the opportunity to make. We have put our financial house in order; we have balanced the budget, and we have the greatest cash surplus in sight that has ever been in the whole history of this State. At the end of the last fiscal year, without counting unspent appropriations, there was cash surplus of \$5,476,693.14, as shown by the report of the State Board of Equalization, acting under the direction of the Budget Balancing Constitutional Amendment. (Said report is attached to my message as Exhibit "A") I have suggested that such surplus be used immediately to retire that part of the State's indebtedness owned by the School Land Commission. The School Land Commission, and all of the members, with the exception of

A. L. Crable, voted to sell the bonds, enabling that Commission to aid in the war effort by buying government bonds, which bears a greater amount of interest.

The State Board of Equalization suggests to you, gentlemen, the enactment of a bill that will at once retire \$5,466,054.68 of the State's indebtedness and thereby save the amount of interest that will have to be paid for the remainder of the term of the bonds that are so held by the School Land Commission in the amount of \$5,284,518.74, which makes the grand total of \$10,750,573.42, that will not be necessary to raise for debt retirement in the years that are to come, if you save this first surplus which we have left.

I think now, after this question became such an issue in the recent months during the campaign, that all, except A. L. Crable, have agreed that this should be done. I hope it will be the first bill passed by this Legislature – it can be Senate Bill No. 1, and House Bill No. 1, if you leaders in the Senate and House are wholeheartedly in favor of it. A sour political writer has indicated that the bill will probably pass, but not during the remaining days of my administration, saying that it will be held over to be listed as one of the accomplishments of my successor. We are entitled to have it passed during my term, because it was through the courage of many of you, and my determination, that made this Budget Balancing Amendment possible, and which created that surplus to retire the debts of the extravagances of the past. But the people of the State do not care who does it, so long as you see that it is done, and that this indebtedness is retired while we have the cash on hand to do it with. But that is not all. Through the fine, faithful work of the Tax Commission, and the faithful performance of the duties of the Department of Education, and some of the elective officers of the State, the surplus at the end of this fiscal year will be eight million dollars more, which likewise does not include unspent appropriations and surplus in the Department of Public Safety, in the Board of Public Welfare, and the earnings in the revolving funds of the State penitentiary and reformatories and many other places too numerous to recount here. Many well informed people believe that all of these sums, when taken together, will make the surplus for the last fiscal year amount to more than ten million dollars.

Now, the suggestion I make is this, use the five million dollars to take up the bonds now held by the School Land Commission; save this eight or ten million dollars as a backlog against a possible decline in revenue and then go find the place where the State and Federal Government are duplicating taxation, and give relief to our people by the reduction of taxes. There are several kinds of taxes which are sometimes called "nuisance taxes" and sometimes called by other names, which could well be repealed with the financial picture of Oklahoma left as it is, if you men do not forget about the approval of the people of this economy administration that we have gone through, and if you do not start creating new boards and commissions, or spend a million dollars or so on a home guard, or create some new fantastical commission to invite business into Oklahoma in order to make a high sounding job for some politician.

The Income Tax Law, imposed by the Federal Government, is distressing but our people are courageous and they will stand the load. Since the Federal Government is taking such an enormous toll, possibly Oklahoma should abandon that field. However, it is for you men in your wisdom to decide which taxes may be reduced, as the surplus is piling up out of the taxes already collected from the people. We can certainly say that this eight or ten million dollar surplus for the second year of the biennium is a sufficient backlog to take care of the anticipated failing revenue, if we continue to live within our means in order to best preserve our State, and enable our people to meet the burdens of war.

OKLAHOMA TAX COMMISSION

I have already mentioned the Tax Commission, but I want to pay tribute here to the faithful services of J. D. Carmichael and Hubert L. Bolen, both deceased. They have been succeeded by H. C. Ivester and A. Francis Porta, J. D. Dunn continuing on and acting now as Chairman of that Commission. I refer you to their detailed report (Exhibit "B") which will be submitted to you members of the Legislature in an abbreviated report attached to this message. These fine officers have been careful about the hiring of employees, and have saved out of money set over to the Tax Commission during the years 1940-41 and 1941-42 the sum of \$1,457,882.26, which has gone back into the General Revenue Fund. Their fine record for the last two years can be attributed to two major factors, First: - A general improvement in the economic condition throughout the State; and Second: - The aggressive and uniform policy of the tax collection program enforced by the Oklahoma Tax Commission.

