

NORTH TEXAS STATE UNIVERSITY
ORAL HISTORY COLLECTION
NUMBER 21

Interview with

George Clarence Moffett

May 3, 1965, July 26, 1965, and July, 1966

Place of Interview: Vernon, Texas

Interviewer: Dr. E. Dale Odom

Terms of Use: Open

Approved: George Moffett

Date: 11-25-1968

Oral History Collection

Mr. George Clarence Moffett

May 3, 1965

Interviewer: E. Dale Odom

Dr. Odom: This is the first chapter in the oral memoirs of George Clarence Moffett, former State Legislator and State Senator, taken on May 3, 1965. I noticed that you served in the U. S. Air Force in World War I. Can you comment on your experiences, if you remember them?

Mr. Moffett: At that time this part of the military establishment was called the Air Service. It was originally part of the Signal Corps but had grown into a separate department and was called the Air Service. I served as a Private due to the fact that I had a physical impairment that kept me from obtaining a commission.

Odom: Did you serve overseas in World War I or in the States?

Moffett: No. No, it was purely in the States. I'd been out of college about a year when I entered the service and had been an Assistant County Agricultural Agent in the Extension Service in Texas, stationed in Dallas County for almost exactly a year.

Odom: You then had an agriculture degree at A. & M. Is that right?

Moffett: Yes, I graduated in June, 1916, with the degree of Bachelor of Science in Agriculture.

Odom: After you....oh, you had been serving as a County Agent though in Dallas County when you went in the service.

Moffett
May 3, 1965
2

Moffett: That's right.

Odom: Where did you go then when you came back from your discharge?

Moffett: I came back to my father's home near Chillicothe. I never did resume my employment with the Extension Service.

Odom: Did you go into farming then or what sort of career did you start out on then?

Moffett: I followed a little different course than what you might expect. The Burkburnett townsite oil boom was in full flower when I got out of the service and there were hundreds, even thousands, of people visiting Burkburnett where there was sometimes three or four oil wells in the same block. It was an unusual oil pool and attracted wide publicity, and I stayed and worked in that area for about a year and a half after I got out of the service, and then went down to Graham, Texas, and secured employment with one of the thirteen lumber yards in Graham at that time. It was also going through an oil boom, and that was reason for the thirteen lumber and brick yards there. However, the boom faded out just shortly after I got there, because the 19.....the late 1920 depression, which extended over into most of 1921, punctured most of the oil booms all over this state and other states. However, I did, after six months, become the manager of a lumber yard in Graham, and our business was principally with oil field construction and oil companies who built residence for their employees. I stayed in Graham until the last day of December, 1923, and then

Moffett
May 3, 1965
3

came back to Chillicothe, where I'd been born and reared, and my father was then about 65 years old and was very anxious for me to supervise his farming operations so that he could travel and do other things that he'd been expecting to do for a long time.

Odom: This was about 1923?

Moffett: At the close....I left Graham on the last day of December, 1923....
came back to Chillicothe....

(Interruption)

Odom: I was going to ask you if you had been into politics in any way by the time you went back to Chillicothe in 1923?

Moffett: I took a strong interest in college politics, and my father had been a County Commissioner in Hardeman County, where I was born and raised, for twelve years, and due to that circumstance and association with him while he was a public official of Hardeman County, I learned at least some of the fine points of politics, although I had never engaged in politics myself other than when I was in college.

Odom: Do you recall whether the Ku Klux Klan issue in the early 1920's here was of very much significance in this part of this country?

Moffett: It seemed like that the membership in that organization was what you might call spotted. Some towns or cities, mostly county seat towns, would have....apparently have a good membership. I never belonged to the order, but I saw some, two or three of their parades, and heard a lot of talk, and they were supposed to support

Moffett
May 3, 1965
4

certain candidates, and I assume that they did. United States Senator Earl B. Mayfield was elected United States Senator in 1922, and he came to Graham and made a speech and was alleged to be the candidate of the Ku Klux Klan and a member of it. And I don't think he ever denied it, and certainly, he must have been a member, and people seemed to be for and against Mayfield at that time largely on account of his membership in the Klan. Nevertheless, when his first term expired, and he was not re-elected, that would be in 1928, and I think the fact that he had been the Klan candidate brought about his defeat in 1928 for a second term. That was the general supposition among a lot of people.

Odom: Yes, I think that's true. I was going to ask you that in 1924, do you recall whether you supported Mrs. Ferguson or Felix Roberts in the Governor's race?

Moffett: In the run-off I voted for Mrs. Ferguson. In the first primary I voted for Lynch Davidson, but he did not make the run-off.

Odom: I see. In that final primary you supported Mrs. Ferguson. What about in the general election then, Robertson and....

Moffett: No, it was Mrs. Ferguson.

Odom: Mrs. Ferguson vs. Dr. Butte of Dallas.

Moffett: No, I voted for Mrs. Ferguson. I've always voted the Democratic ticket.

Odom: I suspected that you probably had always voted the Democratic ticket.

Moffett
May 3, 1965
5

Moffett: All my people had been Democrats ever since they landed in South Carolina, in 1774.

Odom: Is that right? Where did your people come from? I mean to Texas.... the Texas area.

Moffett: My grandfather Moffett came from South Carolina to Texas by way of Indiana. He did not stay in Indiana very long, and he arrived in Texas in Ellis County, south of Dallas, in 1854 in a covered wagon.

Odom: I see. Did...was your father the first to move up to this part of the country then?

Moffett: He was the oldest child and he moved up here in a covered wagon.

Odom: I see. That would have been some time around 1890 or...

Moffett: 1889.

Odom: 1889. Well, that's sort of gets back a little bit there..it's just a matter of curiosity. Now in....let's see.... maybe we'd better ask you a little more about your local career here before we get on to some of these other state-wide races, then, after 1924. When did you first actually get into politics? Was the race for the State Legislature the first political race?

Moffett: That was my first political race.

Odom: Your first political race.

Moffett: In fact, I've never run for anything except the State Legislature with one exception--I made one race for the U. S. Congress.

Odom: I see, okay. In 1926, that was the year Dan Moody ran against Mrs. Ferguson, who did you support in that race, Mr. Moffett?

Moffett
May 3, 1965
6

Moffett: I supported Moody. I never voted for Mrs. Ferguson in the primaries but that one time--1924.

Odom: I see. Okay, I noticed in your record that you were an alternate delegate to the Democratic National Convention in Houston in 1928. Is that correct? Did you go down....

Moffett: Yes. Yes, I did. It was a memorable convention. Incidentally, I had been chosen at the State Convention at Beaumont some month and a half earlier, and that state convention was the longest state convention that I've ever attended. It lasted three days.

Odom: Three days....

Moffett: They had a terrific struggle between those delegates who were for Alfred E. Smith and those who were bitterly opposed to him....I was from the 18th Congressional District.

Odom: You were saying that they had a big fight between the group that supported Al Smith and those who opposed him.

Moffett: Yes. I don't recall at this time just who the other group supported. They were mainly anti-Al Smith.

Odom: Mainly anti-Al Smith. I suppose they wound up mainly supporting Joe Robinson from Arkansas.

Moffett: I believe that is correct, although I'm not sure.

Odom: Probably either one of those....Well, how did you....what was your position on the Smith candidacy at that time?

Moffett: The Texas delegates were not for Smith. They only acquiesced in his nomination because it was obvious that he had far more than enough delegate votes to win the nomination. So, I think probably

Moffett
May 3, 1965
7

we cast a few ballots for....a few of us cast ballots for Governor Moody, I believe. Or, at least, we cast ballots for him for either the president or vice-president--I don't remember which. But it was well known that the....

Odom: Smith was going to win the....

Moffett: Smith was going to win the nomination....

Odom: Nomination before it was over with. Did you....what about your.... if you recall them, what about your personal inclinations on this? I realize that you were a member of the delegation....

Moffett: I was not a....I was not a Smith man, although I did vote for him in the general election.

Odom: I see. You stayed with the so-called "Harmony Democrats" then, as they called them.

Moffett: Yes, I guess you could say that. I don't much think, though, that we had that....used that....

Odom: Used that title. Some historian used that. You all may have not used that. I suppose that a good many Democrats voted for Mr. Hoover in that election.

Moffett: Oh, yes, Hoover carried this state.

Odom: Yes, I knew he carried the state.

Moffett: By about ten thousand votes, I think. It was the first time this state had ever supported a Republican candidate.

Odom: This is a....this 1930 Governor's race was the one there were twelve in it. And do you recall who you supported in that....

Moffett
May 3, 1965
8

Moffett: Oh, yes, there were twelve candidates; however, only about six of them were what you would call major candidates. The others were people who just wanted to get their names on the ticket for advertising or notoriety. In the first primary, I voted for Senator Clint Small of Wellington, and he carried practically all of the counties from Vernon to the New Mexico border.

Odom: I see. He was the State Senator from this region, then, at that time?

Moffett: Well, he represented the Texas Panhandle.

Odom: So you supported him. Then in the run-off-primary run-off--it was between Mrs. Ferguson and Ross Sterling.

Moffett: I voted for Sterling.

Odom: I expected so.

Moffett: I never voted for Mrs. Ferguson but one time.

Odom: Yes, you said a while ago you voted for her the one time in 1924.

Moffett: When she was the opposition candidate to the Klan.

Odom: Yes, Okay, you ran for the Legislature then in 1930, right?

Moffett: That's right....in a four-county district.

Odom: Four-county district. What counties were in....

Moffett: At that time, the district was composed of Hardeman, Foard, Knox and King Counties. However, King County had only about nine hundred people.

Odom: It doesn't have very much more than that now, does it?

Moffett: No, it has less than that.

Odom: Fewer than that. Well, I....

Moffett
May 3, 1965
9

Moffett: About six hundred, I think.

Odom: Yes, very few people there, I know. In that race, why did you decide to run? Do you recall?

Moffett: Oh yes, that's....

Odom: Any motives for getting into the race?

Moffett: (laughter) Well, I guess you probably would say that my inheritance was....leaned largely toward politics. My mother's father had been a candidate for the Legislature back in the '80's down in Limestone County, and my father had, of course, been in county politics for twelve years. And he and his family and his parents all had a strong interest in politics. Always have had. Always did have. And I was managing my father's farm--which was not a full-time job--and, consequently, the legislative position fitted in very well with my other activities, although it (my legislative position) did not at that time, and it doesn't even now, pay enough that you can hold it without some financial contribution.

Odom: That's true. What kind of....I was going to ask you what sort of farming was....entirely wheat or....

Moffett: No, my father started out on a cattle ranch. When he came out here in a covered wagon, he bought a section with only twenty acres in cultivation; and as time went on, it became obvious that it would be more profitable to put some of the land in wheat and corn at that time. And a little later on, it was obvious that cotton would be a paying product. At the time he first came to this country, there was no gins so they didn't grow cotton until

Moffett
May 3, 1965
10

they could find a place to gin it without hauling it to Henrietta or some other place.

Odom: I was reading here--I think it was last night or the night before-- about the fellow who raised the first bale of cotton. I've forgotten exactly what county it was in now, but how he had to haul it a hundred and some odd miles to Coleman, Texas to gin it.

Moffett: Well, the first cotton that my father raised, he gathered it and sold it in the seed to a man in Chillicothe who was gathering up cotton around over the community and putting it in a boxcar and sending it to Henrietta to be ginned.

Odom: I see. When was that....about....do you remember?

Moffett: Well, I think it was 1890. That didn't last long. I don't remember when they built the first gin in Chillicothe, but it was pretty soon after that.

Odom: Pretty soon after 1890. And you probably, then, were growing a good bit of cotton by the 1920's or....

Moffett: Oh, yes.

Odom: Mainly cotton or....

Moffett: Well, here's what happened. My father still had a lot of land in grass, but in 1918 and '19 cotton rose to forty-four cents a pound. Of course, it rose and fell, but it reached forty-four cents; and it was obvious that it was a more profitable crop than running cattle on the land. He had good land; it was suitable for the plow, and therefore, he plowed up most of it. He kept some of the so-called sagebrush land for cattle for many years.

Moffett
May 3, 1965
11

Odom: Plowed up, then, the most of his land about World War I, about 1918 or '19 when cotton was so high?

Moffett: That's right.

Odom: And went to cotton and wheat.

Moffett: Cotton and wheat. And it's still cotton and wheat.

Odom: Still cotton and wheat. How big an operation was your father running here....or were you running, then, by the time you ran for the Legislature?

Moffett: Well, he had rented out most of his land. He had somewhere around...above three thousand acres of tillable land, but he quit farming himself along about 1908 and rented it out--built houses and barns and one thing and another--and so when I got back from Graham, it was all rented, and my job was to....

Odom: Supervise.

Moffett: Supervise it and keep the Johnson grass down and tend to the repair work and various other things in connection with good farm operation.

Odom: What kind of tenants did you have? Were they ordinarily just pretty good farmers or how did they....

Moffett: That's one thing that we paid particular attention to. We rented the land on what's commonly known as a "third and fourth basis."

Odom: Third and fourth basis.

Moffett: A third of the grain or....

Mr. Odom: Fourth of the cotton.

Moffett
May 3, 1965
12

Moffett: Fourth of the cotton. And we always tried to secure good tenants because we had good land and built pretty good houses.

Odom: Well, that's....

Moffett: That attracts good tenants.

Odom: Then, let's see....oh, what kind of group or what kind of political support did you try to line up in that 1930 race? I mean, how did you go about your candidacy here?

Moffett: Well, there was some state-wide issues that most candidates mentioned in their race. There had been, at the previous session of the Legislature, an effort to submit a Constitutional amendment to the voters authorizing the Legislature to sell three hundred fifty million dollars worth of road bonds to construct state highways, and I opposed it even though Governor....Ross Sterling--who was the winning candidate for Governor--more or less based his campaign on that issue. But I never was strong for building roads by bond issues because you....(Interruption)

Odom: I had asked you what kind of political groups or what kind of political leaders or any sort of thing did you try to line up for your race in 1930, and how did you go about your campaign? You said, of course, that you....there were certain state-wide issues....the bond issue....the road bond issue that you were opposed to, and I was wondering how you organized your campaign, and how you went about it, and so forth.

Moffett: Well, of course, since the entire four counties that I....of the district in which I was running were mainly farming and ranching,

Moffett
May 3, 1965
13

it was obvious that I would try to make an appeal to the farm and ranch groups. And since I had a background of having been brought up on a farm and a ranch--combination farm and ranch--and had graduated from A. & M. with a degree in agriculture, I naturally gravitated to the attitude of, "If you elect me I will do my best to work for the interests of the farm and ranch groups." And, of course, the merchants and people in small towns depended largely on the prosperity of the farm and ranch groups for their living, so that was a direct appeal. And I had an opponent who was a lawyer and had been a county attorney. Well, he was then county attorney of Foard County, and naturally, he had some difficulty in convincing the farm and ranch groups that he was as well suited as I was supposed to be effective for them.

Odom: Did you have any other opponents, or just the one?

Moffett: Just the one.

Odom: One opponent.

Moffett: Just the one.

Odom: In the 1930 race. Did you take any part in the race for the Speaker in this first session? How does a freshman legislator.... how does he relate to the Speaker's race in a deal like this?

Moffett: Well, in that instance, Mr. Fred B. Minor of Denton was elected Speaker, and no one else was nominated.

Odom: Nobody else was nominated.

Moffett: Mr. Minor had enough pledges at the time that I won my primary election....nomination....that it was obvious that he was going

Moffett
May 3, 1965
14

to be the Speaker, and I inquired about his background, and it suited me all right. So, I immediately notified him that I was supporting him.

Odom: You didn't....No, let's see. That's right. You probably weren't even approached by anybody else then....

Moffett: Until after I was elected.

Odom: After you were elected to....

Moffett: Or at least till after I was nominated.

Odom: Until after you were nominated. What were your relations with Mr. Minor in the legislature?

Moffett: Very good. Mr. Minor was an excellent Speaker, and even though I was a freshman he took pains to explain the various points to me or anybody else who cared to inquire. And, in fact, when he made a ruling, he generally gave proper reasons....supporting reasons for what he said was the proper interpretation of the rules.

Odom: Did you think the Speaker of the House, say, back in your first term--1930 and '31--do you think he had more power or less power, or did it depend entirely on the man, say, than a Speaker today does, or present day....

Moffett: Well, I....it largely depends on the individual. The rules haven't been changed much, and the Speakership as a point of influence is largely what the individual makes it.

Odom: I see.

Moffett: Who happens to occupy the position at the particular time.

Moffett
May 3, 1965
15

Odom: It depends to some extent on what kind of support he has, what kind of relation he has with the Governor or with the majority group in the House, I suppose, doesn't it?

Moffett: Well, I....

Odom: Does it depend on the man's personality to make or break....

Moffett: More than anything else.

Odom: You think it depends on his personality?

Moffett: Of course, it's worthwhile for a candidate for Speaker to have the friendly support of the Governor; however, some members of the Legislature--I was more or less that way--felt like that the Governor belonged to the Executive Department, and that he shouldn't assert himself too much in the choice of a Speaker. I don't object to a governor letting it be known who he favors, but as far as taking a definite, positive part in the choosing of the Speaker, I never have been for it. And I think in many instances when that occurs that a governor may run off nearly as many votes as he can persuade to vote for his candidate for Speaker.

