SECOND ANNUAL MESSAGE
OF
THE HONORABLE
GEORGE BELL TIMMERMAN, JR.
GOVERNOR OF SOUTH CAROLINA
TO
THE SOUTH CAROLINA
GENERAL ASSEMBLY

STATE CAPITOL
COLUMBIA, SOUTH CAROLINA
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Second Annual Message of Governor George Bell Timmerman, Jr.,
to the South Carolina General Assembly

Mr. President, Mr. Speaker, Members of the General Assembly:

Nineteen hundred and fifty-five has been a year of broad change. The basic problems confronting us have altered little, but contributing influences have undergone constant change.

Perhaps one of the most important basic factors that you must consider is the general economy.

When I spoke to you a year ago, our farmers had closed their books on one of our worst drought years. The effect on the general economy was plain.

While you were still in session, freezing temperatures, wind and hail struck the rich orchard areas, destroying our peach crop, an important contributor to the agricultural income.

In other phases of agriculture, we generally enjoyed a good year. Although the dollar value of agriculture in 1955 may have been slightly lower than recent averages, it was considerably higher than in 1954.

The biggest impact upon our economy is our industrial development. In recent years, industry has poured millions of dollars into our State for new plants, creating new jobs and new payrolls.

Since your last adjournment, figures have been compiled for the past 12 months. Compared to the preceding 12-month period, there were almost three thousand more South Carolinians employed in manufacturing plants. Annual wages in manufacturing industries had leaped more than $20,000,000 and are now in excess of $494,000,000. The yearly value of our manufacturing product was increased by more than $140,000,000, and is now almost $2,500,000,000.

By all standards, 1955 was the greatest year of our industrial development. Plans were announced for the building of 43 new plants and 72 major expansions. When completed, they will provide 12 thousand additional jobs with new payrolls approximating $32,000,000 annually. This expansion represents a capital investment of $225,000,000.

Our economic growth is reflected in the State's income.

General fund revenue for the first six months of the current fiscal year is approximately $7,500,000 above what it was for the same
period last year. The rise in revenue includes a $3,500,000 increase in revenue from the retail sales tax; $500,000 increase in revenue from the beer and wine tax; a $700,000 increase in revenue from the income tax; and a $1,500,000 increase in revenue from the inheritance tax.

The increase in revenue from the inheritance tax is due mostly to the size of one unusually large estate and does not reflect an economic change. Other increases involve both economic and tax changes.

We entered the current fiscal year with an operating deficit of $1,800,000, and no general fund reserve.

Total expenditures and reserves for the current fiscal year and the deficit from last year will exceed the estimated revenue for the current year, leaving an estimated deficit of approximately $650,000 by the end of the current fiscal year. It is in the light of this that appropriations must be made for the next year. Appropriation requests exceed the revenue estimate.

I seriously question the advisability of additional taxation.

During the past year, a number of legislative committees was created to study various fields. Perhaps no general assembly has been more active in the pursuit of information for the effective operation of our government. It is hoped that out of these studies, much valuable material will be made readily available to each member of the General Assembly. Time will not permit discussing each separately.

During the past year, the South Carolina Law Enforcement Division was reorganized and a training program inaugurated. A special unit was created to curb the illegal manufacture of whiskey. During the five months of its operation, 613 stills were destroyed; 360 thousand gallons of mash and five thousand gallons of whiskey were seized and disposed of as required by law; 61 motor vehicles were confiscated and turned over to proper authorities; and 325 arrests were made. As a result, fines totalling more than $10,000 were paid, sentences totalling more than 13 years are being served, and 150 cases are pending for trial in state and federal courts.

In addition, a unit to deal with the importation of illegal whiskey was established under the control of the South Carolina Tax Commission. Tax officials have announced that their operation is successful.
Current statutes affecting liquor law enforcement do not work to the advantage of police agencies and in some instances, handicap effective enforcement.

During the last session, I recommended that the liquor law enforcement statutes be re-codified and strengthened.

Such a bill was passed by the Senate. It is now in the House Judiciary Committee for study.

I recommend its passage with such amendments as may be appropriate.

There are state positions for which the statutes do not provide a complete method for filling vacancies when caused by death or resignation. Since the law contemplates that no office remain vacant, I recommend that you provide some statutory procedure for filling such vacancies.

After World War II, the Southern states realized heavy demands for professional, technical and graduate education.

To meet this acute need, fourteen states entered into a compact in 1949 to provide voluntary pooling of higher educational facilities.