PUBLIC WELFARE COMMISSION

One of the problems in the early part of my administration was the settling of the difficulty that existed between the Welfare Commission and the Federal Government; the average monthly payment to our old folks, under that administration, was \$15.23. After many conferences and listening to tales of woe from many of the factions of that old Board, and by the wholesome cooperation of the Legislature, we appointed a new Commission and, since that time, we have recovered from the Federal Government of the withheld money for disallowed claims the sum of \$1,256,616.04. On the whole, our new Commission has been loyal to the people of the State, and have not sought to drag that Commission down into the realm of playing politics. Only two members that I appointed have been guilty of political misconduct, and one of them has already been replaced. I do not believe there is a Director any where that can excel, and few that can equal, the faithful services performed by Jess Harper. He was not a political sponsor of mine when I recommended his appointment, but I have depended, without reservation, upon his good judgment and ability to carry on the affairs of that Department. If you have cause to study that Department, I tell you frankly and truthfully that you can depend on what Jess Harper tells you. The average monthly payment to the old folks under our administration is now \$21.92 per month, which is an average increase of more than \$5.00 per month per person. There is attached to this message a brief report of that Commission, marked Exhibit "C".

STATE HIGHWAY COMMISSION

The Highway Commission, composed of Sandy Singleton, Chairman, and George Meacham and L. S. Robson, as members, are entitled to the eternal gratitude of the people of this State for their honest, efficient and faithful performance of the duties of the Highway Commission. These men have served at a personal sacrifice to themselves. Just recently L. S. Robson retired because of the press of his personal business, and because my administration was so close to an end. As he came and as he went he had my complete confidence and respect, because of his unswerving devotion to the present Chairman, Sandy Singleton and George Meacham. I have replaced him by appointing the Honorable Robert H. Sibley, former State Senator. I didn't appoint him to embarrass anybody as has been hinted by a few sharp-shooting political observers. I ask no politicians about any of my appointments. I am not trying to control the appointments of my successor. You members of the Legislature, who served before, know that Bob Sibley is an honest man. He knows the Highway Commission's problems, having served as Chairman on the Highway Committee in the Senate. He didn't favor the spending of

\$35,000, or any other sum, in paying politicians tolls, or in buying outmoded machinery that the Highway Commission has no need for. His appointment is a credit to my administration as the others have been. I do not fall out with my friends when they differ with me in their support of a candidate for office – Bob Sibley made a good Senator; he is my friend, and he, like the rest of you, supported who he pleased and I have never criticized any of them for it. Bob Sibley supported by successor, as was his right and the right of every citizen, to make his own choice. If his position on the Highway Commission become embarrassing because of some promise heretofore made to him and not meant to be kept, or to further some political expedient they decide to break the promise, that is no concern of mine. I am sure you members of the Senate and House will enjoy his services in the few days remaining of my administration.

STATE BOARD OF AFFAIRS

One of the big achievements of my administration was the businesslike functioning of the State Board of Affairs, of which Wm. Jack Bell is Chairman, and Sid Taliaferro and Grady Glazner are members. I am proud to pay tribute also to the services of Roy Cox, long a member of this Board, but who retired out of a high sense of patriotism to become connected with the armed forces of the United States. It was the painstaking, faithful services of this Board that enabled us to clear up most of the outstanding unfinished business transactions of the State. The old Aylesworth Prison farm; the right of way for the water plant at the Hospital for Negro Insane at Taft; the clearing up of the remaining land titles in the area covered by Murray Lake; the sale of unnecessary state owned automobiles; the closing and disposing of the livestock of the farm used for the University Hospital on which farm the State was losing money; the disposal of livestock at the sub-penitentiary and the removal of a great majority of the prisoners at that place and the renting of the same to the Federal Government for a hospital site to aid in the war effort, netting the State Penitentiary revolving fund \$40,000 a year; the businesslike methods of handling herds of livestock at State Institutions, enabling the institutions to show a profit because the livestock was no longer passed out as political awards to political workers and precinct runners.

The Honorable Wm. Jack Bell, Roy Cox, Grady Glazner and Sid Taliaferro have done a wonderful job of transacting the affairs of the State, and I earnestly suggest that you read in detail their abbreviated report, which is attached hereto, marked Exhibit "E". If their successors in office follow the high idealism and exert the same energy and faithful service that has characterized the services of Jack Bell, Sid Taliaferro, Roy Cox, and Grady Glazner, the State's business can continue to function as the law intended the Board should function – taking the lowest bid when buying merchandise and selling to the highest bid when buying merchandise and selling to the highest and best bidder in disposing of property, disregarding the wishes of the politicians is the only safe course for a board of affairs to do.

