

State of the State
Governor William Murray
March 2, 1933

TO THE HONORABLE SENATORS AND REPRESENTATIVES OF THE FOURTEENTH
LEGISLATURE OF THE STATE OF OKLAHOMA:

I appear before you for the second time for the express purpose of discussing with you a subject of vital importance – the subject of CRIME: – ITS PREVENTION, THE CAPTURE, CONVICTION, AND REFORM OF THE CRIMINAL.

In discussing this important question, I shall use the plainest, simplest English, for CRIME cannot be prevented by sentimental or imagery of rhetoric; or by ornate oratory, but it must be solved out of the experience of mankind. I here propose nothing new, for like punishment has existed for centuries of the past. In part it has existed for hundred years in the State of Delaware, around which state the hi-jackers of the East travel; for they dread the “whipping-post” of Delaware more than Sing Sing of New York.

The public morals have broken down for the reason that private morals and honor, and, to a great degree, integrity, have broken down; that is, these virtues of the individual which together constitute character; the public has ceased largely through economic necessity and environment to regard morals and honor of little value.

Much of our CRIME grows out of the neglect of parents in training their children in that they do not teach them what the work “N-O” means; and they set the example of teaching them to be “over-persuaded,” or to become wheedled into wrongdoing by their method of training, by permitting the child to persuade them after they have said “No,” and by yielding to their children’s whims, and by their own effort to have their children do right by persuasion, thus teaching them to yield to persuasion.

The economic fiber of the public has broken down and these together, threaten not only organized government but civilization itself.

There lies between us and universal anarchy the law – only the law. Once it is broken down, civilization will have been broken down, together with all institutions of government – all that our fathers fought for; all that our statesmen have striven for will wash away in this devastating flood.

This condition causes the wise critically to analyze the cause and the remedy; and seek the removal of the cause, even though he must needs face opposition of a fanatical, foolish public opinion.

From my observation and experience, it appears that there are some men honest and honorable under any and all conditions, but I doubt whether this number exceeds 10 per cent; while there are some men, under any and all conditions, who are dishonest; and, again, this would not exceed 10 per cent of the people. The residue in these things are “negative” in character – they are negatively honest or negatively dishonest; or rather, they would prefer to be one or the other, and become such, depending upon their environment and the character strength of their associates. Hence the action of this larger per cent of “negative characters” depends upon economic condition, custom, and environment, rendering it distressful, for their safety and that of their families, causes them to forget the moral precepts and training for honor and virtue, which I fear, for many people, have been too little entirely.

The CRIMINAL is made in childhood; indeed, begins before birth; and, likewise, with the honest individual. Any person who has the characteristics of avariciousness, or love of gain; secretive in his disposition; lack of regard for the rights of others; and low in conscientious

scruples, is always a thief, a robber, or a swindler, if given an opportunity. Therefore, a man possessing two of these traits of character, marrying a woman with the other two, if the offspring partakes of these characteristics of both, their children will be porch-climbers, hi-jackers, thieves, and swindlers. But, sometimes, one or more of these traits of character skip a generation and produce a “throw-back,” under the laws of heredity, pointed out by Mendel, the Dutch, monk; and a thief, a robber, and a scoundrel is born into the world; and this is the explanation of the occasional “black sheep” appearing now and then in a noble family – merely a “throw-back” to some combination of traits of a noble family; and, for the same reason, you find noble men and women now and then in a base family.

The training of the children of negative characters, to prevent the making of future criminals, must begin with the babe in the cradle, by instilling into the mind, through the crooning of the mother, lispings lullabies, instilling in the mind of her babe the sense of shame, for the “sense of shame” is the primary lesson of virtue and honor among men and women. Failure to develop this sense of shame is the parent’s failure of obligation and duty. The continuation of such parental training, year after year, continued through several generations of the same family, will eventually, as pointed out by Luther Burbank, produce a heredity; but, alas, for a generation or more, the indulgence of mother and father in gratifying the appetites, whims, tempers, and passions of loved ones, lead to a youth incorrigible, and makes necessary a public institution for confinement and correction. The doctor will inform you that the indulgence of the mother in the appetites of her children has erected little mounds on every hill whereupon is found a cemetery; and the lack of moral training that brings out a sense of shame, a conception of virtue, and honor, together with the neglect of the father, who, too often, sets the example, has made necessary increased expenditure for penal institutions throughout the land.