Odom: That sometimes happens?

Moffett: It does happen, yes.

Odom: When you first came into the Legislature, Mr. Moffett, did you depend on colleagues a good deal for advice? Do you think you depended more so on them for advice or do you think you were.... because you were new, more determined to find out about every issue than you became later or what would you....how would you comment on this?

Moffett
May 3, 1965
16

Moffett: Well, of course, a man who does any original thinking or tries to, he is more likely to form his own judgments. However, a person who has never served in a legislative body would naturally have to lean somewhat on older members about a few things at least. But that bond issue that I mentioned a while ago, which was a hot subject in the campaign, also came up in the Legislature; and I didn't need any outside advice on that. Now, of course, as big as this state is, there are circumstances that arise in various parts of the state that call for modification of the existing law or for a new law, and very often it's something that I wouldn't know too much about. For instance, this constant struggle that goes on down along the coast between the commercial fishermen who are....who do their fishing for....say for selling the fish and making money out of it. They're always in a scrap with the sportsmen who want to run the commercial fishermen out so there will be more fish for the sportsmen to catch. And that's a battle that I never knew hardly anything about when I went to Austin--and frankly, I don't know too much about it now. It's not a question that concerns this area, and it looks to me like--or quite often it looks like--it's just a struggle between two folks to grab all they can get as fast as they can get it.

Odom: What sort of pressure would you say a legislator going down there for the first time meets....I mean say from lobbying interests or from his colleagues who want to get votes to support a bill or so on and so forth.

Moffett
May 3, 1965
17

Moffett: Now, let me say right here in this matter of lobbying, a great many people think that a lobbyist is a....kind of a shady character that ought to be run out of town, maybe; but let me state that ever since I've been in the Legislature the State Teachers Association has had men there....people there on the ground to contact the members about various bills. The Texas Federated Women's Club--they don't keep anybody there all the time, but if they've got a bill they're interested in, they come down, and I mean they lobby with you just like anybody else does. They don't offer to pay you money. In fact, I was never offered any money to vote a certain way on a bill.

Odom: You never have been bribed in your whole career?

Moffett: Never have been. Of course, I'll say this--that the folks who are in that type of business, they take a good, long look at a member before they make up their minds whether or not it would be prudent or proper to offer him something.

Odom: And of his accepting it.

Moffett: Yes, and whether he'd get mad about it and hit them in the face or whether he'd get off behind the door in a hotel room somewhere and say well, maybe we can make a deal or something, you know. There's all kinds of people in the Legislature and our fathers and forefathers that framed the Constitution of this country intended it to be that way. I think it would be better if we didn't have some of those who are a little weak and wobbly and tend to be overpersuaded, but they've always been there, and I think they'll probably always be there.

Moffett
May 3, 1965
18

Odom: Probably will be. Do you want to comment, then, about who you think were the most respected legislators on back in the '30's, generally, if you want to.

Moffett: Well, let's see. Mr. Dewey Young of Wellington was Chairman of the Committee on Revenue and Taxation at that session, and naturally, he and I being from the same area, we were on friendly terms more so than I was with several other members. Then there was a member from San Angelo named Penrose Metcalf, who had been a classmate of mine at Texas A. & M. We chummed around together quite a bit. Then, the Chairman of the Appropriations Committee--he'd been to A. & M. for one term, I think, or maybe one whole nine months term; and naturally, I gravitated around to his company somewhat. My deskmate was a man named Fritz Englehart from Eagle Lake, and he was deeply interested in agriculture just as I was....showed much interest in giving me the benefit of his previous experience-- I think he'd served one or two terms. You naturally....after about thirty days in the House, you naturally recognize in your mind that certain members are leaders and others are usually the followers. There was a member from Corpus Christi named Pope, who was serving, I think, his sixth or seventh term, and he was quite effective. He was a very, very good debater. He could hold his own in repartee, and he always knew his facts--he knew what he was talking about. Former Speaker, Lee Satterwhite, from Panhandle, Texas, was a member of that Legislature, which was the 42nd. He'd been a....he'd been a Speaker in the 39th and had moved to Ector County, which was a budding oil field, and had been

Moffett
May 3, 1965
19

elected from that area. Nearly all the members recognized Mr. Satterwhite as a natural leader. I think he served seven terms, and we had quite a lot of respect for his viewpoints. Of course, there were about seventy-five new members in that Legislature, and naturally, many of them did not take a leading part in legislation. It's quite unusual for a first-term member to rise to effective leadership in his first term.

Odom: Anybody in particular that....in your first Legislature that you.... well, didn't think too highly of among the leadership? Do you care to comment on that or not?

Moffett: Well, they had....they had a group there from San Antonio at that time, I believe it was five members....I never thought that that particular group had the public interest too strongly at heart. They seemed to be more inclined to try to get some favors from the State for their home county, irrespective of whether they had a lot of merit or not. And I didn't care for that type of attitude, although I got along with them personally in fine shape.

Odom: Okay. Let's go on up to....on this issue on the road bond, of course. How was that finally disposed of?

Moffett: It was a Constitutional amendment because the Legislature cannot issue state bonds without the consent of the people of Texas, which is a very fine thing to have in our Constitution. It's something that a good many other states don't have. And that's one of the reasons that I'm not a bit warmed up about re-writing the entire Constitution at one lick, because the people would have

Moffett
May 3, 1965
20

to vote on all the changes. There might be one hundred of them at one time. I'm in favor of amending the Constitution step by step. That particular proposal to authorize the Legislature to issue three hundred and fifty million dollars worth of road bonds did not pass through the Legislature. It was never submitted to the people.

Odom: Never submitted to the people? So you wound up in the majority on that one, then.

Moffett: Well, it takes one hundred votes to submit a Constitutional amendment....any Constitutional amendment, and they got ninety-eight votes, I think, on the third try and quit.

Odom: I see. Okay, what about the 1932 election. Were you a delegate to the National Convention that year? I think you were an alternate that year.

Moffett: I was an alternate.

Odom: An alternate. Let's see, where was the Convention that year?
I....

Moffett: You mean the National Convention?

Odom: 1932, Yes, the National Convention.

Moffett: I think it was in Chicago.

Odom: Yes, it was in Chicago. I remember now.

Moffett: I didn't go even though I was..even though I'd been....

Odom: You didn't go....

Moffett: I'd been chosen as an alternate without my knowledge even. I didn't know they were going to put me on the list. And just two

Moffett
May 3, 1965
21

or three days before the filing date passed, I drew two opponents, and I was busy attending to them, so I didn't go to the National Convention.

Odom: Yes, Let's see, were you....who did you support for the nomination?
Did you support Mr. Garner?

Moffett: I would have done so, if I'd gone to the Convention.

Odom: You would have done so, if you'd gone to the Convention.

Moffett: Well, the Texas delegation was all pledged to Garner.

Odom: In this....in your own race that year, 1932, you had a couple of opponents. What sort of issues did you have to fight on this one?

Moffett: Well, that's the only time I ever had two opponents, and they.... it was right in the bottom of the depression, and in some cases I'd hand the voter a card, and he'd look at it, ask if I was in office, and, of course, I said yes. He says that's all I want to know. I'm not for anybody that's in office. So it was largely a case of the "in's" against the "outs." My opponents didn't present any particular constructive platform at all. They just said that what we needed was a change in Austin. And it was a hard race. It really....I worried more about that race than I did any race I ever had. I'll tell you, in a depression like we had then, people were....they were stirred up and many of them.... they didn't care who the man was, if he was in office, they didn't want him back.

Odom: And, of course, Governor Sterling was defeated, too, wasn't he?

Moffett: Yes, he was defeated.

Moffett
May 3, 1965
22

Odom: How did you stand on the question of relief at that time? Or had this become an issue in the 1932....

Moffett: It began to be an issue after the election.

Odom: After the election. You didn't....really didn't get much play as far as your election to the....I mean the primary, and so on.

Moffett: Well, my opponents....I remember one of them took the Journal and cited a place where I had voted for the salary of the Supreme Court judge. I'd voted to pay them an annual salary of \$7,500. And they have to run statewide, and, of course, it costs that much or more to make a race, even then. And he got on me because I voted to pay the Supreme Court judges \$7,500 a year. And that was something that took with a lot of people. They didn't want to vote for a man that had voted to pay those judges that much money. Wheat was selling for about fifty cents a bushel, and cotton was selling for about five cents a pound, and that was a very strong reason why a lot of people didn't think that a Supreme Court judge was worth over \$150 a month.

Odom: I can see their point of view, all right. But what about the matter of....I suppose to a lot of people, maybe to you, the question of cutting government expenditures was probably not quite as important as the economic conditions of the people generally, was it?

Moffett: Well, the idea of cutting expenses was pretty strong, and we did. My recollection is that we reduced the salaries of state employees about twenty-five per cent.

Moffett
May 3, 1965
23

Odom: That's in this 43rd....

Moffett: In the 43rd legislature. There was strong sentiment for cutting government expenses.

Odom: Yes, I know that nationally there was. In that Governor's race in 1932 of Governor Sterling vs. Mrs. Ferguson, of course, you supported Governor Sterling.

Moffett: I supported Governor Sterling.

Odom: You said a while ago that you hadn't supported Mrs. Ferguson except in 1924. Do you....did you take any part in the Speaker's race in 1932?

Moffett: Yes, I did--a very definite part. I was one of Stevenson's strongest supporters.

Odom: I see. Who was he....who did he have a big struggle with?

Moffett: His opponent was a member from....well, his name was A. P. Johnson, from Carrizo Springs. I think it's in Dimmit County. Yes, I'm sure it is. Stevenson won that race by eight votes, in my recollection.

Odom: Eight votes.

Moffett: I think that's correct.

Odom: Well, was this his second term or was this more....I mean had he been in the legislature longer, or was it his first term?

Moffett: He had served two terms before he ran for Speaker. And I think Johnson had served two terms. Incidentally, this man--A. P. Johnson--was no relation to the present man who is President of the United States.

Moffett
May 3, 1965
24

Odom: Then Mr. Stevenson had impressed you in your previous term and, you were a strong supporter of his.

Moffett: I should have mentioned a while ago that I considered Stevenson to be an outstanding member of the House, and that not only was he an outstanding member of the House, but he was a man of far above average ability. And he had a natural ability of presiding and keeping things moving with the least amount of static.

Odom: I see. This sales tax, of course, came up in the 43rd legislature. Mrs. Ferguson was Governor. The problem was that you had to find some way to meet the big deficit that the state was spending, didn't you?

Moffett: That's right.

Odom: And it was a matter of finding some kind of tax, and I don't imagine any kind of tax was very popular--it never has been.

Moffett: No.

Odom: What sort of stand did you take on the sales tax issue?

Moffett: Well, it never did come to a vote. I don't recall now just why that proposed sales tax didn't reach a vote. At least I don't remember voting on it. I think I would have voted against it if it ever came to a vote at that time, although about thirty years later, I did vote for a sales tax.

Odom: That was the last one we've had.

Moffett: Yes. Well, it finally got around to the point that the sales tax was the only method that could....the only tax that could be found that would raise the required amount of money.

Moffett
May 3, 1965
25

Odom: What about back, though, in the 1930's....say back to the 43rd legislature....what kind of tax did you think would be the best? What sort of tax....

Moffett: I don't recall now. It seems to me like that....as I remember it, that we did increase the tax on oil a little bit in that session.

Odom: I think you probably did.

Moffett: And then we also....well, at the previous session we'd levied a tax on cigarettes, a much smaller tax than it is now. I think it started out at four cents a pack--it could have been three. And then we put a little tax on cement and....I don't remember just what tax we levied in 1933.

Odom: Oh, well, that's okay. Say, on that rider to the appropriations bill to legalize horse-racing. Was there some reason for putting this into a rider or not putting it into a regular bill? Is this.... how did this get through? Was Mrs. Ferguson opposed to it, or something?

Moffett: No, Ferguson was for it.

Odom: She was for it?

Moffett: That was the reason it went in. However, that....that's a subject that's pretty hard to explain. The rider in the appropriations bill had no standing in a court of law, and they knew it didn't. But they had the promise of Jim Ferguson, the Governor's husband, that he would call a special session a few months later and submit that race track gambling issue to that special session that did legalize race track gambling in Texas. They....if they had

Moffett
May 3, 1965
26

depended solely on what was put in that appropriations bill, any court of competent jurisdiction would have thrown it out.

Odom: I see. So it was only in effect, then, for a short while until the special session was called?

Moffett: Well, I don't really think that they had gotten the tracks ready, and the grandstands and the jockey clubs and all that. I don't much think they'd even had a race at the time the special session took up the subject. A lot of people think that you can attach a so-called "rider" to a bill and that that becomes the law. Well, very often it is not legal to do it that way. And if the courts ever pass on it, they'll throw it out.

Odom: Well, is this because it's unconstitutional. I mean, not in accordance with the State Constitution, or what is the reason for this?

Moffett: No, no. Here's what the State Constitution provides, that you cannot legislate in an appropriation bill.

Odom: Oh, I see.

Moffett: What they did in that bill, they put an item in there to pay for the supervisors of the members of the Racing Commission, or something of that kind, and....of course....

Odom: Oh, yes, I see how you got to it that way.

Moffett: The general appropriation bill, in the first place, doesn't become effective until September first following the regular session of the legislature; and by that time he had already.... Mrs. Ferguson had already let it be known she was going to call

Moffett
May 3, 1965
27

a special session to deal with this race track matter. And in the meantime, the race track enthusiasts had gotten around and converted some of the members to the idea of voting for it.... well, mainly on the plea that it would raise some tax money.... take care of the deficit.

Odom: Did you support it? I don't know....

Moffett: No, I've always been against it. I never would vote for anything.... I think that the legalization of any kind of gambling is a backward step in civilization.

Odom: Do you....how do you think it's going to fare now? It seems to be getting a little more support just recently, in the past three or four years, doesn't it, or not?

Moffett: Well, the racing associations--I think there are two of them--have spent a lot of money sending people around to talk to luncheon clubs, any kind of club where they can get permission to talk. They go ahead and tell them that it's the sport of kings, and that you don't have to bet if you don't want to, and a lot of other things. They've neglected to tell them that it increases the crime in the state wherever it goes on. It clogs the courts with criminal cases. It increases the number of people who are confined in the penitentiary. And after all, just from the money standpoint alone, the state's no better off after it's been legalized for a couple of years than they would be if they didn't have it.

Moffett
May 3, 1965
28

Odom: You think the cost of these other things will match the increase in revenue?

Moffett: Yes, I do. Besides the idea is that it demoralizes the morals of young people, particularly.

Odom: In the....also in that 43rd Legislature, of course, you took up the question of relief and bonds and so on....what sort of struggle did you have over that?

Moffett: Well, there was some opposition to the issuance of state bonds for any purpose. Still is.

Odom: Well, they had to be....had to be passed by constitutional amendment, did they not?

Moffett: The people voted for it by a substantial majority. However, the issue was only a small issue. I think it was only \$20,000,000.

Odom: Yes.

Moffett: Of course, that's a large sum of money to you or I, but it's not a big item to speak of.

Odom: And it wasn't even a very large one, I guess, in 1933?

Moffett: No, it was not.

Odom: How about your position on the New Deal programs that were coming in now in 1933, especially the AAA, some of their....their programs that were inaugurated then?

Moffett: Well, as you know, Congress moves much more slowly than the State Legislature. My recollection is that none of those....of the New Deal bills had been through Congress at the time we adjourned.

Moffett
May 3, 1965
29

Odom: Probably hadn't, because most of them were passed....I know the triple A was passed....I believe the triple A passed in May. It might have been early June, and a good many of those things.... except banking legislation was passed back in March, I believe.

Moffett: I do remember this about the banking legislation. Banks were going broke at many places in the country....too many of them.... and so Roosevelt, Franklin D. Roosevelt....one of his first acts established a moratorium and closed the banks for several days-- in some instances closed them two weeks or more, and in a few instances, they never did reopen, because they were insolvent. The legislature met on Saturday night, March 4, I think it was, 1933, and backed up the President in this moratorium on the banks. That's the only time I remember that....at least in the thirty-four years that I was there....that the Legislature met on Saturday night.

Odom: Did....had many of the banks closed up here in your area prior to this election, or not?

Moffett: No, not prior to his election. I don't recall. There was a bank closed at Seymour which was not in my district, and I don't remember the date though. Seems to me like that was in '33. One of the banks in Vernon closed, but it paid all the depositors in full.

Odom: Well, of course, they were all closed then after these affairs in nationwide banking were suffered, but how about as the....then, of course, when the triple A program did go into effect in 1933, what was your reaction to that? Do you recall?

Moffett
May 3, 1965
30

Moffett: Well....

Odom: I suppose maybe some of it you may have favored, some of it you may have opposed.

Moffett: That's right.

Odom: But what was the general approach to the thing?

Moffett: Well, obviously, something had to be done all right. And whether or not the right thing was done, there's always room for doubt. Hindsight is always better than foresight, you know. Really, I think probably the programs that were set in motion were about as good as you could expect under the circumstances. They had to start out in a new field, you know. They had no precedent to go by.

Odom: So you....you were generally, I'm sure, favorable, but maybe critical of some parts of it.

Moffett: Generally, it was a good law.

Odom: Yes, generally. In the 1934 election, did you support Mr. Hunter or James Allred? Do you recall that?