DEPARTMENT OF PUBLIC SAFETY

I have heretofore mentioned this Department, operated under the able supervision of Walter B. Johnson. The activities of that Department are such in themselves to cause every home-loving, law-abiding citizen of the State to be proud of their achievement. I have heard it mentioned that this Department is to be abolished, and because of that suggestion, I am going to read one of the reports of Mr. Johnson in full. It is as follows:

“December 21, 1942

“His Excellency
Leon C. Phillips, Governor
State of Oklahoma
Oklahoma City, Oklahoma

“Dear Sir:

Report of Activities

“SUBJECT: ACTIVITIES OF THE DEPARTMENT OF PUBLIC SAFETY

“The Department of Public Safety when organized in 1937 consisted of three divisions, the Division of Highway Patrol, the Division of Registration and the Division of Traffic Control. In 1939 when I was appointed Commissioner there was outstanding unpaid claims against the Department of Public Safety in the amount of \$75,000.00. An appropriation of \$1,700,000 was set up for the organization and operation of the Department of Public Safety for the first two years period.

“The Seventeenth Legislature abolished the Division of Criminal Identification and created the fourth division of the Department of Public Safety, which is known as the Division of Investigation. In 1942 the Eighteenth Legislature increased the uniformed personnel of the Highway Patrol by an addition of thirty troopers, making a total of one hundred fifty-five uniformed officers. In setting up the Division of Investigation in increasing the personnel of the Highway Patrol by thirty troopers it was not necessary to create any new revenues to provide funds for their operation. There was appropriated for these four divisions of the Department of Public Safety for the year 1940 a sum of \$629,052 and for the fiscal year of 1941 the sum of \$625,052.00 Out of this amount appropriated \$4,000.00 was spent for serial markings as provided for by the Legislature and \$4,000.00 for the purchase of a radio site contracted for by the previous administration. The \$75,000.00 deficit from the first two years of operation was taken care of from revenue derived from the operation of the department in the year 1941. Through efficient operation of the various divisions of the Department of Public Safety funds were accumulated to the extent that we could safely turn over the sum of \$325,000.00 to the General Revenue Fund of the state and still have ample monies on hand to continue the operation of the department on a cash basis. There was appropriated for the department for the fiscal year of 1942 the sum of \$682,872.00, and for the fiscal year of 1943 the sum of \$665,052.00. On June 30, 1942, there was cash on hand in the sum of \$317,165.97. While some reduction in revenue is anticipated there will be ample funds to continue the operation of the department for the next two years.

“In 1939 the Division of Registration was approximately one year behind in the issuance of operator’s and chauffeur’s license. At the present time this division is up to date with a definite increase in motor vehicle operators. This division is operating efficiently with less personnel than was employed during the first two years.

“The activities of the department with which the public is most familiar are the activities of the Highway Patrol. I report to you a successful program for this division which has resulted

in national recognition. The National Safety Council placed Oklahoma in first place in the Southern Division for each year of operation and first place in the nation for the year 1941. This recognition was based upon the greatest reduction in the number of fatalities and the greatest reduction in the loss of property. This record has never been approached by any other state. The principal duty of the Division of Highway Patrol is traffic control; however, their field of activity is broad and many dangerous criminals have been apprehended by officers of this division. The training of these officers has been carried on under programs set up by the best authorities in the nation. Training in traffic control has been carried out as recommended by the Northwestern University Traffic Institute, and crime detection and prevention by the best instructors in the Federal Bureau through the courtesy of Director J. Edgar Hoover. In this division we have worked on the theory that greatest good could be accomplished by aiding, assisting and educating motorists. While it has been necessary to make many arrests, our records will reveal that out of every nineteen persons contacted eight were rendered necessary assistance, ten were given friendly warnings and one was arrested.

“Your program of no political interference has resulted in a high standard on which the department has operated for the last four years. As a result of this, morale is high, and only five men have been eliminated by authority vested in me during this period, two for drunkenness, and three for conduct period unbecoming an officer. Until war was declared very few men left the department for any reason. Since war was declared approximately eighty men have entered the armed services of the United States.

“We have had many new responsibilities since December 7, 1941. The duty of setting up civilian protection under the Office of Civilian Defense and the State Defense Council has been carried on by the Patrol. Fifteen hundred and fifty auxiliary patrolmen have been carefully selected and thoroughly trained for the protection of the civilian population during any emergency. This has been accomplished without any addition cost to the state. Fifty-six troopers have graduated from the Civilian Protection School conducted by the Chemical Warfare Division of the United States army and these men are now instructing classes throughout the state in civilian defense units, civic clubs and in the public schools.

