Accomplishments of the 1949 General Assembly

Strom Thurmond

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Accomplishments
OF THE
1949 General Assembly
OF
South Carolina

STATEWIDE RADIO ADDRESS OF

J. STROM THURMOND
GOVERNOR OF SOUTH CAROLINA

July 25, 1949
Accomplishments

OF THE

1949 General Assembly

OF

South Carolina

STATEWIDE RADIO ADDRESS OF

J. STROM THURMOND

GOVERNOR OF SOUTH CAROLINA

JULY 25, 1949
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STATEWIDE RADIO ADDRESS OF

J. Strom Thurmond
GOVERNOR OF SOUTH CAROLINA

DATE: 25, 1947
ADDRESS BY J. STROM THURMOND, GOVERNOR OF SOUTH CAROLINA, ON ACCOMPLISHMENTS OF 1949 GENERAL ASSEMBLY, OVER STATEWIDE RADIO BROADCAST, MANSION, COLUMBIA, S. C., JULY 25, 1949, 8:00-8:30 P. M.

I. INTRODUCTION

My Fellow South Carolinians:

When I became your Governor, I outlined a four-year program designed to enable our State to meet its responsibilities in the critical post-war period and to take full advantage of our vast opportunities. The 1947 and 1948 sessions of the 87th General Assembly carried out many of these recommendations which are today yielding the fruits of good government. In previous reports to you I have reviewed these accomplishments. Tonight I shall discuss the work of the 1949 session of the 88th General Assembly.

II. LEGISLATION ACCOMPLISHED

First, let me refer briefly to a number of measures passed which are worthy of your attention and commendation:

1. Ratification of the constitutional amendment which removes from the Governor's office the power of pardon and parole, except for reprieve and commutation of death sentences, placing this power in the state probation, parole and pardon board, composed of six members, of which no one Governor can appoint more than two members.

I promised the people that, if elected Governor, I would put an end to the vicious pardon racket in South Carolina under which criminals, with money and influence, bought their way out of the State Penitentiary. I am happy to report to you that this promise has been fulfilled. Under our new system no future Governor will be able to set up “bargain days” for pardons and provide “back door” leaves of absence for criminals.

2. Submission to the people for their approval a constitutional amendment providing for the elimination of the poll tax as a prerequisite for voting.
It is my sincere hope that this amendment will be approved in the 1950 General Election.

3. Measures to provide a more adequate penological system.

An appropriation of $400,000 was made to begin the erection of a new and modern penitentiary to replace the present outmoded, overcrowded and disgraceful plant.

Another important step in this direction was the appropriation of $300,000 for an industrial school for Negro girls, which I have repeatedly recommended.

The State Penitentiary was provided with $250,000 for the construction of a new, modern dairy. It will take over the dairy of the State Hospital and will supply dairy products to both institutions. This measure presents an excellent example of cooperation between State institutions.

4. Additional constructive educational legislation, including an increase in funds for educational purposes.

The General Assembly appropriated nearly $5,000,000 more than last year for State aid to public schools, bringing the total for this purpose to a new high of $34,098,449. This provided for increased pay to teachers who have better qualified themselves, and for expanded services to the schools of the State.

Arrangements were made through the Southern Regional Education Council to provide training in dental and veterinary sciences, and medical training, in addition to these subjects, for Negroes.

Another constructive step in education is the measure authorizing counties to appoint school district reorganization committees. Many counties may find it more efficient to operate on a county unit system or on a high school district basis. Every effort should be made to set up school districts so as to equalize educational opportunity and the school tax burden.

5. Legislation for the benefit of South Carolina farmers.

An appropriation of $100,000 was provided to continue the development of a State system of wholesale farmers’ markets. The first market has already been completed at Pageland, and a central market at Columbia is being planned.

Provision was made for a more adequate livestock sanitation program, particularly in eradication of Bang’s disease and tuberculosis in cattle.
A Foundation Seed organization was established to produce, process, and distribute hybrid seed corn and other seeds, not now available to farmers in sufficient quantity. Also, additional funds were provided for agricultural research.

6. Progressive measures affecting our working people.

A measure was passed extending benefits under the Workmen's Compensation Act to those who suffer from occupational diseases. It has always been my opinion that those who suffer injury and disability from occupational diseases were entitled to compensation on the same basis as persons injured in other ways. I have recommended and worked for this important legislation throughout my term as Governor, and I am happy that it has finally been placed upon the statute books.

An Act was adopted amending the State 40-hour textile law to make it more nearly correspond to the established wage and hour standards. This measure makes it possible under State law, for workers to make overtime pay for all hours worked over 40 per week. In effect, this provision establishes a State Wage and Hour Law in the textile industry.

7. A legislative council, to render research, reference, and bill drafting services to the General Assembly, replacing the old engraving department, thus saving the State's time and money.

8. Constructive public health measures.

The Legislature provided $2,584,000 to the counties for hospital and health centers, and for other public uses. It is my hope that our people will insist that these funds be used for health purposes only. This brings the total appropriated for hospitals and health centers to $6,244,000 since I have been Governor.