The best proof of the effect of environment is the truth that a fraction more than ninety-two per cent of the several hundred boys in the Incurable Institution at Pauls Valley came from Oklahoma City and Tulsa alone – two environments where the struggle for a living grows more severe; where the child becomes calloused to beggary and questionable conduct; nor are all of these boys from the families of the poor – many are the children of the well-to-do – in this last case doubtless arising from their parents, in a effort to show their contempt for such laws as the prohibition statutes, continue to bring to their homes strong drink, and flaunt it before their children until the modern girl has reached the state that when she meets her “sweetie” at the door, has the usual greeting: “What have you got on your hip?” and usually it is a flask.

This loosening of public and private morals grows out of the World War. Experience teaches us that such has proven true in every war of the world; even in the little French and Indian War of the Colonies, the loose restraint of the “Bundling” System of Courtship was broken up because of the destruction of shame, that led to immorality. This system was never in vogue in the South, existing only in the New England States. It spread through Ohio, Indiana, Illinois, Wisconsin, and Iowa, where it was broken up in consequence of the great Civil War. It still exists in the Dutch Counties of Pennsylvania, but no where else. (See “Manners and Customs of Men and Women of the Colonies.”)

Now, to correct this growing evil, other methods of criminal punishment must be devised. If the youth have no sense of shame, no sense of honor, no regard for the decent opinions of mankind, then you cannot reach that youth by any method except through the physical senses – through fear, or dread of pain, which exist in the breast of all animal creation, including man.

The boy grows up around the city; either the children of the rich are allowed to run wild, or the boy of a widow or crippled father who cannot keep their eyes upon them at all times. They engage in sundry supposed sports of mischief. At first, they are chased by the policeman, until eventually they do not fear the “law,” until, at last, they steal something or break into a

store. They are picked up then by the officer, found guilty in a court, and, because of tender years, are sent to an Incurable Institution for reform; but really too late.

The solicitude of the parent for the child oftentimes is too late. Recently, a lady came to my home, and said she: "Governor, I want to ask your advice as a father, not as Governor. You have four honorable boys; I have one, and he has recently got into trouble, and now in jail." I asked her how old her boy was. She said he was twenty. My reply was that she was eighteen years too late, and my advice would be useless, and I declined to advise her. Alas, our institutions at Pauls Valley and Granite are filled with boys whose parents were too late from sixteen to twenty-four years in their solicitude about their boys' conduct.

Therefore, in my opinion, the Legislature should pass a "Juvenile Criminal Malicious-Mischief Act," and, upon conviction, provide that the boy shall be brought into the court, and soundly thrashed with not less than ten, nor more than fifty lashes, with no clothes on the back, except a shirt, by the parent or guardian. For the second offense, put him into an open court-yard in stocks, with his hands and feet fastened, to take for a day or so the scorn, jeers, and paper wads of his associates. These punishments will greatly affect him – much more than a year at the Institution or in jail and the cost for hickories and stocks will be negligible.

Then, for a greater age of youth, there should be a whipping on the bare back of 39 lashes. If this fail, for the second offense, double the number of lashes.

This could be extended to all crimes of petty theft, violation of public decency, wife beating, neglect of children, violation of the prohibition law, reckless or drunken driving (but not fast driving); porch climbing, sneak thief, and, indeed, all crimes that require punishment for as many as two years or less.

These punishments, in my opinion, will do more to lessen the necessity of detection, punishment, and prevention of criminal than all the criminal statutes now in vogue, as the cost would certainly be small.

For hardened criminals, high-powered criminals – and, indeed, some of the brightest minds of the country are in the penitentiary – for hi-jacking and robbery with firearms, I would provide, upon conviction, a reasonable term of years of confinement, not so many as now, but provide, upon entering the penitentiary, that they should receive from 39 to 100 lashes with a cot-o'-nine tail, or their bare backs; and, when they left the penitentiary, either by parole or expiration of time, they should be given another whipping of the same kind, that they might remember for a while where they had been, and to have no desire to return.

If they continue in this form of criminality, which is among the worst, after the third offense, give them the death penalty.

As stated before, a man without honor, without price of name or character for himself or his family, and without respect for the decent opinions of mankind, can be reached in no other way except through the physical senses, and particularly that of fear – the cold-blooded fear of death, which makes even the atheist, when reaching that portal, willing to pray to his God.