“We have in our Radio Department received national recognition through the development of mobile transmitter for patrol cars at a cost of \$105.00 per unit. This transmitter is much more efficient than any which may be obtained on the market and was very effective during our period of tornadoes last spring at Pryor, Boley, Pawhuska, Dewey and Oklahoma City, in many cases this mobile transmitter being the only method of communication from the scene of disaster. Several states have adopted this transmitter, and we have built several units for the army which are being used at Fort Sill. This Department has built and installed a CW transmitter making communication possible with all points in the United States at all hours of the day and night. This service is available and is being used constantly by police departments and sheriffs’ offices throughout the state.

“Many permanent improvements have been made for the department. We moved from a rented building at 10th Broadway in Oklahoma City, that cost the state \$700.00 per month to a beautiful state-owned building of rock and wood construction, located in Lincoln Park. Four permanent troop headquarters and radio station buildings have been constructed and one more is

in the process of construction. These buildings have been built and paid for by the municipalities where they are located.

“A modern pistol, rifle and machine gun range has been constructed at Stringtown under the supervision of D. A. Brice of the Federal Bureau to be used by the Department of Public Safety, the Federal Bureau and the penitentiary guards. A more detailed report of the activities of the department is set out in our annual report to the National Safety Council which is available.

“Many recommendations were submitted to the Highway Commission on traffic engineering and highway signing by the Traffic Control Division under the able leadership of O. A. Smith, who is now in the armed services.

“The division of Investigation of the Department of Public Safety is comprised of three units – The Technical or Identification Bureau, Stolen Automobile Department, and Investigation Division.

“The Identification Bureau is recognized by both civilian and military authorities as being one of the best, *excelled by none and equalled by few, in this Country*. The records of this Division are up-to-date and conform with the files of the Federal Bureau of Investigation in Washington, D. C.

“Through the efforts of those held responsible for the activities of this Department, the records are set up for expansion, and we might add, too, that they are expanding at the rate of possibly 1,500 sets of fingerprints each month. We have approximately 400,000 fingerprint records of criminals on file, a great portion of whom we have a complete jacketed criminal record.

“The services rendered by this Department to all law enforcement agencies in the State of Oklahoma in the last four years has resulted in an increase of over 50% in the receipts of fingerprints over that of previous years. Over 1/3 of all fingerprints of criminal received are identified as having previous criminal records on file in the Bureau. We might add, also, that we have a complete criminal history of all men and women incarcerated in penal institutions in this State.

“We have in the past three and one-half years received 62,836 fingerprints from various law enforcement agencies, defense plants, etc. for the purpose of identification. Out of that number, 65 were identified as fugitives.

“The Stolen Car Department is also the Record Bureau and clearing house for automobiles stolen and recovered in the State of Oklahoma. During the past four years there have been a total of 5,347 automobiles stolen in Oklahoma, all of which have been recovered with the exception of 165, making the percentage of recoveries 96.5. This is a loss of about only 111 automobiles each month for the entire State of Oklahoma. Records show that there were over 200 automobiles stolen each month in Oklahoma City alone a few years ago. In addition to the recovery of cars, stolen locally, 357 cars were recovered for citizens of other states.

“The Division of Investigation, contrary to proper belief among law violators, is operated at this time with only tow field men and at no time has it had more than five men working out of this office.

“The accomplishments of these men far exceed the expectations of any one in authority. They have been relentless in their efforts in all types of criminal investigations. Their activities have resulted in the confiscation and destruction of over 400,000 pints of contraband Liquor in the State of Oklahoma. Raids have been conducted in all but four counties in the State, 104 gambling places have been raided, all gambling paraphernalia destroyed and 261 persons charged; over 200 automobiles have been confiscated, 67 Beverage Licenses have been revoked, and approximately 100 telephones cancelled that were found being used solely for the purpose of illicit whiskey traffic in the State of Oklahoma.

“In addition to the above, these men have found time to investigate and make 77 felony cases, resulting in 103 men being charged.

“The above related functions and activities of this Department are conducted at an expense of less than 3 1/2c per person in the State of Oklahoma.

“Your program of economy and efficiency has been carried out in this department under the able direction of Major John H. Reading, Chief Officer of the Patrol, Coble Gambill in the Finance Department and T. R. Husted in the Division of Investigation.

Respectfully submitted

Walter B. Johnson,
Commissioner
Department of Public Safety”

I am adding another report which contains his commendations for a curtailment of the activities of the Patrol, attached hereto and marked Exhibit “F”, and yet not destroy the worthy functions it has performed. He modestly did not mention the fact that we tried to dry up the army camps within the State so that our young men might have sober officers under which to train. Mr. Johnson resigned many months ago to be effective at my wishes and not later than January 11th. I am proud of the record he and his fine men have made in that Department.