The compact set up the Southern Regional Education Board and South Carolina is a charter member.

In this connection, the General Assembly will have before it two matters.

One is the approval of a joint resolution to admit the States of West Virginia and Delaware to the compact. I recommend that the resolution be adopted.

The second proposal is to add a legislator from each state to the Governing Board of the compact. I recommend enabling legislation for this purpose.

The alarming number of highway accidents and traffic deaths is a critical problem.

In 1950 and again in 1951, we had the second highest traffic death rate in the nation. In 1952 we had the highest traffic death rate. In 1953 we had the second highest traffic death rate. In 1954 our State was recognized and honored for achieving the largest percentage decrease in traffic deaths, but we still had the sixth highest traffic death rate.

In 1955 traffic deaths soared. While final comparative figures for all the states are not available, we do know that 706 persons were
killed upon our highways, a death rate 50 percent above the national average.

One essential for highway safety is a system of roads that meets the needs of traffic.

The State Highway Department, within the limits of its authority, has sought by exceptional maintenance to meet this need.

Engineers and officials in other parts of the country attest to the quality of our maintenance.

However, no amount of maintenance can erase the fact that our present highway system is outdated.

We will not make our highways safe until we build a system designed to meet our needs.

The State Highway Department has the engineering knowledge and the engineering personnel to construct such a system.

The Department has sufficient funds to start immediately.

The only thing lacking is enabling legislation to provide control of access as needed.

I recommend such legislation.

The demands upon water for agricultural, domestic, industrial and municipal purposes continue. I hope that you will consider the establishment of a sound water rights law and a sound water conservation program, but, as mentioned in my last annual message, care must be taken to avoid provisions that would hamper economic progress.

Forestry is our second largest industry.

Unfortunately our forests are vulnerable to fire. I recommend that you consider strengthening the laws to protect our forests.

Demands for forest seedlings exceed the capacity of our State tree nursery. The committee created to study the forest fire problem has recommended the establishment of a nursery in the Piedmont area. The Forestry Commission believes such a nursery would become self-sustaining and return to the state within seven years the capital investment. This nursery would concentrate on species adaptable to the Piedmont.

I commend to your careful consideration the report of the Committee established to investigate the Insurance Department. I hope that you will take such action as you deem advisable to improve and strengthen our insurance laws and our Insurance Department for the better protection of the public.
We must continue to insist that the central government protect our textile workers and our textile industry against cheap, foreign goods. The textile industry provides more jobs and payrolls for our people than any other industry.

At the recent Southern Governors' Conference, I co-authored and co-sponsored a resolution to protect our people against this threat. We must continue this effort.

In view of recent developments, I recommend that you consider strengthening the law governing our State Parks.

A well organized drive for federal taxation has been launched to raise funds within the states to be spent in the public school systems now operated and supported by the states.

The effect would be to shift the major responsibility for levying taxes for school purposes from the state legislature to the central government. Federal aid is sugar-coated federal taxation.

It is a fanciful dream to think that the federal government could assume this tremendous expenditure without additional heavy taxation. It might rely on its method of deficit financing for a short time, but as the states become dependent upon the central government, additional heavy taxes upon the low income groups become inevitable.

It is inconceivable that the federal government would cut vast expenditures for national defense, foreign aid, and public welfare assistance, and debt service which it cannot cut, in order to return money to South Carolina for school purposes.

The folly of federal taxation for state services is demonstrated in the field of highway user taxes—taxes levied in the name of better roads. In reality, much goes to support other federal programs. That is the reason additional heavy federal taxation has been proposed for the pending federal highway construction program.

Propaganda for so-called federal aid to education ignores these factors.

It fosters upon us a big political hoax, the claim of an acute shortage of school buildings. The claim is simply untrue.

More school buildings have been constructed in America within the last decade than during any other comparable period. We have more school houses and better school houses than any country in the world.
The real need is to meet the normal increase in school enrollment, a need which can be met by the several states without resort to the central government.

In South Carolina, we are meeting our construction needs both at the public school level and at the public college level.

Under our school equalization program, 389 school houses have been constructed. Sixty-four per cent are for Negro pupils. Within the last year $29,250,000 dollars was allocated for 13 hundred new classrooms. Permanent improvements at our state colleges are being made at a multi-million dollar pace. Last year funds for additional construction totalled almost $4,000,000.

As for me, if I must be taxed, I would rather be taxed sensibly by representatives of my own State, than be taxed heavily by representatives from other states.