The Legislature more than doubled the appropriation for cancer control, providing $250,000 for hospital care of cancer patients.

I have long recommended the reorganization of the State Board of Health to provide representation thereon for the general public. The Legislature took the first step in this direction this year, by providing for new representatives on the Board from our dentists', pharmacists', and nurses' associations. Other consumers of health services also should be represented on the board.

Additional funds totalling nearly $500,000 were provided for the State Hospital, including $200,000 for permanent improvements.
An additional fund of $100,000 was provided the State Training School at Clinton for permanent improvements.

9. Increase in funds of $350,000 for public welfare, including old age assistance, aid to dependent children, and general relief.

This will take care of an additional number of persons who are in need of public assistance.

10. The national uniform rules of the road for South Carolina highways.

I consider this measure one of the most important highway safety enactments ever passed in this State. The code alters old speed limit laws, but does not abolish them. It places more responsibility on the driver himself. The new law says a driver, regardless of what the regular speed limit is, must adjust his rate of speed according to the highway conditions at the time.


In order to furnish greater assistance to veterans, an appropriation of $15,000 was made to provide additional personnel at Veterans Administration installations.

There was enacted a special tax exemption for homes designed for wheelchair living, acquired by paraplegic veterans through an act of Congress.

Provision was made for making refunds to veterans who had paid business license fees before going into service, but who did not get the full benefit of these license payments.

12. Appropriation of $350,000 for the construction of armories and garages badly needed by our National Guard.

13. Creation of a committee to study election laws.

We need adequate election laws, including a secret ballot, permanent registration, voting capacity requirements, primary regulations with provision to punish for fraud, and legal authority for those counties which desire to use voting machines.

III. LEGISLATION NEEDED

While the first session of the 88th General Assembly passed much beneficial legislation, frankness compels me to say that many measures which should have been acted upon were permitted to
be carried over to the next session. I would like to mention some of these briefly.

In my opinion there was no excuse for delaying action on the recommendation of the State Government Reorganization Commission creating a central purchasing agency. This was the first study completed by this commission, which was created on my recommendation to streamline our state government in the interest of efficiency and economy, for the benefit of the taxpayers. Had this recommendation for a central purchasing agency been adopted, a saving of several million dollars could have been made this year in state purchases. This proposal becomes the first order of business at the 1950 session, and should be immediately acted upon.

Also, in the interest of efficiency in our state government, the next session of the General Assembly should immediately establish a merit system for State employees.

A non-political fish and game commission should be created.

The present State Constabulary should be replaced by a modern State Bureau of Investigation.

A county government measure establishing home rule for counties should be passed.

An increased scale of benefits commensurate with present-day living costs should be provided under the workmen's compensation law.

A state wage and hour law should be enacted, in order to give our industrial workers in intrastate commerce the same protection enjoyed by those engaged in interstate commerce.

A law should be passed requiring our mills to provide equipment to control temperature and humidity conducive to the health of their employees.

These and other measures I have recommended to the General Assembly, and I sincerely hope public opinion will become so strong in their behalf that their enactment shall not be further delayed.

IV. WORKMEN'S COMPENSATION

Before closing I wish to discuss with you the South Carolina Industrial Commission, and the appointment of Miss Faith Clayton thereto, which appointment is still awaiting confirmation in the Senate.
For years there has been public criticism of the operations of this commission, and the administration of our Workmen's Compensation law has been a stench in the nostrils of the decent people of South Carolina. In recent years two other Governors have tried to do something about these conditions without lasting results, and a legislative investigation some years ago failed to rectify the situation.

It has been a matter of common knowledge that an amazing number of the cases before this commission seem to find their way into the hands of a "select few" lawyers, often when the act applies automatically and no lawyer's services are needed.

It has been a matter of common knowledge that exorbitant amounts have been allowed by the commission as attorneys' fees, out of awards made to injured employees or their widows and orphans under the compensation law. Not only have our working people received less from their compensation than the law intended and provided for them, but our State has suffered for a number of years because it has the highest compensation insurance rates of any in the Southeast.

Our people have grown sick and tired of hearing about such cases as the one in which a young boy, awarded $6,000 for a fractured skull, was ordered by the hearing commission to pay $2,000 attorney's fee out of it, although liability for the compensation was admitted by the employer.

Our people have grown sick and tired of hearing about such cases as the one in which the widow of an employee who was killed received an award of approximately $5,500 and was then compelled to pay an attorney's fee of over $1,700 out of it, although the employer admitted liability for compensation.

Our people have grown sick and tired of hearing about such cases as the one in which the widow of an employee who was killed was given an award of $6,000 and was then compelled to pay an attorney's fee out of it of $2,000, although the employer admitted liability for compensation.

Our people have grown sick and tired of hearing about such cases as the one in which the beneficiaries of a deceased employee were compelled to pay an attorney's fee of $1,200 out of a settlement of only $2,700.
These are only a few of the many flagrant instances in which our working people have been deprived of large portions of their awards for excessive attorneys' fees, paid to a "select few" lawyers.