BOARD OF PUBLIC WELFARE

This Department has been castigated recently in the press, and its general demise has been promised. I am not one to say that it should not be done, but the Department for the past two years has been one of the very efficient departments of my administration. Mr. B. A. McDonel paid a great price for his faithful services – he is stricken in health, but his courage has not changed. We have had some controversies with many of the New Deal agencies; we have curtailed our activities, as shown by a brief report attached hereto and marked Exhibit “G”. At no time during my administration has this fund been used except to meet the needs of the

destitute people of this State. When the last Legislature was in session they had saved enough money that was directly for them so that no appropriation need be made. There is still on hand \$600,000 in liquable assets and food stamps, and \$592,063.60 in unused appropriation. When we made a rather generous discharge of employees in that Department, a great cry of the politicians went up – a similar cry will probably go up when there is further curtailment in that Department. But that Department has done a good service in meeting the demands of our destitute people and bringing relief in times of emergency; certifying WPA rolls, and furnishing food to hungry children. I shall not complain when you abolish any Department, but I would not consider that it was in line with humanitarianism and ideals of the citizens of Oklahoma to establish a home guard to make captains, colonels and lieutenants and shut off the small sum that is being spent to care for our destitute, unfortunate and disabled people. Bert McDonel had been a great officer; he has been harassed by politicians, but with it all he has remained faithful to his trust. My hope now is for his speedy recovery in order that he may see the fruits of the good work he has done. I want to pay tribute to Mr. Tom Collins, his able assistant, who has worked with Mr. McDonel and, since his illness, has faithfully carried on.

STATE HEALTH DEPARTMENT

The Health Department, under the supervision of Dr. Grady F. Matthews and Dr. J. A. Morrow, has greatly increased its service to the people of the State of Oklahoma, both in vital statistics and in regular and emergency health programs. The tremendous increase in demand for birth certificates has been efficiently met and has correspondingly increased the revenue to the State. A large portion of this work has been carried on by WPA workers, and since their demise it will be necessary that you consider provision for the necessary employees to carry on this vital work. Detailed report of this Department will be furnished you as the same is too voluminous to be made a part hereof.

There are many places where you can still curtail expenses of the State Government. I will mention a few of them as a means of illustration, but will leave the details of your activities in that field for your good judgment, and any suggestions at curtailment which may come from my successor. Mr. Walter Johnson has, as shown by his report, already suggested a reduction in the Highway Patrol. There are too many gasoline inspectors. We curtailed that very much in a bill heretofore, but I weakened enough to let them put on the extra ones and then when decline in business required a fewer number, I was unable to cut them off.

There are still two funds collected by the Corporation Commission that do not go into the General Revenue Fund that are used for extra help. The expenses of the Interstate Oil Compact Commission have heretofore been borne by the State of Oklahoma, but since its enlargement the other States which belong to the Commission have shared the expenses. There has never at any time been any justification for an attorney to represent Oklahoma in the Interstate Oil Compact Commission – they have never had a lawsuit and never will.

I have conducted the business affairs of the State in order to protect our full interest. As mentioned in the report of the Board of Affairs, we have settled most of the lawsuits, but we still have pending the one with Oklahoma City for the possession of a hospital. It is my firm belief that we should either give the building to Oklahoma City or they should be required to make some arrangement for it. Notwithstanding reports of newspapers, this charge is not made against the City, but a few politicians at the time in control of the affairs of this City. So far, they are holding possession of the building, making no provision for its upkeep or rent to the State – like

a squatter on swampy land. The Federal Government is paying us \$40,000 a year for one hospital, and the politicians of Oklahoma City are holding another one by squatter's rights.

The Board of Affairs has prepared a settlement of the water question at McAlester. It's going into effect is dependent upon the approval of this Legislature. You will use your own good judgment about this approval or rejection of that settlement.

I have tried to preserve the rights of the State at the Grand River Dam so that the whole State may have the benefit of that improvement and receive pay for the loss we have sustained by reason of the taking of the good land. The record is properly made so that we may someday have the benefit of that improvement, if it is not given away hereafter.

BANKING DEPARTMENT

The Banking Department, during the last biennium of my administration has been in the hands of the Honorable Linwood Neal, Banking Commissioner, and upon his resignation, Honorable R. R. Law, and the Securities Division has been under the supervision of J. P. Battenberg. We have brought the affairs of the Banking Department up to date; almost all of the liquidations of failed banks have been completed. There has been a reduction in the personnel, and there has been no scandal or favoritism out of the Bank Commissioner's office for the last four years. They have taken on additional duties of handling the Loan Shark Bill, and they have performed their duties, as in other departments, efficiently and well. A report of that department is attached hereto and marked Exhibit "H" showing the conditions of the State.