In the early period of the American Colonies, and, indeed, up to half century ago, the child was constantly taught shame for wrongdoings; to respect father and mother; to respect the aged; to respect the weak and helpless, and to aid them; to respect authority and those holding positions of honor and dignity; but, alas, both the parent and the school teacher have, in recent years, overlooked these essential preachments until few respect anybody or anything. This, however, is not a new period in the world. If you will turn to 2nd Peter, 2nd Chapter, and begin at the 10th verse, you will find a vivid description of what we have today. St. Peter says:

“But chiefly them that walk after the flesh in the lust of uncleanness, and despise government, presumptuous are they; self willed; they are not afraid to speak evil of dignities.”

The 12th verse states what ought to be done with them in these words:

“But these as natural brute beasts, made to be taken and destroyed, speak evil of the things that they understand not; and shall utterly perish in their own corruption.”

In the matter of reforming criminals, the practice has been to send them to the penitentiary, give them a number of years, then parole or pardon them; and, in this state, it has been customary to give an “expiration” pardon; that is, pardon every man who had served his full term. That, I have never done, for the reason that it does not follow that because the convict has served his term that he had reformed at all; indeed, he may have been made worse. For that reason, in the two years, while I have liberated more than 1,100, I have pardoned but ten.

I believe strongly, because, from experience, I have results upon which to base a judgment, and, hence, a wholesome belief, in leaves of absence and paroles.

And this brings up for discussion the reform of the criminal: In nearly all cases of short term convicts, the experience is that the four, five, or six first months is the term almost unbearable. They can scarcely sleep. Later, after a year or two, they become calloused, and many of them later begin to like the place. I have found that if you give a short term convict a leave of absence, after he has served four to six months, for six months or a year, and then put him back for four months, it will serve a greater purpose for reform than had he served all the while. I find also that few of them can receive a full parole in the beginning; but, by giving them three to four months, requiring a weekly or monthly report to the Parole Attorney, and then extending their time for six months or a year, continuing their reports, with another extension for a year, if their conduct has been circumspect; then, after a year or two, they may be given a full parole. I have found also that a larger per cent “stand up” under this discipline who go to the country to live, after they are out of the penitentiary; even those who are used to the city, turned out under my requirement that they should go to the country, have “stood erect;” while the great body who go back to the towns and especially to their old haunts, fail to keep their leaves of absence or paroles; and this can be best understood when you will remember that the convict who goes back to his old home, whether in the country or the city, is shunned by the righteous citizenship; and, craving the company of his fellows, he is obliged to associate with the “toughs” of his community; while, if he go to a new community, where he is unknown, he has an opportunity for fellowship with people of character who aid him to “stand erect.”

This is abundantly proven in out-of-state, or “Banishment,” paroles.

This is the reason why fewer church members of all the churches fall by the wayside. The member in good standing with his church is fortified with the brotherhood; and, speaking in the terms of society and government, this is the blessing of churches to society. As I have observed before, I am not an authority on how to get to Heaven, but I do know that religion is essential to society, and to the liberty of the citizen guided by law, and the stricter the church is upon its membership, the less likely for one of their flock to become a criminal; but, alas, church membership too often is determined by the amount “dropped in the hat.” This connected with

the course of the average parent, is the cause of the threatened engulfing of civilization itself by the criminals of the land.

A great responsibility rests upon the parent to instill a sense of shame and of honor, sobriety and rectitude; upon the teacher to train the pupil how to think and to solve philosophical truths for themselves rather than, as now, to train them what to think; and upon the pulpit, to thunder the doctrine of righteous living, and like the Essence who gave the world His name as a symbol of the doctrine of rectitude – “Live the life” – for only by “living the life,” and not the profession of the mouth, can be vouchsafed virtue and honor of manhood and womanhood.

To give you an instance within my experience of how different punishments affect a criminal, I relate this story:

While living in El Gran Chaco, Bolivia, South America, a peon tenant on my Concession, by the name of Sideaco, killed his neighbor's steer and appropriated the meat to his own use and benefit, having buried the hide to cover up his crime. Under the law of Bolivia, the court may vary the punishments. Sideaco was apprehended, given four months in the penitentiary at Tarijux which was six days' journey; over, up and down mountains; but, as a part of his punishment, he had to walk all the way six days and carry that old putrid hide on his back. After his service, and the hide had been kept in water, he had to carry it back. Passing over these mountains by switchback trails, in order to reach the top, 13,000 feet or more, even a mule had to rest at every turn of the switchback trail, and one gets very tired and perspires freely. After Sideaco had taken his punishment, I ventured one day to ask him about his prison experience. Speaking in his Spanish, he said: “Senor Patron, the imprisonment was fine; good place to sleep and plenty to eat; but, oh, my! Senor, that old hide! I would get hot and tired, and, at noon, I could not eat. Getting so hungry, I was obliged to eat, and would start anew, and would vomit all I had eaten. My, Senor, I would rather spend a lifetime in the penitentiary than to carry that old hide again!”