Moffett: I supported Allred.

Odom: You supported Allred in the first primary and in the second primary too?

Moffett: Both.

Odom: Both primaries you supported Mr. Allred. By that time the old age pension program was getting to be quite an issue. Did that.... did you have an opponent in the 1934 election?

Moffett: No, I didn't have an opponent. I didn't have an opponent.

Moffett
May 3, 1965
31

Odom: So you didn't really have to deal much with the thing.

Moffett: Well, I endorsed the old age assistance plan....and voted for it.

Odom: Was there any....any sort of Speaker's race that year, or did Mr. Stevenson have it already sewed up?

Moffett: No, No, he didn't. It developed right along at the last that R. W. Calvert, who was then a member of the House from Hillsboro, ran against Mr. Stevenson. They....Mr. Stevenson won by a substantial vote because Mr. Calvert started late, and Mr. Stevenson had quite a number of pledges before Mr. Calvert even entered the race.

Odom: What do you say....what do you think is the most important factor in this getting elected Speaker of the House. I know most of your experience has been in the Upper House later, but you may have.... of course, you're still close to the thing.

Moffett: Well, in a good many instances....there're a good many factors in it. First, a man should have some ability, and that's a fundamental factor. Then his ability to get along with different groups. Of course, you're always going to have a few that are scrapping in the House.

(Interruption)

Odom: Let's see. Oh, yes, we were talking about the....generally speaking, the race for Speaker and were talking about the fundamental fact being a man had to have some ability and had to be able to get along with various groups that were going to be dividing on the issues. Anything else that....

Moffett
May 3, 1965
32

Moffett: Well, of course, a man who is candidate for the Speaker has already served at least one term; most of them have served more than one.

Odom: Does he have to constitutionally have served one term?

Moffett: No. No, that's not a requirement, but you see....It's a very difficult job for a freshman member to be elected Speaker, so you've got a sort of a record of his legislative activities and his viewpoints and background, and I never would vote for a man that wanted to promote race track gambling or that wanted to bring back the old saloon or....there were a good many that wanted to do that.

Odom: Yes.

Moffett: I always thought that Mr. Stevenson's ideas about government were, in the main, very sound. I didn't disagree with him about too many things, although I did on some points as you naturally would, but he....he was a man of extraordinary ability and he was then about forty-five or forty-six years old, which is an ideal age, you know, for ripeness of experience and one thing and another. And then his previous record had been very good as a presiding officer.

Odom: Do you think that there's any sort of, oh say, type of stand or other than the general qualities outlined here, any sort or type of support or any sort of....any geographical area that is very much of a factor in this matter?

Moffett: Yes. Geography counts some. If a member from a district that is a neighbor of your own district is running, you're inclined to favor him a little bit. And, of course, when the candidate is

Moffett
May 3, 1965
33

from one of the larger metropolitan areas, most of the time he will get the votes of the other members from that area. It's not 100% the case, but he'll get most of them.

Odom: So, other things being equal, a man from a more populous part of the state ought to have an advantage....

Moffett: Yes.

Odom:when it comes to running for the Speaker's race.

Moffett: And it's going to be more that way now since the cities are gaining more and more members.

Odom: Well, do you think this is going to almost prevent a fellow from one of these vast rural districts from becoming speaker? You don't think it's strong enough to do that, do you?

Moffett: It'd be a big factor.

Odom: A big factor.

Moffett: Yes, it will.

Odom: Might....it would have to be a rather outstanding man....

Moffett: That's right.

Odom:then, or have some sort of extra pull going for him.

Moffett: He's got to have a lot on the ball.

Odom: Okay. In the....in that 1934 session....let's see, that would be the 44th Legislature....

Moffett: It would have been 1935.

Odom: Yes. It would....the first session would be 1935. Yes. Oh, one other question I intended to ask you about that Senate race in 1934, I guess it was, Tom Conally ran against Joseph Bailey for

Moffett
May 3, 1965
34

the Senate....Joseph Bailey, Jr. Did you support Senator Connally in that election?

Moffett: Yes, I supported Connally.

Odom: Well, he was already Senator....

Moffett: He was already Senator...that wasn't much of a race.

Odom: No, I didn't think....

Moffett: You could tell how it....

(Interruption)

Odom: Connally. Yes, that was Connally's second race, wasn't it? He was already in there. That wasn't that much of a race.

Moffett: No, really it wasn't....Bailey, he didn't have much to talk about. Tom Connally was running for a second term and Tom had been in the House. He knew his business. Mr. Bailey just took a notion he was going to run for the Senate, but he didn't make much of a showing.

Odom: Well, let's see. Bailey had been in the House, hadn't he?

Moffett: For one term.

Odom: One term. Son of the former Senator, Joseph Bailey of Gainesville. I guess....did he live in Gainesville then?

Moffett: No, I think he lived in Dallas.

Odom: Think Joseph Bailey, Jr., lived in Dallas.

Moffett: I think he claimed Dallas as his residence then.

Odom: In that....in 1935....you know the voters repealed...effective voters repealed prohibition after the 21st Amendment had been passed only....of course, that was a big issue, I suppose, in the Legislature that year.

Moffett
May 3, 1965
35

Moffett: I was.

Odom: On what to do....how to control the liquor traffic, or what sort of way to provide after prohibition had been repealed. Liquor by the drink....open saloon....or what sort of thing....

Moffett: It was the biggest fight in the Legislature and, as you say, the fight resolved around whether or not the old-style open saloon would be tolerated, and would liquor be sold by the drink or would it be confined....the sale be confined to package stores, and the latter method finally prevailed. It was a bitter struggle. The voting in the House was very close on the question of the sale of liquor by the drink....the dries were against the sale of liquor by the drink and they won that battle by the margin of one vote.

Odom: One vote. But you were in the....as you indicated a while ago.... you were in a group who opposed open saloons or liquor by the drink, which is what you mean by that, isn't it? Or not?

Moffett: Yes, I was the leader of the dry side.

Odom: I noticed you were on the Conference Committee....

Moffett: Yes.

Odom:House-Senate Conference Committee on that bill, weren't you?

Moffett: That's right.

Odom: And....you came out....you all came out with pretty well what you wanted. Did you have to compromise on it in any way?

Moffett: Oh, we had to compromise. We....we won on this point of whether liquor would be sold by the drink. However, the big....there was another big fight on another angle of it. At that time, I believe,

Moffett
May 3, 1965
36

nine states had adopted the so-called "state liquor monopoly store plan."

Odom: Yes.

Moffett: We tried to install that in Texas, and the upshot of it was that we submitted two amendments. One would have provided and did provide for the package store system by....through private ownership and the sale of distilled liquors would be accomplished through package stores privately owned. And the other plan would have provided for state monopoly on distilled liquors. Now these so-called "monopoly states" that sell alcoholic beverages, they do not try to get into the beer business. They....all of them, I think, as far as I know, permit the private parties to deal in beer. But the State handles the distilled liquor, principally whiskey. And we tried to install that system in Texas. It takes the profit motive out of the sale of distilled beverages, and if you take the profit motive out, you remove quite a few of the abuses. And at the same time the State gets considerably more revenue from the sale of alcoholic beverages. In our state we figured it would run to at least \$20,000,000 a year.

Odom: More than you would get....

Moffett: More than we would get the other way.

Odom: Right. By privately operated....well, then, you supported, then, the state monopoly system?

Moffett: Monopoly system....and we submitted it....got it submitted to a vote, but the people voted against it.

Odom: People voted for the private.

Moffett: Private sale.

Odom: Private sale. Well, did this ever come up as an issue any time since then....of any importance....of being a state monopoly?

Moffett: It's never been really an outstanding issue, because after you establish a certain system in a way you close the door to the other, because the people who have rented buildings, bought equipment....How are you going to get rid of it?

Odom: They've lost it. The economic cases....

Moffett: Yes. That's right. I....well, I still think that state monopoly is the best way to handle the liquor business, and it has been so proven in....

Odom: Well, Washington....the State of Washington....don't they have....

Moffett: I think there are nine states that have it.

Odom: There are still nine states, huh....

Moffett: I think so. And then Canada--I think it's the only way they sell liquor in Canada.

Odom: Yes, I believe that's true. And maybe some other countries.

Moffett: And some of the European countries are the same way.

Odom: Yes. Some of the European countries....

Moffett: It's proven to be satisfactory as long as you don't have some employees that can be bought, and that doesn't happen too often.

Odom: I can see how that might become a problem. The....let's see, the Conference Committee you were on was on the submission of the

constitutional amendment, was that it?....or....

Moffett: Yes, and later I was on the Conference Committee that wrote that bill.

Odom: That wrote that bill providing for our present liquor setup....

Moffett: That's right.

Odom: What about the....the....you know, the liquor by the drink is getting to be another issue now, isn't it? I mean, it's becoming an issue like horse....like race track gambling.

Moffett: Yes.

Odom: What....I mean in just your own idea....what do you think is going to happen to these. Are they going to....

Moffett: Well, of course....

Odom: Going to pass, you think, or....

Moffett: At the next session of the Legislature there will be many more city members than there now that....it....both of them may pass. I don't know.

Odom: Do you think that would be....that probably would be a factor.

Moffett: It will be a big factor.

Odom: I noticed, too, that you--in the 44th Legislature--that you introduced the bill to amend the Constitution to allow no county more than seven Representatives.

Moffett: Yep.

Odom: Now, let's see; now that passed....

Moffett: It passed in the Legislature, and the people adopted it.

Odom: People adopted it, well, I....

Moffett
May 3, 1965
39

Moffett: Dallas County voted for it.

Odom: Dallas County voted for it. Well, they didn't have that many any-way, did they?

Moffett: They had five.

Odom: They had five, but they wouldn't have been long....far from it....

Moffett: No, but they did vote for it. Fort Worth Star-Telegram supported it editorially.

Odom: They did?

Moffett: Yes.

Odom: So....what about Houston....

Moffett: No, they wrote editorials against it....front page.

Odom: They were against it? What about San Antonio?

Moffett: I don't recall whether they editorialized on it or not.

Odom: The fact that you were put on the Conference Committee on this prohibition thing....or on the liquor control matter in your.... what, your third term....

Moffett: Third.

Odom: Third term....this....was this, do you think, mainly due to your being a leader of the dry forces?

Moffett: Oh, yes.

Odom:on the matter of opposed to the....

Moffett: Definitely. Very definitely.

Odom: Was it an indication, though, of some growth in your stature, though, in the Legislature, wasn't it?

Moffett: Yes, definitely.

Moffett
May 3, 1965
40

Odom:the being the leader....Who were your main supporters in this....
in this....well, as you call it, dry fight on this. Do you recall?

Moffett: Well....

Odom: Ones who worked closely with you or were most effective in your....

Moffett: G. C. Morris from Hunt County, who afterwards became State Senator,
was one. Alfred Petch from Fredericksburg was one.

Odom: From Fredericksburg? This is the German County....

Moffett: That's all right; he was a dry.

Odom: He was a dry?

Moffett: Yeah, he believed in state monopoly.

Odom: Uh huh. But beer is a big commodity there, I suppose.

Moffett: Yes, that's right. Well, to tell you the truth, it's so far back....
It's been thirty years. I don't remember now who did take the lead.
I'll tell you that question was so sharp that the members just more
or less lined up automatically.

Odom: Uh huh. Well, what about your opposition in that one? Who led
the opposition?

Moffett: Well, the opposition....Emmet Morse from Houston and a fellow
named Young from Cuero. I've forgotten his first name, but I think
he's passed on. Well, both of them have....the opposition mainly
came from the area where the Latin American population was the
strongest.

Odom: I see.

Moffett: And from Houston.

Odom: What about Dallas and Fort Worth? Do you....how did they go? Did
they split, sort of?

Moffett
May 3, 1965
41

Moffett: They....well, I think Dallas split. And....well, I think both of them split.

Odom: Both of them split.

Moffett: That's my recollection. I think we got two votes from each city.

Odom: Did you get much mail from the home folks and much...you know....

Moffett: Well, I got mail from all over the state.

Odom: All over the State. But people....your people in your district, I suppose, were pretty, well....you thought pretty well felt the way you did?

Moffett: Oh, this district was a strong dry district. I got one letter from an ex-saloon-keeper in Fort Worth. He said, "You're on the right track, and I can't afford to be quoted, but the liquor industry ought to be curbed."

Odom: Okay. They had a called session that time. Was this....

Moffett: That's when they passed the statute.

Odom: That's when they passed this....

Moffett: Yes, they....

Odom: Yes, that's it. The voters had approved the constitutional amendment and....Now, 1936....as I recall, you were not a delegate or alternate delegate that year to the National Convention, were you?

Moffett: No, well there was no National Convention in '36.

Odom: No National Convention in '36?

Moffett: Yes, there was.

Odom: Yes, it was when Roosevelt was nominated for his second term.

Moffett: No, I didn't....yes, you're right. No, I don't remember. I didn't

even try to be an alternate or delegate.

Odom: I see. I suppose you were....were you a strong supporter of Roosevelt in 1936 or had you....were you lukewarm or....

Moffett: No, I was still for him.

Odom: Still a strong supporter?

Moffett: Yes.

Odom: Let me see. Did you have any opposition in your own....

Moffett: No, I didn't.

Odom:race in '36?

Moffett: Some opposition, but no opponent.

Odom: Some opposition, but no opponent. (laughter)

What sort of opposition....I mean you....were you....

Moffett: Well, the race track....

Odom: You smiled a little bit there.

Moffett:people and the liquor people were all against me.

Odom: I see, so this amounted to some opposition.

Moffett: Oh, I'd say twenty per cent, maybe.

Odom: Twenty per cent. But they couldn't get anybody in the race to oppose you?

Moffett: That's right.

Odom: Okay. Let's see, then, in the 19....in the 45th Legislature in 1937, did you support Mr. Calvert in this race for the Speakership or did you support his opponent?

Moffett: He....he didn't have an opponent.

Odom: He didn't have an opponent.

Moffett: I was for him all right.

Odom: I see. And Mr. Stevenson left the House then....

Moffett: No, he came back.

Odom: He was back in the House at that time, but did not....

Moffett: He did not run for Speaker.

Odom: Did not run for Speaker. Do you happen....do you know any reason why?

Moffett: Well, he thought that two terms for Speaker was enough.

Odom: He believed there ought to be a sort of two-term tradition or something or what?

Moffett: Yes, I think that was his attitude, although I don't speak for him.

Odom: Uh huh.

Moffett: I think that was his attitude.

Odom: You think that was his attitude. Well, has this been true in most of the times in the past for the Speaker to serve two terms and that's about it or....

Moffett: Well, I think Stevenson was the first man that ever served....no, I believe he was the second man to serve two terms.

Odom: Oh, really! Ordinarily, it's one.

Moffett: And before that the man who had served two terms, I think, was way back in the '80's. Maybe it was....no, it was 1880's....or 1870's....it was way back....nobody knew him.

Moffett
May 3, 1965
44

Odom: Well, what is the reason for this. Is this a strong feeling on the part of the legislators or what is it, just tradition or something?

Moffett: Well, of course, a man who is Speaker and seeks a second term, he has a definite advantage because he can confer committee appointments and various other things....conference committee appointments and standing committee appointments and recognition one way and another, and he can swing a pretty strong stroke. And really I'm not so strong for a second term.

Odom: You're mainly....

Moffett: That is, I'm not....

Odom: You think it ought to be just one term, then?

Moffett: Yes, for Speaker.

Odom: Yes, for Speaker.

Moffett: Of course, there are a lot of angles to it. Sometimes you just don't have them handy....reasonably qualified.

Odom: Yes.

Moffett: The Speakership material is a little scarce in most instances.

Odom: I see. Well, you've got to....

Moffett: You've got to have a man with outstanding ability.

Odom: Yes. And generally a man with some experience maybe, too, that.... in the Legislature.

Moffett: Yes.

Odom: Let's see, you first were put on the Committee on Agriculture in that 44th Legislature, weren't you?

Moffett
May 3, 1965
45

Moffett: Yes, that's right.

Odom: In the 1935 Legislature. Did....was there anything of importance there that you think you'd like to comment on? I don't have any particular questions to ask you about this.

Moffett: In '35?

Odom: I mean, well, yes. We'll say '35 and '37 both would be....either one of these.

Moffett: Well, of course, in '35 I got that amendment adopted and submitted to the people to limit the big counties to so many members.

Odom: Yes. I knew about that.

Moffett: In 1937 I got a bill passed to create a scientific cotton research laboratory in Texas.

Odom: Yes. I noticed that one....

Moffett: And the Governor vetoed it.

Odom: Oh, the Governor vetoed that one? Passed the House, but you....

Moffett: Vetoed after we adjourned.

Odom: I see. This was Governor Allred, then.

Moffett: Allred.

Odom: We hadn't talked about 1936 election, have we?....for the Governor's race?

Moffett: It wasn't much of a race.

Odom: Wasn't much of a race.

Moffett: I think Allred beat three of them.

Odom: Beat three of them in the first Primary?

Moffett: Yes. I think....

Moffett
May 3, 1965
46

Odom: Well, you were supporter of his, then?

Moffett: I supported Allred.

Odom: You supported him when....well, that's right. He was the first....
You supported him in the first election.

Moffett: That's right.