I again recommend that you consider providing scholarships for prospective teachers to encourage students to enter the teaching field.

Estimates are that there will be 11 thousand more children in our public school system next September. Based upon the number of children under school age, public school enrollment in the next three years is expected to increase by 11 to 15 thousand children annually.

Our State is providing a modern school transportation system. Forty-five per cent of our buses are used by Negro children. We are operating an average of four thousand school buses, which is almost 300 more than were in operation last year. According to estimates, we will need 175 more buses starting next September.

A major problem still before us is the preservation of public schools acceptable to the people of our State.

The problem is foremost in the minds of our people. I am confident it is foremost in the mind of each of you.

There have been many suggestions for preserving our separate but equal school facilities, including the doctrine of interposition.

Two principles distinguish our form of government and provide it with stability and greatness. Both are essential to protect our form of government. Both are essential to preserve the rights of the states and the people.

One is the historic balance between the authority delegated to the federal government and the power reserved to the states and
the people. It is expressed in the Tenth Amendment to the Constitution in these words:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

Nowhere does the Constitution delegate to the central government the power to control public schools.

The other principle is the process of amendment expressed in Article V of the Constitution which forbids any change in the basic law without the approval of the states.

The Supreme Court has flagrantly violated both of these principles.

It has undertaken to upset the balance between federal authority and state sovereignty.

It has weakened the stability of the written Constitution.

If the opinion is accepted, it will have established a precedent for destroying the greatest system of government ever established.

In striking down the separate but equal doctrine, the Court has not only usurped the authority of Congress to propose changes in the fundamental law, but it has also usurped the sovereignty of the states to approve changes in the Constitution.

It is unlikely that all of the members of the Supreme Court could have been ignorant of what they were doing.

In their opinion, they confessed that they would not interpret the Constitution according to its meaning when it was adopted, or in the light of how it had been interpreted by the Court. In making this confession, they had this to say:

"... we cannot turn the clock back to 1868 when the Amendment was adopted, or even to 1896 when Plessy v. Ferguson was written."

No document can be interpreted truthfully except in the light of what it meant when it was written. For the purposes of judicial interpretation, consideration of previous court decisions is also essential to a correct interpretation.

Rather than resting their opinion upon established law, the present members of the Supreme Court based their opinion upon writings on sociology and psychology.

It must be remembered that the Congress has the authority to curb the Court and restore Constitutional government.
Among many things, the National Senate must exercise greater care in confirming appointments to our federal courts. An active constitutional bloc could soon force any President to give more consideration to judicial qualifications and less consideration to politics. In this way, a great service would be rendered our nation.

Throughout this crisis, we have pursued a policy of working within the framework of the law, resorting to lawful means to preserve an acceptable system of public schools.

Your attitude has been one of intelligent restraint and commendable action. It is in sharp contrast to the attitude of those who seek to destroy our schools.

Last year, the sovereignty of our State was interposed between the central government and local trustees when you wrote into the law that no funds appropriated for school purposes shall be used for any school from which or to which any pupil may be assigned by the order of any Court.

This year our schools are operating in peace and in conformity with the pattern of racial separation which has made for that peace.

Not one child has sought to gain admittance to a school for the children of the other race. Many Negro parents living in Washington and other cities to the north of us are leaving their children with relatives in our State so that their children can enjoy the benefit of a Southern climate in segregated public schools.

Nevertheless, no one can offer a magic solution to the threats that continue to face us.

It is imperative that we continue to consider with great care each move that we shall undertake.

I think it advisable that we give consideration to joining, if possible, our sister states at an appropriate time in a lawful and formal protest against the effort to destroy our form of government; but I would caution against premature action.

We must be always on guard against sweeping away in one ill-advised move all the good that we have accomplished.

I also recommend that we make an earnest effort to expedite the work of our State, looking toward an early adjournment. I believe it in the best interest of our State at this time.

There is growing evidence of an effort not only to disrupt our public schools but also to relegate to a second class status religious faith and racial heritage.
In his State of the Union message the President of the United States lent the prestige of his office to the effort to pour all religious faith and all racial heritage into a melting pot of lost identity.

In announcing the determination of the administration to use federal authority to promote integration, he said:

"We must strive to have every person judged and measured by what he is, rather than by his color, race, or religion."

Never before has a national administration proclaimed as unimportant a person's race and religion.

How better can a person be judged and measured as to what he is? A man's most priceless possession is his racial heritage. A man's most priceless achievement is his religious faith.