That story illustrates the necessity of reaching the criminal by some of his physical sense. All the thought of the criminals' life was a place to sleep and plenty to eat, and that is all many of our prisoners think of.

I gave a convict in Osage county recently a leave to attend the burial of one of his family, and some of his friends proposed to give him aid to get a parole. He replied, he did not want to get out; that he had a good place to sleep and plenty to eat, and enough to do to occupy his time, and that was as good as he wanted.

I submit that this kind of criminal punishment will, in the end, do more harm to law and order than it will do good.

Some new device to correct the evil-doing of men must be devised by law, and, in doing so, we must turn a deaf ear to all the mollicoddles and dreamers and book criminologists, uplifters and fanatics. A short while ago, a lady, one of the noblest in the state, proposed to me that the way to less the number of convicts was to provide publishing in the newspapers an intention of marriage for six months before the marriage should take place. What a fool idea, to embarrass a timid boy and girl who can scarcely stand the taunts of their friends after marriage to have to undergo the ordeal of six months' taunts before marriage! How could that affect the character even of their first born? And the world if full of just such silly ideas, “in the name of humanity and uplift,” and that has ruined the world – the idea that the child should not be punished by a genteel switching, included. They were taught in Bible times: “Spare the rod and spoil the child.” It has, in modern times, dotted our lands with prisons and prison camps. Is it

not wiser to husband and counsel the philosophy of the experiences of man during all of the years of effort to climb along the Highway of Time than to counsel the sentimentalism of mollycoddles, of modern times, which arises from a system of education, teaching people what to think rather than how to think?

If the present tendency of “mollycoddles and uplifters” continue, the logical result will be that, in the year 1950 we may expect to read Press dispatches, as follows:

“Tulsa – (Special) __ John Doe, convicted of hi-jacking, was given a banquet, in which all of the civic organizations participated, to wish him well and to pledge their support for a parole and pardon that he may return from the penitentiary, to which he has been convicted.”

Followed with “Specials” from Okmulgee, Muskogee, Eufaula, and other towns in route to the penitentiary.

This, I say, is the tendency of the times relative to the handling of convicts, and will be the logical sequence, if this doctrine is permitted to prevail.

Having in the foregoing dealt with the making of criminals, the punishment; the reform of the criminal, we now come to the detection and capture of the criminal; and, as a better means than now used, I recommend the creation of a “State Rangers System” for Oklahoma, and this may be found in House Bill No. 389 and Senate Bill No. 237, pending in these respective Houses of the Legislature. You might desire to cut down the number of Rangers, but the system set up in these two bills is fundamentally sound, taking into consideration the Texas Ranger System, with its abundant experience of 100 years; the Mounted Police of Pennsylvania, and that of Canada.

The purpose of these Bills is to take the place of the Criminal Bureau, and to place the appointments upon a basis that will insure better service, because of better qualifications. As provided in the Bill, they should first have sound hearts, lungs and eyes; sound eyesight, that they may see on all sides at once, sound hearts, that they may survive under excitement; sound lungs, to give them buoyancy and vigor, and banish fear. They should never be permitted to engage in politics nor to express their choice, publicly or privately, on candidates. They should be dead-shots, trustworthy and brave.

The virtue of the Ranger System over that of the sheriff is that they can arrest anywhere in the state with or without a warrant; they are dead-shots, and, if they kill a criminal resisting arrest, they have no fear of punishment, except, if in the wrong, they will be dismissed from the service.

It has another virtue, and that is, they do not depend upon the popularity of the families to which the criminals may belong for re-election; they have no family or business connections in the county, which often occurs with the sheriff, and they are usually not known in the county; and, therefore, are not defeated in their efforts by informers to the criminals in hiding. This last reason was the cause of the failure to capture “Pretty Boy” Floyd; and, while we have run him out of the state for six or eight months, yet he had been captured, long ago, had there been a Ranger System like that of Texas or the Mounted Police of Canada. Robberies of various kinds

would quickly diminish in number. The system would pay for itself in “dollars and cents,” to say nothing of the greater and more cogent reason of upholding the law, and, unless we uphold the law, American civilization will break down and universal anarchy prevail.

Respectfully submitted,

BY THE GOVERNOR OF THE STATE OF OKLAHOMA:

WM. H. MURRAY

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.