Odom: Did you try to get this bill passed again, then, the next session
of the Legislature on the cotton research laboratory that got a
veto?

Moffett: No, I passed it in '37, so I rested on it in '39 and repassed it
in '41. And Governor O'Daniel signed it.

Odom: He signed it. Do you happen....do you know why Governor Allred
betoed the bill or....

Moffett: I never did really know why.

Odom: Never did really know. Of course, he probably said why he did or
did he say?

Moffett: Oh, my recollection is that....I don't remember....you know he
don't have to give any reason.

Odom: No, I know.

Moffett: I don't think he said too much about it. You see, Governor Allred,
his background was not connected with farming, and he'd been a
District Attorney, and he'd been Attorney General, and he....I just
think that he really didn't realize the need....the urgent need for
expanded research to find new uses for cotton.

Odom: Of course, that was one of the ways to attack the farm problem.

Moffett: Well, strange to say, there's a lot of people in the cotton-producing

Moffett
May 3, 1965
47

business at that time that didn't realize that was one of the best ways to bring about the relief that they needed from the surplus.

Odom: I think most people do now, don't they?

Moffett: They do now. It was a new thought then, though, and people don't pay any attention to it. A lot of people thought I was kind of nutty.

Odom: Okay, is there anything else there....and in that Forty....either the 45th Legislature that you recall of any importance on agricultural bills?

Moffett: Oh, let's see. Well, I think I might mention here that back in the 43rd Legislature, I passed a bill to authorize the issuance of farm truck licenses, if the commodity hauled was farm products or supplies for the farm. If you did general hauling, the truck license would not apply, and the fee for the truck license was somewhat less than the regular commercial truck licenses.

Odom: It's still in effect.

Moffett: It's still in effect. And my recollection is that I amended that bill in '37, but it was originally passed in '32.

Oral History Collection

Mr. George Clarence Moffett

Interviewer: Dr. E. Dale Odom

July 26, 1965

Odom: Senator Moffett, I thought I would ask you first why you decided to run for the Senate in 1938 after several terms in the House.

Moffett: Well, most of the individuals who serve in the House acquire a natural inclination or ambition to rise to what is thought to be a higher position. There are one hundred and fifty members of the House, thirty-one members of the Senate, which obviously makes a member of the Senate somewhat more important; his voice becomes more important in shaping legislation that passes through the Legislature than the opportunity that he would have in the House to shape legislation. Incidentally, Texas has one of the smallest senates in membership of the entire nation. For instance, Oklahoma with approximately two million people has forty-four senators. Texas with approximately ten million people has only thirty-one senators. I think it's correct to say that only two other states have a senate of such membership that each member represents more people than a State Senator in Texas represents. One of those states is New York with approximately seventeen million people; I believe they have fifty senators, so a member of the Senate in New York represents more people than a member of the Senate in Texas represents. However, in spite of that fact, there are still fifty members in the New York Senate and only thirty-one in Texas. It's obvious that in a state the size of Texas with a land area almost equivalent to that of France has only thirty-one

members in its State Senate; it's impossible for thirty-one men to adequately represent all of the different groups, conditions, and various aspects of a state's resources, activities, culture and refinement, and so on. For instance, along the Gulf we have at least six hundred miles of coastline. We have about eight hundred miles of international boundary which presents problems peculiar to that area, that are unknown elsewhere in the state. We have a tip of Texas at Brownsville that's near the tropics in more ways than just temperature. Amarillo, Texas, is so far north that its climatic conditions are much more like Colorado and Nebraska and Iowa than they are like Brownsville in its own state. Furthermore, El Paso on the western tip of the state is actually just about as close to Los Angeles, California, as it is to Beaumont, Texas. Many high school graduates of El Paso attend a university in California for this reason. To sum it up: a member of the Texas Senate really does have the power to exercise a great deal of influence on legislation for this state, and for that reason a great many members of the House develop an ambition to run for the Senate, and sometimes, in fact very often, their ambition is not achieved. In my case, I was running against another House member who represented, at least he was one of the representatives in the House from Wichita County, containing the city of Wichita Falls. Actually Wichita County at that time had about forty-five or perhaps forty-six or forty-seven per cent of the

total population of the district. This makes it somewhat difficult for an individual living over in the northwest corner of the district, as I do, to get elected. However, I did accomplish it because of a lot of hard work, starting early, working from daylight until midnight, quite often. It was before the days of TV campaigning, so a member had to burn up a lot of gasoline, wear out a lot of tires, and motors to reach the people.

Odom: Senator Moffett, is it ever likely that members of the Legislature from some other part of the state would come in and campaign for you at that particular time, or not?

Moffett: I don't think that any other member of the Legislature came in to the district in which I was trying to be elected to the Senate. It is true that, on occasion, a member will go into another member's district, however, most political observers have a big doubt about the effectiveness of that type of assistance. Most of those who have had a part in it come away with the feeling that they may have gained a few votes for the man they were seeking to help, but also there usually develops a feeling among the voters that they don't like for a member from some other district to come over into their own district and undertake to tell them who to vote for. As a general rule, it's a practice that's seldom used, and I doubt its effectiveness very much.

Odom: Aside from the size, which is obviously a big difference, what are the biggest differences here between being a State Senator and

being a Representative, in actual working, legislating, and politicing, etc.?

Moffett: Well, to begin with, a Senator will get much more mail than a member of the House. Answering my mail when I was a member of the House was no problem at all; some days I wouldn't even get one letter, and I would say the ordinary mail was one or two letters a day. I hadn't been in the Senate long before I began to get fifteen or eighteen or twenty letters a day, and when a bill was about to come up that had a wide public interest, such as taxation or a school bill such as the Gilmer-Aikin Bill, those bills would literally cover up most of the members of the Senate with mail. I think the highest number of letters I ever received in one day was two hundred and fifty-six, and they related to a school bill; it may have been the Gilmer-Aikin, I'm not certain about that, because we have school bills every session just as they did this past session. School bills and taxation and a few other subjects always appear in a regular session of the legislature. I don't mean by that that they always pass a tax bill, or that they always pass the school bill that some group may want, but it's a subject that's liable to bob up at any time, and your mail will pick up in a hurry.

Odom: Are the lobbying pressures any greater on a Senator?

Moffett: Do you mean personal lobbying?

Odom: Yes, as far as school groups or anybody coming in. Are you subjected to more pressures here?

Moffett: Well, naturally you would be, because those groups or persons who are so-called lobbyists only have thirty-one members to work on in the Senate, and they have one hundred and fifty in the House, so you naturally have more contacts. Now, let me speak here about this lobbying matter. Some people seem to think that a lobbyist is a very shady character that perhaps ought to be in jail, or at least that he's almost such an undesirable individual that you wouldn't want to be associated with him. Let me say this, that our Constitution and the Federal Constitution as well, guarantees the right to every citizen to contact the members of the law-making body to express their views, or make suitable requests or to ask for redress of grievances, and very often there's a group that thinks they have some awful big grievances. And I'd say this, the State Teachers Association probably has as much so-called lobbyist influence as any group that operates in Austin. I don't mean by that that they dole out some stimulating liquids, that isn't the point at all, because they don't do it, and neither do they perform some other more or less undesirable activities that a great many people associate with lobbyists. There are all kinds of lobbyists. The Farm Bureau has two men there all the time, sometimes more, and then they're bringing in groups of farmers to talk to the various members. The

doctors and the nurses and the engineers and the chambers of commerce and the good roads association and the Tax Research League and the League of Women Voters and the Texas Federation of Women's Clubs, well they come down in big groups sometimes and take you out to lunch, to dinner, to breakfast. I mean they express their opinion in definite terms, and sometimes they leave the influence that if you don't heed them and vote that way, that you sure won't get their support at the next election. That happens all the time. Of course all people have representation: the Labor Union people, they keep several men there all the time. This matter of lobbying is not well understood. Of course the race track people, they're trying to pass a race track gambling bill, they'll take you out to eat, and they might furnish some stimulation. They didn't furnish me any, because I don't use it, and they soon found that out and let me alone. As a matter of fact, it usually becomes known circulating around there among the various people there in Austin who are interviewing the Legislature that certain folks usually make up their own mind and are going to vote the way they see it no matter what you tell them, and that's a very good reputation to have, too, because you become a more effective member when it's known that you're going to vote for what you think is right, no matter what somebody pours your ear full of hot lead about.

Odom: Do they come to visit you in your office very much, or is this mainly a sort of extra-curricular thing?

Moffett: Both. I would offer this word of suggestion to anyone who wants to contact a member of the Senate particularly, because his time is well taken up all the time. In the first place, one of the differences between the House and the Senate is that there are about the same number of committees in both branches; I believe the House may have a few more committees than the Senate, but in the House a member customarily only serves on four committees, and usually one of them is a sort of "deadhead" committee that never gets many bills, and maybe two of them might be, while in the Senate we have at this time I believe twenty-four or perhaps twenty-six committees and only thirty-one members. So each member usually serves on from eight to fifteen committees. I have been on as many as sixteen committees in one session, and that obviously takes up a lot of time. And if a Senator is going to answer his mail, and the ordinary mail will rise from a few at the beginning of the session toward the middle it will rise to thirty-five or forty almost every day. Well, if he's going to handle that mail, he doesn't have much time in his office to talk to people, and the best way to approach a Senator is to take him to lunch. He's usually hungry when twelve o'clock comes, and if the person doing the contact work wants to take him down to the Piccadilly Cafeteria and feed him and talk with him (as I said a while ago, pour his ear full of hot lead) about what bill the visitor is interested in, it's a very good time. Of course there are other ways. Some of them

take them off on weekend trips, here, there, and yonder. I never did take one of those weekend trips, because usually you're moving pretty fast with limited amounts of time for sleep and recreation, and at my age and stage I didn't cotton to that much.

Odom: Do you have to depend more on research assistants and so on because you serve on more committees here, you consider more bills, etc.? You can't be as well-informed on all of them, can you?

Moffett: Well, that's a problem that there's no solution in sight for as yet. With about sixteen or seventeen hundred bills at each session, there is a definite problem on becoming informed on all of those that are brought up for consideration. Of course they never all reach the discussion stage. Now this matter of research assistants: I think that perhaps they assign that title to some of the people that work in a Senator's office or around his desk or something, but there are not many genuine research assistants, because most of them that apply are students, and they don't know any more about where to find anything than a farmer does looking for a needle in a haystack, and if you've got to go hunt up the information and where to find it for them, you might as well read it yourself. There are sometimes a few that have had some prior experience that do very well. I never was able to get one that I could turn over all the bills that I

wanted to analyze to them and say "bring me back a report of them." Very often I would call the library or go around to the library; they have a Legislative Librarian who is very good. Or you run into this: After you have been there a few years (I served altogether about thirty-four years) about six years, in the House and twenty-eight years in the Senate, you soon learn that these bills that come along bring up almost the same or at least quite similar problems to those that you have had at a previous session, and in that respect you don't need a whole lot of research, you know what the questions and answers are already, and some of the folks who come down there to inform you don't know as much about the subject as you do. And that's one thing I would advise anybody who's going to visit the Legislature, if you can bring him some information he doesn't have, he'll be glad to have it; if you're going to pour his ear full of hot lead about and probably knows more about it than you do, why you had better stay home.

Odom: In a situation like that then I suppose you have to depend more on the committee reports. Now, how does a Senator, say like yourself, go about deciding whether he's going to take pretty well the committee's recommendation or whether he's not? Is there a substitute for knowing something about the bill yourself?

Moffett: I never did particularly follow the line of voting for a bill because the committee reported it. If it was some bill about seacoast fishing along the Gulf, I might take the committee's

report and swallow it and go on and vote, because I lived over five hundred miles from the Gulf, and I wasn't concerned about how many fish they caught in Copano Bay down there, but if it's general legislation affecting the entire state I always felt like I might know nearly as much about it as the committee members did. Now this does happen: if it's a subject that a member's not posted on himself and hasn't had an opportunity to become posted, he may depend to quite an extent on what some other member is saying or doing about that subject, who is well known to be posted on it. That often happens. For instance on some question about changing the legal procedure of the state, I am not a lawyer, and I'd always listen to some member who I considered to be a good lawyer in the Senate. We have all kinds of them: good, bad, and indifferent, you know; I tried not to listen too much to the indifferent.

Odom: In this first Legislature you served in the Senate, this was the first one in which Governor W. Lee O'Daniel served. Did you get along pretty well with him, or did you have any relations with Governor O'Daniel?

Moffett: It's well said when you asked did I have any relations with him. I had very few, as a matter of fact, I doubt that more than five per cent of the members of the Legislature ever voted for O'Daniel, because they just didn't feel like that the things he proposed were well thought out or that he himself was well posted on government, and I still don't think he was.

Odom: You tend to think that he was what we call a demagogue?

Moffett: Well, he sure had some of the qualifications of a demagogue, there's no question about that. As a matter of fact, there are not many members who vote for something because the governor is for it. Now quite often you will agree with the governor just because you think he is right. Oh, there are some members who try to follow what they call an administration line, but that's not done in Austin near to the extent it's done in Washington, nothing like, it doesn't even approach it.

Odom: Does an individual senator's personal relations with the Governor depend pretty much on whether he's acquainted with him personally, whether he's working on important bills, conference committees, or how does this go?

Moffett: Well, it's just a human relationship, a matter of personalities. For instance, some members of the Senate are well known to have been opposed to the Governor in the campaign, and if they have been out beating the bushes for some other candidate that lost, you can readily understand that the Governor is not going to cotton to them real quick or real close, and most of them don't even expect him to. I've been fortunate in that respect; I've had the good fortune to support most of the governors that have been elected in the thirty-four years that I was in the Legislature. O'Daniel, I assume, would be the one that I supported the least, because I never did vote for him.

Odom: Let me call your attention back to the problems that were facing the legislature and let you comment a little bit about this, particularly on this one important Conference Committee that you served on, you served on more than one, but the one on this bill for a two percent sales tax that provided revenue for old age assistance. The research assistant has down here, "Finding the funds for Old Age Assistance payments was still the state's largest and most pressing problem." And of course on this sales tax bill, the committee's report was unfavorable, thought after some amendments it passed the Senate, but failed to pass the House.

Moffett: Mr. Odom, I don't think that the committee report on that bill was unfavorable. It was a Constitutional amendment in '39. It was SJR 12. It was a Constitutional amendment; I was chairman of the committee. I voted to pass the proposal out of the committee. Now on the floor the first time it was voted on, it failed, and a motion to reconsider was made, and the motion to reconsider carried, and that put it back right where it was in the beginning. I voted to submit that to the people. At one stage, however, I did vote against it for the reason that it included food; it included a sales tax on all food, and I told Senator Weinert who was the manager for that bill that "I can't vote for it as long as you leave a tax on food." And so they reconsidered and took out the food item, and after that I voted to submit it, but the House of Representatives never did vote to submit that to the people. What happened: we adjourned without providing any additional revenue

for the old age pension, and it was in 1941 at I believe the Forty-seventh Session that we did pass the tax bill, the Omnibus Tax Bill.

Odom: What was the big problem here, the usual problem of trying to pass any kind of tax bill?

Moffett: Not only that, but the size of the problem. That Constitutional Amendment would have provided for, I don't remember the figures now and perhaps there was some disagreement about the exact figures necessary, but it seems to me like it was around eighty million dollars, maybe a hundred million dollars, and that size of bill would provoke controversy any time.

Odom: Did this have to be a Constitutional Amendment in order to have a sales tax?

Moffett: No, I don't think that was it. The plan was to amend the Constitution and levy this series of taxes mentioned in this amendment and forever dedicate that portion of the tax revenue, the revenue derived from those taxes, for the use and benefit of the payment of old age assistance payments. In other words, when you put anything in the Constitution, the Legislature can't repeal it, you see, except by another vote of the people, so it was tying down a definite source of income for the payment of old age assistance, commonly known as old age pensions.

Odom: The Governor refused to call a special session to deal with that, too, didn't he?

Moffett: Well, he didn't call any special session; I don't remember his reasons, and I wouldn't have paid any attention to them, anyway.

Odom: Who among your Senate colleagues there in your first session impressed you most as an able, effective Senator who had the interest of the state, the interest of the people and interests of his constituents at heart, and also, if you would care to, you might want to recall some who were the least effective?

Moffett: As to the most effective, I would mention Senator Weinert from Seguin. His father had been a Senator and County Judge, and Senator Rudolph Weinert himself had been a County Attorney and a District Attorney and a very highly informed man. He was undoubtedly an outstanding member. So was Senator C. C. Small who was a member of the Senate I believe twelve years, and that was his last Session. Of course when you go to pick out outstanding members, you have to define what you mean by outstanding. Some of them would be outstanding on the matter of taxation, others on school affairs, and others on municipal affairs, and so on and on.

Odom: There is a sort of division of labor you would consider here then in the Senate?

Moffett: It's not a sharp division. For instance on agriculture many of them would come around and talk to me, agriculture and livestock, although there were a good many of them there who knew something about it all right. I didn't have any copyright on the information,

but they knew that I had graduated from A & M and at that time there were two of us, Senator Metcalf and I who had both graduated from A & M; we were classmates. They usually quizzed us pretty freely if they were in doubt about something. Now as far as picking out the most useless member, if you want to put it that way, I'd hate to assign that job, well right now--that's twenty-six years ago--I'd have to study around a little bit to even make up my own mind about it, so we had better skip that one, We always have one or two that are just about useless, I'll say that.