STATE INDUSTRIAL COMMISSION

The State Industrial Commission is an important branch of State government. I commend to you a detailed reading of the report of the present Industrial Commission. I pause again to pay tribute to a great member of that Commission, the Honorable Matt McElroy, now deceased, and again mention the fact that the former Chairman, Wm. L. Fogg, and Joe Stamper and B. E. Harkey, gave up the security of a State job to join the armed forces of the United States. Sickness caused the resignation of the Honorable T. H. Otteson, and even though the personnel has changed, they have always held to the ideal that the Industrial Commission is the poor man's court and should not be used for favoritism or unjust punishment to the employer or injured employee. They have made their decisions free from barter and sale. Attached hereto is their report, marked Exhibit "I".

STATE INSURANCE FUND

While there is no connection between the Industrial Commission and the State Insurance Fund, excessive judgments against the State Insurance Fund almost wrecked that worthy institution, but as shown by the report attached hereto, marked Exhibit "J", submitted by Mr. Mott Keyes. I am of the opinion that it is on stable foundation and I give due credit to the Honorable Mac Q. Williamson, Attorney General, and B. E. Harkey and Joe. B. Hunt, for the extra time and care they have used in rehabilitating this almost broken department. You will consider either placing more safe-guards about this fund, or otherwise determining its future.

STATE BOARD OF EDUCATION

I want to commend to you the advances made in the cause of education in the State of Oklahoma. A part of this credit is due to the members of the Legislature who are far-sighted enough and unselfish enough to write a good program. The present board is composed of Hugh Carroll, Loyd Van Deventer, Jay B. Earp, Martin L. Frerichs, James T. Martin, Earl E. Emerson, Richard Martin and W. B. Hurst, and their faithful employees, James M. Staten and M. J. Phillippe, have successfully illustrated the waste and extravagance in administration of school affairs in the years that are past. Oklahoma has been able to advance in education by giving a substantial raise to the school teachers, but the goal has not yet been reached. I am proud that the Teachers Tenure and Retirement Amendment to the Constitution was passed during my administration. I gave it every assistance possible. You will be called upon to pass legislation vitalizing that Amendment, and I know I can depend upon the good judgment of the majority of you good men to do that job well. Oklahoma had not gained in National standing in twenty-five years until the last two years of my administration. You cannot afford to give away this gain, and tamper with the future of our children for those who would play politics with the money, and sacrifice the welfare of our people in order to play politics or get some bogus adoption of school books through to harass the people, and satisfy the greed of text book companies and authors of textbooks. Attached hereto is a report of that Department, marked Exhibit "K".

And, while I have not yet completed the Departments of the State, I want to pause here long enough to explain to you the lawsuit I have authorized to recover damages for the conspiracy to extort money from the people in the guise of school books. I think the time has come in Oklahoma for us to stop that racket. I had hoped that my political party would have the men and the courage and the vision to clean up this State. If the Democratic Party, and I mean the real Democratic Party, does not do the job, the Republicans will. The Textbook Commission that I appointed worked for days and days trying to reduce the extravagant prices contracted to be paid for the textbooks.

Honorable Chas. B. Duffy of the present Senate sponsored a bill to permit the use of the textbooks purchased from the companies that we later found out had paid the big bribes to get the advantage and secure the right to rob the taxpayers of this State, though a trick lawsuit was brought by a school board against a state official, who was not friendly to the people in saving the cost of the books, and we did not learn until the activities of these bribe givers and takers had been made plain in the Federal Court the full extent of the conspiracy. I decided to use every means in my power to right this wrong and stop the excessive charges for textbooks. I had no sooner heard the plans of the Attorney General than I heard that my successor was to stop the case upon his inauguration. But, I knew a way to prevent that. So, I hired a lawyer, who was able, industrious and would not quit, to file a suit in the Federal Court in the name of Leon C. Phillips, as Governor, and couple it with an interest. I paid sufficient funds out of the Extraordinary Protection of the State Fund to defray expenses and a very meager amount over for a retainer fee. The good people of the State want this thing pushed to the very end. Many have told me that it will be worth more than \$7,500 if we can stop this school book racket, and of course, we can recover many times that amount in damages. Those who were in on the deal, those who wanted to cover up, got mad. Since I have noted those that became angry, I am more convinced than ever that I pursued the right course, because I tell you frankly, I think the Attorney General might have had orders to stop the prosecution of his case.