The working people of this State are not being properly protected when such large amounts are taken from their compensation by the Commission and made payable to attorneys, frequently in cases where the payment of compensation is undisputed and automatic, and the employees, or their families, do not actually need a lawyer. The Workmen's Compensation Law did not intend for compensation of injured employees to be dissipated in litigation expense. The overwhelming majority of the lawyers of our State do not approve of such practices and will have no part of them.

In fact, the Grievance Committee of the South Carolina Bar Association condemned and deplored this whole situation in a report made in May of this year. The report said that a number of complaints had been received that claimants' cases are being channeled to certain lawyers, and that excessive legal fees are being allowed in certain cases. Condemning such procedure as being unethical, the Grievance Committee of the State Bar said that the Workmen's Compensation Act does not intend that members of the Industrial Commission, or its employees, shall select attorneys for claimants. The Committee said claimants should be free to choose their own lawyers, without such influence. It also pointed out that fees which are reasonable in some negligence cases at Common Law, may be too high where it is not necessary to prove actionable negligence, which is true of so many Industrial Commission cases.

In my inaugural address as Governor, I stated that my first pledge to the people of South Carolina was to strive to instill character, honesty and efficiency in our State government. Under this pledge I believed it just as necessary to clean up the administration of our Workmen's Compensation law as it was to put an end to the pardon racket.

At my first opportunity, I appointed Robert Cain of Hampton to the commission, and when he resigned a few weeks later to enter the army I appointed James J. Reid of Greenville in his place. The other members of the commission then questioned Mr. Reid's legal right to sit as a member of the commission until his appointment had been confirmed by the Senate, and his service
was delayed for some months until it was confirmed by the Senate the following year.

When I appointed Mr. Joel Townsend of Columbia to the next vacancy, for the first time in recent legislative history, his appointment was referred to a Senate committee for consideration, and his taking office was thus delayed for many weeks before it was confirmed.

When I appointed Miss Faith Clayton to the commission this year, her appointment was to produce a majority on the commission which would have the power to straighten out the commission's affairs, and alter the conditions about which our people have complained so long without results.

This appointment has been held up in the Senate until next year by the opposition of a minority of Senators, although the majority of the Senate stood ready to vote to confirm it. Those who have opposed Miss Clayton hope to defeat her confirmation by delay and obstructionist tactics. I do not believe they will succeed, for I have confidence in the strength of purpose of the majority of the Senate who have favored the confirmation of the appointment. A campaign of abuse, misrepresentation, and falsification was launched against her appointment. But I am satisfied that the people of South Carolina will not be fooled by this smokescreen, which is intended to obscure the motives of those who seek to prevent any change in the present set up of the Industrial Commission.

Miss Clayton is qualified in every respect to be a member of the Commission. She has been a working woman all of her life, has held a union card, and the working people of the State will receive fair and honest treatment at her hands. It is significant that her character and ability have not been questioned a single time during all of the discussion of her appointment.

My record in public life has conclusively demonstrated my desire to assist our working men and women to obtain the fullest possible compensation for industrial injuries and disability.

When the legislature passed the Workmen's Compensation law in 1935, I was a member of the State Senate, and I then objected to the law as passed, because the benefits it provided were too low.
In the 1937 session, I introduced and succeeded in passing an amendment which increased the benefits provided to our working people under the Act, and the scale which was then adopted has been in effect ever since. This year, I urged the General Assembly to increase the benefits again, in view of the fact that it costs a great deal more to live today than it did in 1937 when the present scale was adopted.

It makes little difference to our working men and women, however, what scale is written into the law, unless their right to such benefits is properly safeguarded by the Industrial Commission. Despite the campaign of misrepresentation and abuse which has been put on in an effort to protect the existing set up of the commission, I am sure that the people of South Carolina will demand that injured employees and their families get a square deal in the administration of the Workmen’s Compensation law.

No worthwhile reform was ever won without a fight, and I shall carry on this present fight until the Industrial Commission has been made the useful public agency it was intended to be by the law creating it.

V. CONCLUSION

In conclusion, I want to say that the finances of the State are in sound condition.

On June 30, 1949, at the end of the fiscal year, the State had a surplus of $7,114,000. From this surplus, $4,659,000 was appropriated, leaving a balance of $2,455,000 today. This would appear to be a reasonably safe margin against any revenue uncertainties of the coming fiscal year.

Recently, our State highways bonds were given a double A rating in financial circles, and on July 20, we sold $5,000,000 of these bonds to obtain funds to carry on our farm to market construction program at a net interest rate of 1.3889. It has been estimated by competent authorities that the double A rating which our bonds have now been given resulted in an interest saving to our people of $80,000, or more, on this bond issue alone.

Throughout the recent session of the General Assembly I held firm to my determination not to sign an appropriation bill which exceeded official estimates of expected state income. I have always maintained that the state can and must be operated in a business-
like manner, with a balanced budget. I shall continue to insist on such operation.

Let me repeat what I have often said: That a State is no better than the character of its government, and that the character of that government depends, in large measure, on the interest and cooperation of the people.

Let me urge you to take an ever-increasing interest in the affairs of your State. Let us all work together for a better and more prosperous South Carolina.