Do you happen to recall and maybe would comment for a while on what at this time, say here in the late '30's and early '40's were the most important agriculture problems that demanded some sort of legislative action and what you did or didn't do?

Well, one of the problems that I'd been harping on for some time was to try to establish organized scientific research for more uses for cotton. The Federal Government was plunging around, trying to find a solution for the cotton problem then just as they are now, and I took the position from the beginning that the only long range solution to a surplus cotton problem was to find more ways to use it, and that science which had done so much in other fields ought to be called in through a vigorous scientific research program to find new ways to use cotton. I passed a bill in '37 to establish a state scientific research laboratory, and the Governor vetoed it, and, incidentally, it was Governor Allred at

that time. He told me later that he thought that was one of the mistakes of his service as Governor, that he vetoed that bill. Well, later on in 1941 I passed that bill, and Governor O'Daniel signed it. Incidentally, I thought that was about the smartest thing that he did. However, in '41 the shadow of war was imminent, and really no research of consequence was undertaken until along about 1949. In the regular session of '41 it was obvious that the U.S. would soon be embroiled in this war more and more, and before the year was out Pearl Harbor put us in, and then for about four years the main topic of consideration was bills to assist as far as possible the war effort and to iron out problems that arose here at home, you see this state had a lot of army camps, had some prisoner of war camps. We were full of problems concerning the war.

Odom: In agriculture, of course, the problem was producing as much as you could produce.

Moffett: It faded out for three or four years; we had no surplus problem.

Odom: Do you recall who was the chairman of the Agriculture Committee that first Session? I notice you were chairman of the second session.

Moffett: I have forgotten. It probably was a senator from South Texas called Senator L. J. Shulae. He came from a rural constituency, and I rather think it was he. He didn't serve very much longer though.

Odom: Was his retirement responsible for your becoming chairman in the next session?

Moffett: No, I don't think it was. I think he and the Lieutenant Governor

fell out...was the trouble. I'm pretty sure that was the trouble.

Odom: Stevenson?

Moffett: Yes, Stevenson and I were very close friends. As a matter of fact he sent for me in that first session--I had supported him and had gone on a tour with a loud speaker and had made some speeches for him--so he called me in, and he said, "Now I'll give you any committee appointment you want within reason, of course I know I can't appoint you Chairman of Appropriations or Chairman of State Affairs on the first session; that just isn't done." So I said, "Well, Constitutional Amendments will be all right," and he says, "Fine. You're not a lawyer but I think you know as much about it as most of the lawyers do, so I'll just appoint you."

Odom: Then you were pretty well pleased with your committee appointments in the First Session?

Moffett: I have never been much displeased with my committee appointments. I have always been on good terms with the Lieutenant Governor, and only in rare instances did they fail to appoint me to the exact committees that I requested, and in the instances when they did fail, it was of small consequence, so it didn't mean anything.

Odom: This is the thing that makes the real difference then in the Senate: what kind of committees you get on. Is there any difference here in your serving in the Senate and serving in the House as to your personal relationship to the Speaker? Are they

pretty much the same thing?

Moffett: Yes, it's pretty much the same thing. If you support the presiding officer, you're probably going to get substantially the committee appointments that you want, and if it's well known that you've been fighting him all the time, why you're not going to get very many juicy committee appointments. Some of the members don't realize that when they're out beating the bushes for somebody. Of course if they've been there a long time they know it, but a lot of them have to learn it the hard way.

Odom: The question had started coming up about that time, the matter of the tidelands and a bill to extend Texas sovereignty out twenty-seven miles into the Gulf of Mexico. What was your position on that?

Moffett: Well, I was a joint author of that bill to extend Texas sovereignty twenty-seven miles seaward. The thinking on that bill was that when the three mile zone was first thought of and put into operation two or three hundred years ago, three miles was as far as a cannon could shoot at that time, three hundred years ago, and it was useless to claim land that you couldn't protect and enforce your authority on. At the time that you mention there, 1941, a cannon could shoot twenty-seven miles seaward with accuracy. So we took the position, we assumed some things, but we assumed that if we claimed jurisdiction twenty-seven miles out toward sea that it would support any litigation that came before the U.S. Supreme Court,

and the State Attorney General would make that statement that "Our Legislature has exercised their privilege and declared sovereignty twenty-seven miles out, because it can be enforced that far out." Well, Governor Daniel, when he was United States Senator later, much later...he said he used that argument. He didn't know how effective it was, but it was one among a lot of other arguments that he used, and of course the more arguments that you can produce, the better chance you have to succeed.

Odom: The Session before that, your first one in the Senate, Senator Shivers introduced a bill, and it passed, and Governor O'Daniel vetoed it, I noticed here.

Moffett: Well, I'm not certain if I signed the first one or not, but I know that I did sign one that afterwards became the law. Of course again that was a case of O'Daniel vetoing a bill that he really didn't know anything about. He didn't know what it was all about.

Odom: That was along when O'Daniel appointed Sam Houston's son to the U. S. Senate just a strategem to prevent anybody from running against him in 1941. Who did you support in that election, do you recall? Or did you take any part in it at all?

Moffett: In 1941?

Odom: In 1941 when O'Daniel ran against Johnson and Mann and Dies.

Moffett: I guess I'll have to back up. I did vote for O'Daniel in that election, because I wanted Stevenson to become governor. I

wasn't particularly enamored of O'Daniel as a United States Senator, because I didn't think he would prove to be very effective, and he did not prove to be effective either, but we wanted Stevenson to be governor during the war period. And let me say right here, I don't care how many people criticize Coke Stevenson. He performed during that war period as efficiently, as wisely and as patriotically as any man could have done. You see, we had a lot of problems here in this state brought on by the war effort, because we had a lot of flying fields here, and we had a lot of training camps. We had several hundred thousand trainees here in this state, and they present problems. And then we had other problems that always go along with a war effort of any kind, and Stevenson successfully sailed the Ship of State through that period without any definite crises such as did occur in a few other states. He kept the race issue down; he spread oil on the troubled waters about labor relations, and that was a definite problem. I don't care what other people say about Stevenson; he performed in a very high commendable manner during that period.

Odom: He seems to have a lot of respect from quite a few ex-state legislators.

Moffett: Oh, he does. He was not liberal enough for some of them, but he didn't believe in reaching in everybody's pocket and jerking money out and spending it recklessly like some people do.

Odom: I just noticed here that in that Session of 1941 that there were bills to allow the Governor to appoint a budget officer, to re-

move unsatisfactory appointees, and to create a merit system for state employees that did not pass. I don't know if they ever came up for a vote.

Moffett: I don't think it came up for a vote at that session. It passed at a later session. The Governor was for it.

Odom: Of course Mr. Stevenson you supported in the next election for Governor.

Moffett: Right.

Odom: Your committee appointments seem to pick up here, too, in number and importance by about 1943, and you were now dealing with John Lee Smith as Lieutenant Governor. Was your relationship with him as close or as satisfactory as that with Stevenson?

Moffett: It was quite satisfactory. He was from Throckmorton County which joined my district. I afterwards represented Throckmorton County in '51; they changed the district pattern and put Throckmorton County in my district. Yes, I'd known him a long time, and I had a very satisfactory relationship with him. Actually, I was Chairman of State Affairs in that session of 1943, because the Chairman, Senator Kelly, was called to the service, and I was Vice Chairman. Governor Smith knew that that was going to happen when he appointed the committees, and he told me, "I'm going to make Kelly chairman, but he's going to be here less than thirty days, so I'm going to make you vice chairman, and you will in effect be the chairman."

Odom: What is this State Affairs Committee?

Moffett: It handles all the tax bills in the Senate, and it handles most of general legislation. This word state affairs means a bill that would materially affect on a statewide basis. Of course if it's an educational bill, it would go to the Committee on Education, and if it was something about transportation, it would go to the Committee on Transportation, but that State Affairs Committee always has a heavy allotment of bills.

Odom: Let me ask you to comment on a couple of things here that seem to be of considerable interest to you during the war: the matter of veterans affairs and the benefits, etc., what you proposed to do, what kind of problems you ran into.

Moffett: Well, I don't remember now what all we did do about veterans; I know we had a very high percentage of bills that affected veterans one way or another, veterans or their dependents. I believe Senator Hazelwood was the author of the bill that gave veterans free tuition, but we had a whole slew of bills about veterans. I think one of them provided that the County Clerk should record their discharges and other papers free of charge. I don't know without looking it up. I know at that time that we did not have a veterans bonus bill. As a matter of fact, I'm more or less inclined to let the Federal Government handle the veterans bonus, because if that's done, all the veterans are more or less on the same level. If you unloaded the job on the states, some states would do a lot more for veterans than others would. After all, one veteran who's

served under the U.S. flag should have the same consideration as another, regardless of the state he may have served from.

Odom: I notice that on quite a few occasions here you were interested in a bill to provide for the Court of Criminal Appeals to sit more often. How did you acquire an interest in this?

Moffett: Well, under the present Constitution the Court of Criminal Appeals can not sit for three months in the year; they have a nine months job, and I don't see any use in paying a bunch of Judges a handsome salary to have a three months vacation when other Judges don't have it. The Supreme Court doesn't have a three months vacation; they keep busy all the time. I think the U.S. Supreme Court takes a vacation, I never thought much of that either. But they wrote it into our Constitution in 1876 that the Court of Criminal Appeals should have a three months vacation.

Odom: Is it still there?

Moffett: It's still there. Senator Hightower from this very District has brought about the submission of another Constitutional amendment to make them meet twelve months.

Odom: Of course this would be a problem of yours because it would be a Constitutional amendment.

Moffett: That's right. Those court members back there in the '40's always got around and defeated my bill. I introduced it three or four times. They'd go around and sweet talk these lawyers in the Senate to vote against it, and the lawyers in the Senate were afraid to vote against the Court of Criminal Appeals, you know, they wanted

to keep in good humor with them.

Odom: I notice you did get passed a bill which did exempt veterans of World War II from paying tuition at the state supported colleges.

Moffett: I was the author of a Constitutional Amendment that exempted the soldiers in service from paying a poll tax while he served or for eighteen months afterwards. I was the one that authored that bill. It has since been re-submitted to where they do pay a poll tax, which I don't favor. I think the Legislature made a mistake when they put it back like it was before World War II.

Odom: You mentioned a while ago in connection with Governor Stevenson that you thought that his contribution had a good bit to do with delaying racial problems during the war.

Moffett: Governor Stevenson was a master diplomat. He could smooth over troubles and an outbreak of static usually before they ever got going.

Odom: The Research Assistant has down here on the 49th Legislature in 1945, "Judging from his committee assignments, Moffett must have been a most influential member of the 49th Legislature." Do you think there has been any Session in which you have been most influential in any way or do you think there's a great deal of difference?

Moffett: Oh, it's pretty hard to say that a member has had more influence at one session than he did at another. Usually a member's influence depends on about three factors. One is how long has he been there, another is: is he willing to work hard, and a third is:

how well informed is he. If he's not well informed he's not going to have too much influence. Of the three I'd think that being willing to work is the most important, because that covers a lot of ground.

I see you were pretty important in the matter of aeronautics and a new committee on this. Did you come about that naturally or did you make yourself well-informed on this?

I'm no expert on aeronautics, but I had flown many, many years ago before many people had an opportunity to fly. As a matter of fact, I was in the Air Force in the First World War, but on the ground. I never did get a pilot's license. Furthermore, in 1941, the Federal Government established Sheppard Air Field at Wichita Falls, and that brought on the necessity for me to know more about it than would have been the case had there not been an air field in my district.

Do you still fly?

Oh yes. If you mean do I fly my own plane, I do not. I don't fly a plane at all. I never did take flyer's training, but I was in the Air Service (they called it the Air Service in the First World War) as a ground man. I fly commercial planes almost every week.

How did you feel, and how did you vote and work on this matter of a Fair Trade System? Fair Trade Laws came up quite often. Did you get well-informed on this?

Moffett: I sure did get well-informed. That name "Fair Trade" is about as misleading as any name could be. The so-called Fair Trade Law if passed would provide that when the manufacturer up there in Ohio or Massachusetts or Illinois made a certain product, we'll say toothpaste, that he could tell the store keeper down here in Vernon, Texas or Denton, Texas that that tube of toothpaste had to be sold at a certain price. The retailer wouldn't have anything to do with pricing at all. Obviously that means that the price would be higher than it would be if free and open competition prevailed. Fair trade is a miscalled term: it means that the public gets soaked. I never did vote for it. There are only three states that never have had a fair trade law, and Texas is one of the, Missouri is another, and I believe it's Vermont. Missouri may have since the '40's passed some sort of fair trade law. There are different kinds of them; some are not as severe as the others. But you can put it down that the public is going to pay more for what they buy. I'm not for Fair Trade Laws.

Odom: Was there any noticeable alignment in the Legislature in favor of Fair Trade?

Moffett: Oh, yes. What happened back there in the campaign; the druggists usually were the ones that did it, very often it was the grocery stores, they'd tell the candidate, "well, I'll vote for you if you'll vote for the fair trade law." And some candidates before they knew ^{what} ~~want~~ it was all about, if they were new and never had served, woul

answer right up "yeah, I'm for fair trade, of course," and when they'd get down there and find out what it was all about, they were in a trap. That's still going on.

Odom: The alignment for and against, the way you put it there, implies that the more experienced legislators were generally opposed to it, while the less experienced were in favor of it because they didn't know exactly what it stood for.

Moffett: That's generally true, although sometimes the druggists or some other group that wanted fair trade would get out and donate to a candidate's campaign fund, and he'd tell them "well, if you'll put up so much money, if it comes up, I'll vote with you." Now how much of that is going on, I don't know, but I know that some of it goes on.

Odom: Is there any sort of geographical or rural-urban disagreement on fair trade or not?

Moffett: Oh, no, you couldn't draw the line there. Very likely there would be some few from the cities who would lean toward the fair trade law a little stronger than the rural folks, but generally speaking you couldn't draw a line of distinction there.

Odom: Another thing that began to crop up, and there was a bill in the 49th Legislature which was killed, to set up a right to work law. This was in 1945. I don't recall exactly when the Legislature did pass the Right to Work Law.

Moffett: It had already been passed. That bill in 1945 was to amend it. That bill is still the law in Texas. My recollection is that that bill passed the first time in 1941. I could be wrong. The one

that got the job done may have been passed in '43, I'm not real sure, but there have been later bills that sought to amend it. Some of them passed, and some of them didn't.

Odom: How do you feel about this particular issue?

Moffett: I am for the Right to Work Law. I don't believe anybody ought to have to join any organization in order to get a job. Of course the labor union folks will come back and say, "well, we get out and work for higher wages to help the laboring people, and this fellow that doesn't join gets the benefit of it." Well, the answer to that argument is that the churches in a given community have worked for the good of the community in a big way, but all the members of the community don't belong to the church. All the businessmen don't belong to the Chamber of Commerce, and it's supposed to work for the benefit of the businessmen. All the people in a given community don't belong to the Masonic Lodge or the Woodmen of the World or the Oddfellows, but they do a lot of good, and I certainly wouldn't be for a law that would make everybody go to and belong to a church. I wouldn't be for a law that would make everybody in Vernon or Wichita Falls join the Chamber of Commerce, and I wouldn't be for a law that would make everybody join some lodge, and I'm definitely against a law that would make anybody that wants to get a job go join a union to get a job.

Odom: Can you draw the line here on this issue on any sort of geographic,

economic, urban-rural or anything here?

Moffett: No, not altogether. I think the Dallas members voted for the Right to Work Law, that's my recollection. I think the San Antonio members voted against it. The Houston members were split, I think. Some of the rural members voted against it; you know there's a few places where a member would have a big union vote. I think the union labor people in the Wichita Falls put me on a blacklist because I voted for that Right to Work Law, but I couldn't help it.

Odom: Then you worked against the issue any time any move came up to try to repeal it.

Moffett: Well, I'll tell you. We've had that law in Texas for about twenty years or longer, and we've had good labor relationships, they get good wages here. I heard some fellow claim on the radio, some labor man, that the wages in Texas were lower than any state in the union. Well, if he's talking about some Latin-Americans down in the Rio Grande Valley that work out in the citrus patches and the cotton fields he might be right about it, I don't know; I kind of think he would be, but if he's talking about the scale of pay on construction jobs in Dallas and Fort Worth and Wichita Falls and Amarillo, why he's way off base, because the salary scale here is higher here than it is in a lot of states, and away higher than some of them.

Odom: You don't recall anything about what the amendment was or anything

involved?

Moffett: As I recall it the first law that was passed provided a penitentiary term for anyone that violated it, and the later law amended that to bring it down to a misdemeanor which I thought ought to have been done. You see a felony is a two year proposition, and I think the original law called for a felony, two years in jail or in the pen. I think the jury ought to have the right to decide whether or not the defendant should serve a sixty or ninety day jail term or two years in the penitentiary, whichever it chooses.

Odom: That was the main purpose of the amendment?

Moffett: Yes.

Odom: You mentioned a while ago Latin-Americans. There was also a bill which came up in that Legislature to make discriminations against Latin-Americans in business establishments illegal.

Moffett: I don't remember if it passed or not.