Friends, that is plain talk. But you are going to have to talk plain to stop the racketeers and bribe givers and bribe takers. I think this school book problem is in good hands, but you have every opportunity to assist in it, if you so desire. The records show that Gomer Smith was not the successful candidate for Governor, but there is no record any where that he isn't a good lawyer and will not stay with this case to the bitter end. You are going to hear some more about textbooks.

ADJUTANT GENERAL'S DEPARTMENT

I wish to commend particularly for your consideration General George A. Davis, Adjutant General of Oklahoma. I can best call your attention to his faithful services by quoting a paragraph from a letter of Major General John F. Williams, Chief, National Guard Bureau, addressed to General Davis, dated July 9th, 1942:

“Since talking with you I have been checking over data for my Annual Report to the Secretary of War, and I was very pleased to note that Oklahoma, sometime ago, closed all of its disbursing accounts and that your property accounts are down to surveys amounting to approximately \$260.90, which will close out your obligations to the Federal Government. It is also a pleasure to note that your State completed its agreement with reference to the construction of a hangar for your new air squadron authorized a year ago. Of the eight (8) squadrons authorized at that time, several of them did not complete their agreements and have created what may eventually be an embarrassing situation. This was not true in your State where you were one of the first to jump in and do everything that you agreed to do.”

That typifies the thorough manner in which General Davis has handled the affairs of the Adjutant General's Department. Whether it was building a hangar at Tulsa, or repairing an armory at Okemah or Durant, he efficiently handled the job and has made a remarkable record in unused appropriations, the unexpended balance of the fiscal year of 1942 being \$21,595.16. He has used every effort to get into actual active service, but has been unsuccessful, and so he has given his time to the State of Oklahoma, and has declined to make any claim for salary by reason of his appointment. Attached hereto is a report of the Adjutant General's Department, marked Exhibit "L".

SCHOOL LAND COMMISSION

The School Land Commission, with Mr. Chas. B. Steele, Secretary, under the joint direction of the Honorable Frank C. Carter, C. C. Childers, Joe Scott, A. L. Crable, and myself, has made an enviable record. I can say without any fear of successful contradiction that the School Land Commission is in the best condition it has been in for twenty-five years. Our accounts are up to date. There has been over five million dollars worth of land sold. This has put many homes in the hands of the home owners, and has tended to stabilize our citizenship. The policy has been in that Department during my administration, to require those indebted to that Department to keep their affairs in as good condition as they would if they were dealing with some private institution. We have not let the politicians get control of the affairs of the School Land Commission. I call your attention to the record of the great work done by the School Land Commission and the able assistants who have helped in the program. Woody Hunt, a salesman in the School Land Commission, assisted in auctioning off state owned automobiles and property

of the State at Stringtown, as well as livestock in the various parts of this State, has saved the State thousands of dollars, and for that reason merits special recognition. A report of that Commission is attached hereto and marked Exhibit "M".

A report of my clemency actions will be filed with the proper officials of the House and Senate. When used by newspapers to create bad feelings, the number seems to be large, though it is far less than former administrations. I have developed a policy of giving clemency first in the nature of a leave of absence to see if the inmate of a penal institution was ready to take up civil life outside. If his conduct warrants the confidence reposed, that leave is ripened into a parole. And, if the individual can get into the armed forces, I grant either a waiver of civil jurisdiction or restoration of citizenship. I am of the opinion that an inmate of a penal institution, when he is willing to go into the armed forces, and do a citizen's part in the defense of our country, should be restored to citizenship. I have granted restoration to citizens in many cases where young men made one mis-step and have been given a suspended sentence, and later made good. I have granted these to aid in the building up of the armed forces of the United States. I have attended to many of these matters personally. I say frankly it is a great burden; I have tried to get it to the place where the poor fellow, with few friends, or none, but in whom there was hope of reformation, might get a chance. I have not turned out the rich and powerful. I have probably made mistakes. I think any one who tries to exercise the power of clemency will sometimes make mistakes. I have revoked paroles immediately if I found that a former convict was again violating the law. Some of the supposedly powerful men have tried to force out those who had power, money and political influence. I have never set aside a death penalty imposed by a jury, approved by a District Court and affirmed by the Criminal Court of Appeals. I have tried to aid in the labor shortage by furnishing inmates of penal institutions an opportunity to have a job and get away from the associations of prison life. On the whole, I think the plan has been successful. I think it is a step in the right direction. There are other reforms that are needed. Some of them have been suggested already, as I have noted in the papers, by Warden Fred Hunt of the Oklahoma State Penitentiary.