Odom: It didn't pass; it was killed in the Legislature.

Moffett: I don't remember that I ever voted on it.

Odom: Let me ask about your attitudes and your work and effort on the matter of the race question here. I know it has to come down to some specific issue here.

Moffett: Well, I'll tell you. I just don't subscribe to this idea that a man that's putting up the money and putting in his time to run a business ought to have to abide by some law in Washington

about who he'd employ or whom he would trade with. I choose the store I want to trade with when I go to buy something, and I think the fellow that's running the store ought to have the right to choose who he's going to deal with.

Odom: So generally you make your decision and take your stand on the thing, on the matter of the freedom here of the businessman and the employer.

Moffett: You hear a lot of these civil rights advocates talk about the freedom of the individual. Well, that sounds good: if it's working their way then they think a great deal of it; If it works against them, they don't think so much of it. I think that I would be unalterably in favor of preserving my right to trade with any store that I wanted to trade with no matter who is running it, and at the same time, I think that the man on the other side of the counter that has his money in the business, putting his time in or it, making a living for his family ought to have the right to decide who he would trade with, too. They're going to get it down after a while to where somebody will pass a law to describe the appearance, the color of hair or the eyes or something of the girl you're going to marry, and I'm sure not for that either.

Odom: What about this bill to repeal all laws governing political parties and conventions? This currently was designed here to get around the Supreme Court decision that made it impossible here to bar Negroes legally, to bar Negroes from voting in the Democratic Primary.

Moffett: Well, I don't remember that I voted on that bill.

Odom: It didn't come to a vote.

Moffett: Well, it sounds like some half crack pot introduced that bill for some purpose I don't know anything about. I remember this, that for a while it was legal for a man to file in both the Democratic and Republican primaries in Texas. That law lasted four years; we later repealed it. I never was for it. I think if a man wants to run, let him choose the gang he wants to run with and run with them. This idea of him being a Republican today and a Democrat tomorrow, putting his name on tickets, that doesn't add up to me. It just seems to me like it would do away with political parties. I think political parties have proven their success in this country.

Odom: Have you generally supported the moves that have come up from time to time to raise the legislators' salaries?

Moffett: I voted for part of them and voted against part of them. They had one to pay a member of the Legislature \$7500 a year. I voted against it and spoke against it, got out and campaigned against it, because the job is not a \$7500 job. The present pay is high enough.

Odom: What is the present pay?

Moffett: For the last four years it has been \$400 a month. I believe that \$400 started in '63, I believe that's right. It's high enough.

Odom: And this is for both senators and representatives?

- Moffett: Oh yes. You have to pay them both the same or one of them would call himself a second class member, you see.
- Odom: Is there any difference in the expense account or assistant?
- Moffett: At this time they both get \$400 a month, and they get travel pay for one trip to the Legislature that's calculated from the county seat of their own county to Austin and back. I don't know what expenses the House of Representatives allows its members. I'm sure that it's enough to take care of all they have, stamps and stationery and telephone calls. As a matter of fact, very likely some of them abuse it as would be expected in a group of 150 people anywhere, some of them will take advantage of it.
- Odom: Your statement here that the pay is pretty good for the job, is it based mainly on the length of time that you're in session ordinarily? Is this the reason you say it's a \$400 job and worth not any more than that?
- Moffett: Well really during the days and months that we are in session, that \$400 is not adequate, but at the same time you're only in session customarily only about four or five months every two years, and the rest of the time you're on duty to some extent, but if I take a notion to go up to Colorado for a month's vacation, it certainly doesn't keep me from doing it. I'd say that the pay at this time is adequate; and it's about in line with the type of work.
- Odom: What kind of occupation other than being a state legislator do you think fits into that? Farming?
- Moffett: Oh no, not necessarily farming. The best legislator is an informed man that knows what it's all about, and he might be a

farmer, or he might be a teacher, or he might be a lawyer or a businessman or a newspaperman. We have a newspaperman; I think we have one or two radio commentators. It's best to have a variety of occupations represented in the Legislature. That's definitely the case. In the Senate we usually have somewhere between twenty-one and twenty-five lawyers which is too many. In the House there's usually about half of them that are lawyers. The lawyers naturally take to legislative work, because it comes clearly within the realm of their occupation.

Odom: How have you felt about this problem of Constitutional Convention to revise the state constitution?

Moffett: I think that the correct way to amend our Constitution is to submit proposed changes not over three or four at a time. Two years ago, I believe it was, maybe it was in '62, we had fourteen proposed amendments on the ballot, and I daresay that not one person out of six understood what they were all about. These folks that want to throw the present Constitution in the wastebasket and write another one in my judgment are clear off the beam, because if you did that, a Constitutional Convention would probably make a hundred changes, and then they'd submit all of that revised document to a vote of the people, and you'd have to swallow all of them or reject all of them. I'm not in favor of that method of changing the Constitution. Furthermore, as time goes on, new problems arise, and if we were to call a convention in 1966, and it would submit a new document, why it wouldn't be four years

before some other proposals or situations would arise that would call for still further change. I think the logical way is to submit a well thought out Constitutional amendment, not over a half a dozen at any given election. This last session of the Legislature went hog wild: they submitted twenty-seven Constitutional amendments. One of them is to be voted on on September the 7th. The other twenty-six are about evenly split between November election this year and November 1966. But there ought to never be more than six voted on at one time, four is better. Some of these folks that want to get busy and do things to the Constitution, if you'll just haul off and ask them, "well, if you'll just bring me a well thought out proposed amendment, I'll see that it gets introduced in the Texas Legislature," and they don't come back. Some of those folks just want to do something; they're just imbued with the idea of doing something, and they don't know what, just so their organization can get credit for having done something.

Odom: Is there any particular group, any particular individual or any sort of line you can draw here on the desire to completely revise the Constitution?

Moffett: Generally speaking, the folks who want to completely revise it want to take out all the restrictions about spending money. That's usually their central thought. In this state the Legislature cannot issue state bonds without a vote of the people,

and that's one thing that I want to see stay in there, and there's a lot of people want to take it out. There are some states that don't have it in the Constitution, and they're hopelessly in debt; Arkansas is one of them.

Odom: This then you think is the main impulse behind the organized forces who would like to have the Constitution rewritten?

Moffett: I think that's the principal impulse. There are other reasons. I'll say that the system of courts that we have in Texas does need some revision, but when you go to talk to a group of lawyers, who ought to know more about it than anybody else, if there are twelve in the group, you get eleven different opinions.

Odom: The magnitude of the problem then, as much as the Constitutional limitations on spending money, are your main objections to re-writing the Constitution.

Moffett: Well, that's my main objection.. Our Constitution says that all printing contracts for the state government must be let on a bid basis. Well, there are some printing firms that would be glad to have that taken out of the Constitution. You know the Federal government lets a lot of contracts on the negotiation basis. You know, the fellow that's going to do the work meets across the table with some government bureaucrat, and they negotiate it. Well, that's a perfect way to waste money.

Odom: The first time that really began to come in was during World War I or World War II, one or the other.

Moffett: World War II. Well, you had to work fast, you see.

Odom: They started a lot of cost plus contracts.

Moffett: Of course the contractor who got the contract...he didn't care how much it cost; the more it cost, the more he made. I'm bitterly opposed to rewriting the Constitution throughout. Just let whatever group points out something wrong with the Constitution draw up an amendment, and there will be plenty of members in Austin who will be glad to introduce it. They'll get action on it if they'll just take the trouble to draw up their amendment, and ninety-nine out of a hundred of these groups won't do it.

Odom: You don't think there are any great disadvantages to it at all that can't be overcome by drawing up an amendment and submitting it to the people and keeping our Constitution as it is?

Moffett: Well, in the first place we've got one of the best Constitutions of any state, and some of them gripe because it's longer, has more words in it, than the Federal Constitution. Well, if the Federal Constitution had more words in it than it has at this time, we wouldn't be faced with letting the Supreme Court make our laws, because the reason they hand down a lot of decisions that they do hand down, it^s because there's nothing in the Constitution that the litigation is about. If the Federal Constitution had a lot more in it about our school system, the Supreme Court wouldn't have had the authority to take the bit in their teeth and do what they did.

Odom: Governor Stevenson as early as the Session of 1945 urged the need for redistricting, and you've always had a particular interest in

this problem, too, and I think we talked a little bit about it back in the thirties in general terms. What was the main reason for urging redistricting at this point?

Moffett: Well, Governor Stevenson just thought it ought to be done.

Odom: This was on the basis of the changing population and census returns?

Moffett: No. What the situation was: the Legislature had not been redistricted since 1921. His idea, and also my idea was to amend the Constitution to provide that if the Legislature did not do it, that an ex-officio board would do it, and I sponsored an amendment to that effect in 1947, and the people adopted it, and in 1951 we did redistrict the state.

Odom: Did you get involved at all in the Rainey controversy on the Board of Regents of the University of Texas?

Moffett: I was not directly involved in it. They had a committee that investigated the University of Texas and Rainey. I was not on the committee. I didn't take any particular part in it. I thought Rainey was rather extreme in some of his views, and I thought we needed a little more "middle of the road" man than Rainey for governor.

Odom: He has a note here that Rainey's claim that all of Stevenson's appointees to the Board of Regents of the University of Texas were "Texas regulars", and Mr. Stevenson tried to remain aloof during the quarrel and made some of the legislators mad by that. I don't understand exactly what he's talking about here.

Moffett: Stevenson usually appointed mature men with a conservative line of thinking, usually successful businessmen, and the students down there wanted a bunch of high-powered demagogues appointed on the Board of Regents. I thought Stevenson was right about it, although I didn't take any part in it; that was his job. The University of Texas has had a phenomenal growth, and its graduates are recognized over the United States better than any other state institution, so I can't see where Stevenson's appointment of those type of people hurt the University the least bit. You know students, they're prone to read about some idea or listen to some fellow that's got a new idea, and they're prone to be carried away with it without really understanding or realizing all of the various ramifications that it might have.

Odom: Let me ask you about another one that came up, too, in that session of the legislature. Mr. Stevenson made a number of the senators mad when he appointed Grover Sellers to replace Mann as attorney general, especially Senator Moore and Senator Martin who both wanted the position.

Moffett: Well, that was all there was to it; each of them wanted to be appointed, and Stevenson read them a clause in the Constitution that says that no member of the Legislature shall be eligible during the term for which he was elected, for appointment to any other state office. He showed Senator Moore that, and Senator Moore showed him an instance where another governor had really appointed

a member of the Legislature, Mrs. Sarah Hughes, to be a District Judge in Dallas County. Nobody ever took it to court. Governor Allread appointed her, and nobody ever took it to court, or I think she would have been thrown out. She ran for the office and was elected at a later date, but her original occupancy of the District Judge's office in Dallas was by appointment while she was a member of the Legislature, and the House was in session.

Odom: There's a note here that the Senate then refused to confirm Sidney Latham as Secretary of State. What happened here? Was this retaliation?

Moffett: Yes. That's all on earth. It was just a personal quarrel.

Odom: Did Senator Martin and Senator Moore have enough votes behind them to carry along with them, and block Latham's confirmation?

Moffett: It takes two-thirds to confirm. You can usually get one third against anybody. You can trade around on a thing like that. Sidney Latham was a good Secretary of State; he should have been confirmed.

Odom: What was his background?

Moffett: He served in the House and very creditably was a good lawyer. You see he was being appointed for a second term; I think he had served one term, two years, and was being appointed for another one, and his record had been good. I know that he had served a part of a term; it might be that he had not served a full term before this

appointment came up. I don't remember about that, but anyway, it wasn't any complaint against his job. Those two senators were just mad at the Governor, because he didn't appoint either one of them as Attorney General.

Odom: What finally came of it? Did he appoint somebody else?

Moffett: He had to appoint somebody else. When an appointee lacks confirmation, he's out.

Odom: What about the Senate calling its own special session in 1946?

Moffett: The courts threw that out.

Odom: You were opposed to it?

Moffett: I was opposed to it. I don't believe in a bunch of men calling themselves together just because they're mad at the Governor. That's all that that amounted to.

Odom: Who did you support in the primary election in 1946?

Moffett: I supported Governor Jester.

Odom: Did you support Mr. Shivers in his race for Lieutenant Governor?

Moffett: Yes. His only opponent was a newspaper commenorator that had never served in the Legislature.

Odom: That was Boyce House, wasn't it?

Moffett: Yes. The Lieutenant Governor ought to have previous service in the Legislature, and that's been the general rule. I don't recall anyone's having been elected, certainly not in the last forty or fifty years, that has not served in one branch of the legislature.

Odom: Do you agree with the idea of having a man who is elected state-wide by the people preside over the Senate, rather than as the House does: elect a Speaker?

Moffett: I think it's better. Some states don't do it that way. In some states the Senate elects its presiding officer. I never have investigated it very far, I really don't know, but I think the system we have is working alright.

Odom: I'd like to ask you to comment on the Teachers Pay Raise Bill that came up in 1947.

Moffett: I don't have any recollection about the Teachers Bill in '47. Now in '49 the Gilmer-Aiken Bill came along, and I remember that one quite well. In '49 we did a whole lot about the public school system of Texas.

Odom: Did you get involved in that controversy in the fall of '46 over the selection of the state Democratic chairman when Governor Jester favored Robert Calvert and he was opposed by a group of legislators from Harris and Tarrant Counties?

Moffett: No, I didn't get into that fight. Besides, that was the Governor's fight. I lived out here in a small town, and you know a fellow can engage himself in too many struggles, and that's primarily a governor's struggle, anyway, and I just let it go. I had plenty to do without taking on the governor's problems.

Odom: I take it that you follow the idea that a man ought to especially stick to his job and avoid as many political disputes and avoid

making as many enemies as he can, and this way he is more effective legislator?

Moffett: It's this way: if a fellow tries to engage in every political struggle that's going on in the state, he soon loses any effectiveness that he otherwise might have, and after all that struggle about the state committee, that's almost conclusively a governor's field of action, and I'm willing to let him have it. I have enough to do to take care of my own political fences.

Odom: Let's get into this labor thing now. I have a note here that "the Fiftieth Legislature enacted nine laws to curb strikes, picketing and sabotage, and these acts were vigorously opposed by organized labor." Of course the hottest Labor issue was the closed shop. The Right to Work Bill was introduced early in the Session by Representative Marshall O'Bell of San Antonio and won approval of the House Committee.

Moffett: Did all of those bills pass?

Odom: On March 4th the House passed the bill by 98 to 37, this is one particular bill, the one by Bell. The Senate passed the bill shortly afterwards, but exempted the Railroad Brotherhood from its provisions.

Moffett: Well, I think that should have been done. The Railroad Brotherhoods operate under a Federal law, and they're particularly engaged in interstate commerce, and I think that was a wise exemption. My recollection about that Bell Bill is that its principal feature related to picketing, secondary picketing, and boycotts. I imagine

I voted for those bills; that would be my general line of thought, but I think this: even though the unions squawked about those bills, why, labor conditions in Texas are actually better than they are in a lot of other states. Anybody that wants to get a job can get one here. I don't think the union bosses have as much to say about who will get a job and who won't as they do in some other states, because when you get down to the bottom of this thing, in the states that have the laws that the labor people want, the labor union leaders are the monarchs of all they survey, and if you do something that displeases them, they'll do something to see that you don't get a job. I imagine that I voted for all of those laws, and I'd do it again.

Odom: I have ~~annote~~ here, "By the end of April when the Senate passed the House bills that would outlaw strikes by government employees and restrict mass picketing, the Session had already passed the Right to Work Bill prohibiting closed shop contracts between employer and employee, a bill to make unions liable for damages resulting from strikes or picketing, if they are judged unlawful, and a bill to prohibit ^{inhibit} sabotage and picketing of water, gas and light utilities, and one that forbid public officials from making collective bargaining contracts."

Moffett: Actually, I've forgotten about most of those bills, because I was not engaged in the struggle, only to vote on them. I didn't take any leading part either way. I think that the meat in the

coconut in most of those bills was that picketing would be lawful in Texas, but physical violence would not be lawful. They would^{be} subject to arrest and a jail term. Now in some states physical violence on the picket line is no offense at all, and I don't see how you can justify physical violence. If that's going to be permitted and condoned, why, we're pretty well back to the primitive stage of the human race when might made right. And that's a point a lot of people don't know about when they talk about these labor laws. One of the things that the labor union leaders (most of them) don't like about the Texas laws are that physical violence on the picket line or in a labor dispute is an offense subject to a jail term. Well, it's not that way in a lot of states. You can just go out and get a gang up and beat up somebody in a labor dispute, and you haven't committed any offense at all.

Odom: I notice that you were vice chairman of the Committee on Agriculture.

Moffett: I think that the reason for that was that I was appointed chairman of the State Affairs that time. It was against my preference that they did it, but they prevailed upon me to take the State Affairs position, and I said "well, I can't be chairman of both; it obviously wouldn't be the right thing." So I became Vice Chairman of Agriculture. I think that I was probably Chairman of Agriculture after that Session for as long as I was in the

Legislature.

Odom: What about your relations with Lieutenant Governor Shivers? Were they as cordial as say your relations earlier with Lt. Governor Smith and Lt. Governor Stevenson?

Moffett: Well, I'll just tell you right off it's hard to get along with Shivers, and I didn't get along with him too good, although he did give me some good committee appointments. That chairman of State Affairs was considered one of the two choice committee assignments. The other is appropriations.

Odom: Why is it hard to get along with Mr. Shivers?

Moffett: Well, Shivers has some of that quality usually defined this way: there's two ways to do anything, the right way and the Shivers way, and if you didn't go the Shivers way, you were bound to be wrong.

Odom: So you did have your feuds with him on occasion?

Moffett: Oh, yes. It wasn't hard to get up a controversy with Shivers.

Odom: Was there anything in particular in his views or ideas, etc., that you disagreed with him about?

Moffett: I don't remember on that point. You see in a four or five month's Session with fifteen or sixteen hundred bills, you can find an area of agreement about a lot of things, but Shivers was a fellow that insisted on having his way, more so than a lot of other governors.

Odom: Let's deal with this Fifty-First Legislature now. That would be in '49. Let me ask you that question about agriculture problems

this time; it looks like there's a little more of interest and importance here. I do notice, for example, that you did introduce a bill to provide for county agriculture statistics law, also one to create a State Board of Dairying. That one was not acted upon that session, neither was the other one.

Moffett: No, neither of them ever reached a vote.

Odom: Would you want to comment for a while on the problem involved here?

Moffett: I think that they are relatively unimportant. Sometime later than that the Federal government moved into the field of agriculture so strong that it more or less rubbed out any need for state action. For instance, that statistical bill; the U. S. Department of Agriculture commenced to gather statistics, all that were needed, and then in the dairy industry along about that time, they began to supervise the production and sale of milk to the extent that a state law would have been out of the question.

Odom: Yes, the Federal Marketing Orders came to be so widely adopted everywhere in the state except the Houston milkshed. What in recent years is the job of the Senate Agriculture Committee? Since the Federal government so heavily into the program, has its job come to be mainly one of a negative fashion, or what has happened here?

Moffett: Well, later on in some later sessions we grappled with the question of pure insecticides. We had a very poor law, in fact, we had no

law at all regarding insecticides manufactured in the state, because the Federal law doesn't reach them. So in a later year we passed a law to force all insecticides sold in this state to put on the label just what was in them. Some of them in the state were manufacturing boll weevil insecticide poisoning by grinding up white chalk, which resembles arsenic in a good many ways, and selling it for all they could get for it. Then the same thing happened about the Pure Feed Law. We had an old law passed in 1905 that was inadequate to meet modern conditions, because of several circumstances. I guess this was in the late '50's that we revised the Pure Feed Laws in several respects and brought it up to date, and it has become very effective. Some other states have copied our law. I think we have as good a Pure Feed Law as any state there is. Then later on the vaccination of livestock, especially cattle, for brucellosis and other cattle diseases, and also swine, vaccinating hogs for hog cholera, came to the front. Of course many people call that a side issue as far as legislation is concerned, and it really is. You establish a standard, and you govern the transportation of infected animals, made it illegal to transport them.

Odom: The problems then of your Committee on Agriculture have diminished through the years that you have been in the State Senate of Texas, would you say? What about the work of the Committee on Agriculture over the years?

Moffett: Of course agriculture has always been a national problem, but as long as we didn't have a problem of surpluses the Federal govern-

ment didn't take such a strong interest in it, but if you're going to regulate surpluses you really ought to regulate them worldwide, but you can't do that, so our government has undertaken to regulate the production of some of the staple farm products with a view to keeping the supply somewhere in hollering distance of the demand. Otherwise we'd be plagued with overproduction to the extent that a lot of it would be wasted. Some agriculture products can be stored, cotton is one that can be stored, wheat can be stored for a certain length of time, but some products just can't be stored. I don't know that the Federal government's got the solution to it. They changed their plans several times and are still changing them, but obviously a state like Texas, even though it's a large state, is only one of the states which grows wheat and cotton and corn and grain sorghum and sugar cane and what have you, so it would be obviously impossible for a state to undertake to regulate production.

Odom: What about the work of the Commissioner of Agriculture over the years, is it about the same level do you think?

Moffett: His work expands some. For instance on this fertilizer question. We passed a new law on that; I guess it was in the late '50's. He is the enforcement agency for the Fertilizer Standards Act, and for regulation of the sale of insecticides, and then he has certain problems concerning the quarantining of insects particularly applicable to citrus fruits, which obviously is a problem to only about two or three states. However, he gets some Federal help

alright, because some of those citrus insects come from across the Rio Grande. And then when this screwworm business came along, why he helped the state to get the things started, but the plan ultimately is to let the Federal government take it over because it's an international problem. We have pretty well solved it here in the United States and are now flying airplanes two hundred miles over into Mexico. Those ranchers over there are glad to have them, but the Mexican government is not yet willing to contribute anything to the expense.

Odom: During the '40's who were some of the most important members on agricultural problems in the Senate? I know that you were the most important one as you were serving as the chairman of the Committee on Agriculture most of the time, but who were some of the members who were especially interested in this field?

Moffett: Senator Rogers from over here at Childress had a farm background, and he took considerable interest in it in the Senate. Over in the House there was a member from Wheeler, Texas, up here the other side of Shamrock. He was a leader in the House, very definitely. His name was McElhaney. He's still in the Legislature. He was the House leader, very definitely. In the Senate, other than Senator Rogers, nobody took an outstanding part. Senator Hazelwood was quite interested. Hazelwood is about as much farmer as he is a lawyer, and he's willing and has good judgment and wants to do the right thing and is willing to work at it. He especially took the lead in bringing the standards of pure milk up to date in Texas. He was the author of one of the bills on it.

Odom: Was Senator Moore in the Senate back in the '40's, or did he come in the '50's?

Moffett: Senator Weaver Moore from Houston served his last term in 1945 and '46. Then Senator Moore from Bryan came in in '49. We had one session without a Moore, otherwise we've had a Moore in the Senate ever since I've been there. There have been four different people bearing the name Moore.

Oral History Collection

Mr. George Clarence Moffett

Interviewer: Dr. E. Dale Odom

Dr. Odom: I think I'd pretty well gotten up to about 1952, or the early 1950's, I recall...

Mr. Moffett: That...I think that's correct, to my recollection.

Dr. Odom: I might ask you about this 1952 Presidential race. That was a rather exciting one, I think, in Texas, especially with Governor Shivers supporting the Republican nominee for the Presidency; and I'd like for you just to talk for a while about that race and your part in it and your reactions on any questions in it.

Mr. Moffett: Well, I...I voted for Stevenson. I have a very high regard for Stevenson. I think he has an outstanding...or did have, during his lifetime, register as an outstanding intellectual thinker. Furthermore, since I was on the ticket as a candidate, I didn't think it was proper or ethical for me to be trailing off after some Republican when I was running on the Democratic ticket myself. And, furthermore, I...I sincerely think, even now, that Stevenson was more fitted for the job of being President by his natural aptitudes and background than General Eisenhower. I never have thought that a man who has spent his entire life in a military atmosphere and graduated from a military school was pro-

perly fitted to become a public administrator because the problems are different, and they call for a different type of solution in most instances. Governor Stevenson had made a very outstanding Governor of the State of Illinois. There was very, very little justifiable criticism against his administration as governor of that state. Therefore, I went right on and supported Stevenson. At the time that the campaign was the hottest, I was in the hospital for a cataract operation, and, consequently, I didn't take any active part in the campaign. But I did vote for Stevenson wholeheartedly.

Well, a good many of my personal friends voted for Eisenhower. I don't recall how that very many of my political friends were on the Eisenhower bandwagon. Of course, Governor Shivers was outspoken for Eisenhower because he'd had a long...well, I don't know whether it was a long argument--he'd had a sharp argument with Governor Stevenson over the question of tidelands, and since Stevenson would not assure him that he would sign a bill that would leave the tidelands in possession of the states out to a certain distance from...from the beach, Shivers very bluntly told Governor Stevenson that he would not support him and came back and was quite active. However, I lived in a small town, and most of this political activity in that Presidential race occurred in the larger metropolitan areas...I mean, they stirred up things more than we do out in these small towns, and so, I just went right ahead and voted for Stevenson.

Odom: I see you...it didn't prove to be much of a problem...

Moffett: No, it was no problem to me at all.

Odom: What do you think would have been your reaction if you'd been in Governor Shivers' shoes on the matter? Do you think politically it was a wise thing for him to do, or...from the standpoint of politics or from the standpoint of the interests of the state--what...how would you have reacted to that?

Moffett: I...I don't really know all of the motives that may have guided Governor Shivers. Of course, I think he emphasized the tidelands question more than he did anything else, and of course, the tidelands mean a lot to Texas. It's still indefinite as to how much oil is in the strip of seacoast...or a strip of the Gulf that borders the seacoast that may have oil in it. In dollars and cents, it might grow into a fabulous figure. You see, as long as the tideland out to a certain distance--I've forgotten what the exact distance is--but as long as there is a certain portion of the Gulf of Mexico under the title...ownership of the State of Texas, we can collect an oil royalty on it. And that oil royalty might run into a very large sum of money, and it may be thirty-five or forty years before all of the suitable spots to drill for it have been explored. And, consequently, from a money standpoint, this state had a big stake in the tidelands issue, and Eisenhower promised to sign the bill if Congress passed it and Stevenson said he'd veto it; so, from that standpoint alone, the state should have felt kindly toward General Eisenhower. I think there were other reasons, though. There was...seemed to be a strong feeling

that since the Democrats had controlled the...the Presidency for twenty years that it was best for the nation to have a change.

Odom: I think that's probably the biggest factor in it.

Moffett: I think it was the biggest factor.

Odom: I think so. I might just point out here and ask you if you think there's any...or what sort of explanation there might be. You know, in '52, Governor Shivers beat Ralph Yarborough by about two to one--almost a two to one majority--but two years later, in '54, he just barely beat him in the first primary. In the second...in the run-off, he beat him by almost a hundred thousand votes. And I was just wondering if you would attribute this to Yarborough's growth in popularity, to anything Shivers had done, or what might be an explanation for that? Do you have any ideas on this?

Moffett: Well, of course, in that second election, which would have been in 1954, Shivers was running for a third term--third elective term; and he had served a year and a half of Governor Jester's second term. So, in effect, Shivers, in 1954--you might say he was running for a fourth term as Governor. And I think that cost him a lot of votes. Then, another thing, I think it's pretty generally recognized that Shivers was the type of man that accumulated quite a number of political enemies. I'd say he accumulated more than some other governors have done. Governor Shivers is a positive personality, and he lets it be known what he thinks. And he lets you know that he doesn't approve of what you think (chuckle) and that's a good way to accumulate some political opposition--which he did.

Odom: Did you...you supported...did you support Governor Shivers part of the time and then...or did you support him all the way through on your...his...

Moffett: Oh, I supported Governor Shivers all the way through, particularly in his opposition to Senator Yarborough...the man who later became Senator Yarborough. I just never could quite agree with Senator Yarborough's political philosophy. And the longer he stays in office, the less I agree with him.

Odom: (chuckle) I see, well, okay. Well, that brings me to another question I wanted to ask you about this 53rd Legislative Session, which...the one which began in 1953, and ask you about your...to use that one particularly, to ask you about your philosophy of spending and providing public services and so on by the state. Do you think you have an over-all philosophy about this that you might talk about, or do you think it's...that your reaction has been primarily pragmatic on the matter of state spending and providing public services?

Moffett: Well, wait a minute.

Odom: That's a pretty general question.

Moffett: What...what is "pragmatic?" I...I'm...

Odom: Well, "pragmatic" is making up your mind as to the feasibility of an appropriation and spending program on the basis of whether you think it's necessary or not, rather than on the basis of generally supporting...you know, as Liberals claim they do...you know, most any spending program here if it can be thought of as a public service or something that the state needed to do.

Moffett: Well, of course, in...in the matter of spending money by a public agency, the test, in my judgment, always ought to be, does the accomplishment of the program--the money spent for it--measure up to the amount of money spent? Of course, we could triple the money that we're spending on public education in Texas or any other state could triple the amount of money that they're spending at this time, but I doubt that there would be triple the benefits.

Odom: I do, too.

Moffett: Spending public money ought to be a judicious, well thought out matter on a practical basis. For instance, we spend huge amounts of money now on highways, but I think that that money is well spent. And it's a large sum, too. It's a terrific sum, but I wouldn't care to go back to the old dirt roads we used to have. And I think the gasoline tax which provides most of the money for our road system--and the state has a gasoline tax, and the federal government has a gasoline tax--and most of the money that goes into the highway system comes from the tax on gasoline, supplemented by a small tax on lubricating oil and motor vehicle registration. That money, in my judgment, is one of the wisest expenditures of either the state or the federal government. And it's a huge amount of money. So, you cannot judge the worth or the value of public spending altogether by the amount of money spent. The test ought to be, does the return to the public, or the people in general, justify the spending of this certain amount of money, if it's contained in a certain bill or spent for a certain purpose. Public education justifies itself and justifies the money that's

spent on it even though there is some waste. Again, I would say that there's less waste in highway expenditures in Texas than almost any form of public expenditure; but I would say that even though there is some waste in the expenditure of money for our public educational system, that the waste is not large compared to the total amount of money spent. However, if the waste could be reduced, well and good. I'd say further that many times the opportunity for waste in spending public funds is quite a bit greater than exists in the spending of money for private...by private enterprise. The public road system--highway system--is the one example that...where the money is spent with as little waste, I think, as private enterprise could spend it for the same purpose. Probably the post office system is the same way. That's a federal expenditure, but the average citizen gets about as much back for what he spends with the post office system as anything that he spends money for. Generally speaking, the loopholes through which public money is wasted is quite often on building construction or some kindred activity, especially if the bids are...if the construction is not...is not led by a bid system. They do...they..Now, our federal government is one of the worst offenders in this respect. They spend a lot of money for construction or semi-construction purposes or the purchase of materials in the absence of competitive bids, and it's a big mistake.

Odom: That's...that will lose money all right. I know that. Well, you agreed, then, with Governor Shivers when he said at the beginning of that session that the teachers' pay raise and highways were the

biggest financial needs of the state. You could say that almost any session, couldn't you?

Moffett: You...you could pretty near say that at almost any session.

Odom: Almost any session. Did you get involved in any of the...very much or deeply involved in any of the issues in that particular legislative session, such as this Driver's Responsibility Law--revision of that--or the regulation of small loans? Of course, the...I think it was the next session that the small loan, or loan shark bill...

Moffett: Oh, that loan shark bill was kicked around in the legislature for better than ten years--I'd say probably nearer fifteen years--before there was an overall loan shark bill passed. Frankly, I don't...I don't think that the bill that was finally passed was justifiable in its rate structure because the rates on loans of less than a hundred dollars are unconscionable. They're just...there's no justification at all for it, and I didn't vote for it.

Odom: You never voted...you didn't vote for the bill because of the high rate...

Moffett: High interest rates that were authorized.

Odom: Well, you had no...you had no sympathy, then, for the loan companies' argument that their losses are awfully high on this sort of lending, or...or what? Or you just didn't believe...

Moffett: Well, I have been connected with the...a bank a good many years of my life as a stockholder. And, of course, this is a little town background statement. But most banks in little towns will lend money at, oh, much less than these loan sharks lend it, if

it's a justifiable loan. Now, really, the loan sharks, they don't care whether the loan's justifiable or not. The applicant for a loan may be an extravagant...of an extravagant nature, or he may want to buy something that his income doesn't justify. But, if he can get the money, he'll go buy it. It's a weakness in human nature. And I think the loan shark bill encouraged people...a great many people to go borrow money that they'd have been just as well off if they'd never borrowed it--probably better off when you think about the high interest rates they had to pay.

Odom: I have to agree with you on those statements, but let me ask you--do you...do you agree with the philosophy that the state should regulate this matter of the interest rates?

Moffett: Yes, I...I agree with that. I think we just put the rates a way yonder too high. It's true that on a twenty-five dollar loan at ten percent--which is two dollars and a half in a year's time--that the book work, if you had a lot of that type of business...that the book work and the collection effort would more than eat up the two dollars and a half on it that would be...that would be forthcoming on a ten percent interest rate basis. But, in many instances, the individual that borrows twenty-five dollars can either do without it, or he can borrow it from some friend of his at almost no interest at all. But if he can go to a loan shark and borrow it and go and buy something for a birthday present, why, he'll go do it. He's not doing the right thing as far as his budget is concerned. I would...I would sanction or concene a rate above ten percent on very small loans, but the way they've

got it in the law, it comes out about a hundred percent in some of them.

Odom: Yes. Did you have many...many senators who agreed with you in their opposition to the bill? Do you recall?

Moffett: I think the test vote was a difference of about either two or three votes, for and against the bill.

Odom: It seems to me it was...that that was right. I think I've seen it somewhere, but I can't recall where.

Moffett: It was a very close vote. I...I never did vote for a loan shark bill. I just...I couldn't get myself around to do that.

Odom: Did you...did you take any very active part in...in the matter, or is it a matter just of mainly coming down to a vote?

Moffett: Well, I...I had a good many other things to...to engage my attention, but I wasn't exactly as quiet as a mouse about this loan shark bill. (laughter) I...I spoke up quite a bit about it, and I think some of us who were opposed to it...to the bill and voted against it hadn't of become vocal, that the rates might have been set higher than they were in that bill. We don't have the highest rates of any state in the Union. There are other states...some other states that have higher rates than the loan sharks collect than we do in Texas.