I have made several appointments that would have been submitted to the Senate had it been in session, yet, under the law, no confirmation is necessary when confirmation of the original officer, whose place is being taken, has already been had in the Senate. I refer to Honorable Herbert L. Branan of Muskogee County, on the Board of Regents of Higher Education; Erl Deacon of Lincoln on the Board of Regents of the University of Oklahoma. I have appointed Honorable Glen E. Dill on the Board of Agriculture and his name will be duly submitted to the Honorable Senate in the regular way, as he was not filling out the unexpired term of some individual already appointed and confirmed by the Honorable Senate.

I made an appointment of Judge Oris L. Barney to fill the vacancy caused by Justice Fletcher M. Riley accepting a commission in the United States Army. That appointment was not made out of any disrespect for Judge Riley, but because his place became vacant upon his accepting another job with different duties, different pay and different honor. I have had no controversy with the Supreme Court and do not want any now, but I do not believe you can be a faithful officer of the State of Oklahoma, being in and out, off and on, gone from here and back again, and keep the fine, high confidence that the Courts of the land are entitled to have. I have tried to get into the armed forces myself, but was unable to do so. But, if I had been successful, I would not expect to draw the Governor's salary and draw the money for a job I had not filled. I approve wholeheartedly the action of Honorable Frank C. Carter, State Auditor, in disallowing his claims for salary.

And so as I come to the end of my message and to the close of my administration, I am filled with conflicting emotions of thanksgiving and regret. I am thankful for the opportunity to have served with you, with the objectives in mind of stabilizing government in Oklahoma, and making it a better place in which to live; thankful for the men and women who have served along with me; thankful for the real men who have been in the Legislature, both the Senate and House, and with the feeling of thankfulness, the thought of regret that at a time like this many of our loved ones are in distant lands, fighting for the ideal of a Democratic form of Government and way of life. Some of our fellows, my appointees, members of the Legislature in former days, sons of the department heads and other employees of the State and my own son, have gone to fight for the ideal of a Democratic form of government with the Executive, Legislative and Judicial, each separate, each independent of the other, and each functioning for the common good.

I have spoken plainly many times and suffered for it, but I told you the truth. If I were to talk to a thousand bureaucrats I would still have the same impressions I have now about gasoline rationing in Oklahoma. Of course, I want to do what I can for National Defense. My son is in it and my friends are in it and our cause is at stake, but out of it all, let's keep Oklahoma government sane and responsive to the will of the people. Do not smile and give the nod to those who would pass out a trivial favor and take away our liberty. But, I need not lecture you, the State is safe with men like you in the Senate and House of the Oklahoma Legislature. All in all it has been a pleasure to have served with you, to have kept our promises to the people and to have preserved our Democratic way of life.

I have said that under the Budget Balancing Amendment the operation under the first biennium would be the hardest, but I knew the plan would work, and under took the duty of making it work. I knew that after it had operated a year or two, and we had charted the course and shown the way, an amateur might safely follow the road we had made.

So, I say to you now, this is our government; give every one of our elective officials a chance; stay with them until you find that they are unfaithful. Every man is entitled to a respectful hearing. Every man is entitled to be given a chance. For the sake of our families and our people, let's pull together as best we can for the common good of all.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Leon C. Phillips

About Digitizing the Governors' State of the State Addresses

Section 9, Article 6 of the Constitution of Oklahoma provides as follows:

“At every session of the Legislature, and immediately upon its organization, the Governor shall communicate by message, delivered to joint session of the two houses, upon the condition of the State; and shall recommend such matters to the Legislature as he shall judge expedient.”

From statehood in 1907 to present, the state of the state addresses of Oklahoma's Governors have been recorded in pamphlets, booklets, and Senate Journals. One could not foresee the toll that time would take on the earliest of these documents. When these items first arrived at the Oklahoma State Archives, the leather bindings had dried considerably, cracking the spines significantly. Due to the acidity in the paper, many pages have darkened with age. Some of the more brittle pamphlets crumble at the slightest touch.

Thus when we decided to digitize these materials, we faced two challenges: the safety of the original documents and ease of viewing/reading for patrons. Our primary objective was that the unique and historic qualities of the documents should be reflected in the website. However, older fonts would not digitize clearly when scanned and even using a flatbed scanner could cause the bindings to worsen. An image of each page would increase download time considerably and any hand-written remarks or crooked pages could be lost. We decided to retype each document with every period, comma, and misspelled word to maintain the integrity of the document while placing some unique images of the documents online. Patrons can download the addresses quicker and view them clearer as well as save, print, and zoom with the Adobe Acrobat Reader. We have learned much from our efforts and we hope that our patrons are better served in their research on the state of the state addresses of Oklahoma's Governors.