Odom: I...I thought so.

Moffett: And not only as to the rate, but the way that that bill finally passed...on a loan on a car up to fifteen hundred dollars or on household appliances up to fifteen hundred dollars, the rate can be as high as seventeen percent--and still be legal. And I don't

believe that people ought to have to pay seventeen percent on... on money that they've borrowed to pay on a car, because a car is good security.

Odom: Let me ask you about another thing which I think you, if you weren't already pretty much involved in, certainly did become involved in--this matter of the Veteran's Land Program in Texas. I'd like to get the...talk a little bit about that, how ever you would like to approach it...

Moffett: I had a peculiar experience with reference to the Veteran's Land Program. The first one was passed, I think, in either '45, or '47, at the insistance of the then Land Commissioner, Bascom Giles. It...the bill...it was a constitutional amendment. It originated in the House of Representatives and passed there, and I voted for it in the Senate and took some part in securing its passage. Then, later, it...it was increased, I think, at about the year '51--I'm not sure about the particular year.

Odom: I think that's about right.

Moffett: It was increased up to a hundred million dollars. The first constitutional amendment only called for twenty-five million, which was not...obviously not enough to supply many veterans with funds. I voted for the second one and took some part in it. Then, in 1955, the land...veterans' land scandals came to light, and the Land Commissioner resigned and afterwards was sent to the penitentiary, as was...were some of his confederates in that scandal. And at the time he resigned--I think it was in January of '56 that he resigned--I was approached about the matter of whether or

not I would be willing to accept appointment as Land Commissioner. I was approached by a group of veterans. Their statement was that the veterans, at least, had confidence in me, and a great many other people did, too, and that for that reason, they would like to have me as the Land Commissioner. I told them that I couldn't accept for two reasons: one is there's something in our Constitution...a clause in it somewhere that a member of the legislature is not eligible for appointment to another office in the state during the time for which he was elected to the legislature.

Odom: Well, that hasn't always been observed, though, has it?

Moffett: It hasn't been observed, but...

Odom: I...I think you're right...correct...

Moffett: If it had been carried to the courts in the other instances you mention, the courts would undoubtedly have had to say that the appointee was illegally appointed.

Odom: Yes. I...I'm aware of that.

Moffett: There have been two instances that I know of, but there's been some other instances where the governor refused to appoint because the prospective appointee was a member of the legislature and had not served out his...the term for which he had been elected. Well, Mr. Earl Rudder was finally appointed to succeed Bascom Giles, and he'd been a general in the Second World War in command of rangers at the invasion of...the Cross Channel Invasion of 1944, and had led a bunch of men up over those tall cliffs in a very hazardous undertaking in which he lost about a third of his men. And General Rudder's reputation was of the best--and still

is. And he made a good Land Commissioner and later resigned to become President of the A&M College, which I think was a fine thing for the college. Now then, in 1957, at the then session of the legislature, the Veteran's Land Program was in bad repute-- it had a tarnish on it. And the veterans organizations--at least one of them--approached me and asked me to introduce another constitutional amendment to provide an additional sum of money because the money that had theretofore voted was exhausted, or about to become exhausted; and they thought that my reputation was such that I could carry the ball for this new Veterans Land Program through the legislature and get it submitted to the people. And among other things, I told them that I'd be glad to do it if they would consent to join me in creating a Veterans Land Board of three men of which the Land Commissioner would be only one. And the objective was to have a board that would not be able to get by with some irregular sales of veterans...of land to veterans that the former Land Commissioner had been able to put over. And they agreed that a Veterans Land Board ought to be the...the sole determining authority of passing on applications for veterans loans. And it's worked good. It's worked very good. At a later date, I introduced another amendment to increase the Veterans Land funds still further. The last one that I introduced was passed through the legislature, but the people didn't adopt it. They did adopt the first one. The last one was felled by the way-side by a few thousand votes because, I think, a good many people had gotten around to the conclusion that it had been about twenty

years...or close to twenty years--I believe it was eighteen years--since the war had closed, and that the time had come to terminate a Veterans Land Program. Well, I think you can argue on both sides of that, and the people voted it down by a few thousand votes, mainly in the city of Houston where an organization took the bit in their teeth and said, "We don't want any more veterans land programs." And they got out and spent quite a bit of money and raised a lot of fuss about the Veterans Land Program. And it was beaten mainly because of their activity in the city of Houston.

Odom: I see. Before the Land Board was established, did the commissioner have the sole determining power on applications...loan applications?

Moffett: His approval...his approval was all that was necessary. And that's the reason the then Land Commissioner, Mr. Giles, was able to conspire with several other people and sell some land to veterans on a scandal basis. Some of them were veterans...Latin Americans, who were given fifty dollars to sign an application, and they didn't care whether the application was approved or not. They didn't expect to continue the payments. All they wanted...all they got out of it was fifty bucks, and they didn't know what was in that application.

Odom: Do you think this has been...just off hand, do you think this has been perhaps the biggest scandal--maybe not the biggest, but the most highly publicized scandal--in Texas state government in the last twenty years or thirty or since you've been in the legislature, or not?

Moffett: It's been the biggest one since I've been in the legislature, but the biggest scandal was the highway scandal in the...in Mrs. Ferguson's first administration in 1925 and '26. That...that manipulation of highway contracts and padding of bids and padding of contracts and one thing and another was an awful big scandal. As a matter of fact, the state did not really lose any money from this government land scandal. The state sued and recovered on a lot of those contracts that had been signed by Latin Americans, and other people, too, at a scandalous figure. It sued and recovered the land, and sold it in most instances for the amount that was still due the state. There were some instances where they did not recover the full amount; but there were other instances where they recovered more because oil had been discovered on or near the land involved. The state has not yet lost one single dollar on the Veterans land scandal or the Veterans Land Program. As a matter of fact, it's going to turn out to be a money making program because the state borrows the money to lend to the Veterans at a certain rate of interest and charges the Veterans one percent more. And that difference of one percent will show a profit to the state.

Odom: I want to ask you about this...in this session of the 54th legislature, maybe about the severe labor strike in Port Authur among retail workers. I think we've talked about your attitude here on this some on a previous interviews. Do you want to get into it?

Moffett: That's right. Oh, the only thing I'll say about...the only thing I'd care to repeat at this time is that I am for the so-called

Right to Work Law. I don't believe that any individual ought to have to join any kind of an organization in order to get a job. A business man don't have to join a certain lodge in order to be able to borrow money at a bank. Nobody has to join a church, even though I think everybody ought to. Nobody has to join a church if he doesn't want to and he doesn't have to join any certain church. When he does join it, he can pick out any one he wants. So I don't believe that any man that's seeking employment ought to have...ought to be forced to join any organization in order to secure a job.

Odom: I might ask you at this point, because about this time, too, the... I believe it was the...the issue of higher education in Texas began to be a little hotter than it had been in the past. I think there was some reorganization here in the methods of handling that. I'd like to get you to comment without any...necessarily any particular...reference to any particular session, but you can do so if you want to, on your part in this and your attitude on and philosophy of the development of higher education in Texas as looked at from the legislator's standpoint.

Moffett: Well, of course, obviously, money spent on higher education is a good investment. However, I don't believe in the state taking over all of the job of higher education. Our church denominational schools fill a very desirable spot in the field of higher education. In other words, I think it would be fundamentally wrong for any state or any central government to do all of the...provide all of the funds for education or supervise all the educa-

tional efforts. There ought to always be some educational institutions that could and would train people who didn't care to go to a state institution or who might have different ideas about how an educational institution ought to be run. And obviously the church schools have done a fine job, and I'm not for a program that would eliminate them. At the same time, the church schools are not financially able to do the whole job. That's very obvious--quite obvious. For that reason, I think the state ought to take on the major share of it.

Odom: I take it you support...probably supported, then, the tuition increase measure in 195...

Moffett: Seven, I think. It might have been fifty...

Odom: '57, I believe it was.

Moffett: Well, of course there's a lot of argument about tuition. Our tuition for many, many, many years had been twenty-five dollars a semester, or fifty dollars for a nine months' session--and I think that's what it is now, isn't it?

Odom: It's fifty...let's see, it's...

Moffett: Fifty plus your small charges.

Odom: Yes, your local fees.

Moffett: Among the entire group of state-supported schools and colleges, or colleges and universities, the Texas tuition rate is considerably below the average, and for that reason, I voted for the increase. I think that there ought to be a certain number of scholarships available to worthy students--and when I say worthy, I mean students whose pre-college efforts indicate that they are

outstanding students. I think there should be a number of scholarships available to them. I think that the state has acted wise in providing a loan...a loan program. However, we must always remember that current costs for each student in college range around seven hundred dollars per year per student and that a student at this time is only providing somewhere around fifty dollars in tuition plus some local fees of fifteen or twenty dollars--maybe thirty in a few instances. And at the same time, you've got to remember that not even half of the high school graduates go to college, and I don't know what the percentage of those who enter college finally graduate--I think it's about thirty or forty, or somewhere along in there. In other words, when you go to...when you add up all the money that we've spent on those lucky ones that come from high school to college, we're giving them a lot better deal out of public funds than we're giving those high school students who graduate from high school and never go any farther. The college person is getting a lot better deal from state support than the high school student is.

Odom: So that some of them are getting discriminated against in certain expenditures.

Moffett: Yes, you've always got to keep that in mind. Now, I think some of our economic problems right now are traceable directly to school dropouts in the public school system, and probably some to dropouts in the high school graduation level who never go any further. So, when you talk about spending a lot of money on higher education, I'm not opposed to it but I'm also of the opinion that you

have to maintain a certain balance between how much are you going to devote to higher education and how much are you going to devote to public school systems.

Odom: Yes. I'm sure that gets to be a pretty tough question...

Moffett: It's pretty hard to strike a balance, to tell you the truth.

Odom: What do you think about the relative...in the last several years that you've been in the legislature, the relative ability of the two areas of education to influence the legislature and to get consideration for their problems, here, speaking as a general rule?

Moffett: Well, in recent years, I think probably considerably more than half of the members of the legislature have had college...some college training. I'm sure that's true in the Senate. It probably isn't quite over half in the House, but yet there are many professional teachers in the House, quite a few of them, and they exert considerable influence. I think probably that Texas has done reasonable well in its appropriations for higher education, certainly we've done much better than any other southern state, way beyond a doubt.

Odom: Maybe even than North Carolina?

Moffett: Yes, I think so.

Odom: ...in recent years, at least. What about your philosophy or your attitude on method? Do you have any particular opinion? We should spend money on higher education, but whould we spend it to get higher quality education in fewer schools, in fewer institutions; or should you tend to proliferate (chuckle) the number of institutions? This has been something of an issue all the way through,

hasn't it?

Moffett: It certainly has. This idea of how many institutions of higher learning should this state support has been a hot subject in the Legislature at least as far back as 1925. I wasn't a member in '25, but I listened to some debates down there at that time. When the school down at Alpine was established (I believe that was probably in '23, or just about that time) there was a lot of squawking, a lot of criticism about putting a school 'way out there in the wide open spaces of southwest Texas, and there were certainly a lot of them that were wide open. (chuckle) But... it's hard to arrive at a decision as to just how many institutions of higher learning this state should have. At the present time I believe we have twenty-two, and with a population of ten or eleven million people I think that that's about right. I don't believe I'd vote for any further extension or establishment of four-year institutions of higher learning.

Now then, right along that same line is this question of junior colleges, and I'm not a profound student of just where the junior college fits in; I don't have much background information on it, but I think I would say that we are justified in the money that we have heretofore spent on the junior college system. There again, you can have too many junior colleges. I think probably the junior colleges that we have already established have justified their establishment. There may be some instances (I think there is) where there're some that are too close together. For

instance, I think that Eastland County has two, Ranger and Cisco. Now, I couldn't justify that, and how they got the job done... establishing those two in the same county...I don't know. But I think that it would be better for the students if there were only one school in that...junior college in that county and make it a better college with better equipment and better paid teachers, and one thing and another.

Odom: Do you think there will ever be any sort of philosophy in Texas developed to make the junior college system simply an extension and subject to higher public education as they do in California, for example?

Moffett: Yes, I think it's very likely that that will happen. Of course, that's a prediction, you know...kind of like a prediction of the weather.

Odom: Yes, I know somebody's prediction is as good as another, I guess. Okay, I think we've pretty well gone over that. I wanted to...I noticed here in looking through this, that your committee assignments over a period of years of the fifties had changed some, but very little. Have there been several committee reorganizations during the fifties there in the Senate?

Moffett: We've trimmed down the number of committees from about thirty-eight, I think, somewhere in the thirties, to twenty-four, I think.

Odom: Twenty-four at present.

Moffett: Yes, that was done in the middle fifties, I think.

Odom: Well, that's the way it looked here. Did you have anything to do with the reorganization movement here of the committee, or not?

Moffett: Oh, not particular; it wasn't a hot subject. Most of us realized that in a senate of thirty-one members that thirty-eight committees were too many. Sometimes you'd be a member of three committees that were meeting all the same time.

Odom: (chuckle) You couldn't go to all of them, could you?

Moffett: No, twenty-four is enough. You could make an argument, maybe, that there ought to be twenty-six or something like that, but the system's working all right.

Odom: What happened to the Aeronautics Committee that you were a chairman of, weren't you, or vice chairman, for a while?

Moffett: I was either chairman or vice chairman, because I was author of the bill that established it. Well, when they reduced it from thirty-eight to twenty-four, the Aeronautics Committee had not had enough bills to consider to justify its continuation. State Affairs took over most of the bills that had been sent to Aeronautics.

Odom: I notice that along in the fifties that you took over, and I suppose probably from then on to the end of your tenure in the Senate, as vice chairman of the Oil and Gas Industry Committee. Did you ever become chairman of that? I didn't recall. You were the vice chairman though, weren't you, for several sessions?

Moffett: No, I didn't take the chairmanship of the Oil and Gas Committee. My first love in the legislature, of course, was agriculture. However, I think there were, at least--I know there were--two sessions and I think three sessions that I was not chairman of Agriculture because I had been made chairman of State Affairs twice (really,

I was chairman once and vice chairman once). But in making me vice chairman, the Lieutenant Governor told me that the man he appointed chairman was going to be in the service and wouldn't be there, and in effect, I would be the chairman. It turned out that way. Then the last session that I served, I was made chairman of the subcommittee that conducted all the hearings and did the writing of the general appropriations bill. That alone is a full time job, and for that reason I think that I gave up that chairmanship of Agriculture. Well, I don't know whether I did or not; I believe I kept it, but I turned most of the work over to the vice chairman. I believe that's the way it was.

Odom: That's right. What about this matter of this...Go ahead if you have something else to say.

Moffett: With reference to that vice chairmanship of the Oil and Gas Committee, since I represented the Wichita Falls district where there are more independent oil operators than any other spot in the United States, they wanted me to be vice chairman so that I would at least have some degree of influence and prestige concerning oil and gas legislation. I didn't particularly seek it; they kind of sought it for me, (chuckle) and the Lieutenant Governor agreed to the appointment.

Odom: What about the legislative relations with the oil and gas industry over the years, Senator Moffett? Would you like to talk about that and make any...would you like to organize it? You might get down to some specific...What has been your reaction to the way it's been treated and the way it has treated the legislature in the

State of Texas and the whole range of relationships here?

Moffett: Well, contrary to what a lot of people think, there is major division within the industry itself, there are definite lines of cleavage. As I mentioned a while ago, there are more independent oil operators in the Wichita Falls area than any other spot in the United States. In some states the major companies control the whole thing, and there are very very few independents, but in our state the independents have more influence in the legislature than the major companies do.

Odom: Is that correct? Has that been true all along?

Moffett: It's been true ever since I've been in the legislature. As a matter of fact, a fellow that gets up in the legislature and undertakes to carry the ball for the major companies...he soon is marked as sort of an outcast. A lot of members of the legislature do not want to vote for major oil company bills at all, don't want to be caught voting for them. (laughter) Now on a good many points in connection with a good many bills that affect the oil and gas industry, there is some degree of agreement between the majors and the independents. For instance, on the question of oil taxation they'd bring the same vote on that question. Now on this question of "pooling" which means combining a bunch of small leases into a larger working unit. The majors, generally speaking, are for compulsory pooling or compulsory unitization. I've never subscribed to that, and fortunately for me the independent oil operators in Wichita Falls have never wanted or agreed to compulsory unitization. Now in some states there is compulsory unitization. I

wouldn't be for it at all and, as I said, fortunately the people in my area that were prominent in the oil business were not for it, so it was a very convenient arrangement for me. I was the author of the Voluntary Unitization Bill, and Colonel Thompson, who was chairman of the Railroad Commission for a good many years, told me one time that voluntary unitization had brought about an increase in the recovery of oil of at least fifty million barrels of crude oil in Texas. You see, it's hard to explain it, but I'll cite the old Burkburnett Tounsite which came in right at the close of World War I. At that day and time there was no state law about drilling for oil of any kind. You didn't even have to file your drilling intentions with the Railroad Commission or any other commission. You just went and drilled. As a consequence some blocks in Burkburnett had five oil wells on them. All that did was to exhaust the oil underneath that block, and there wasn't enough oil underneath any one block to pay for drilling five oil wells. So there was an economic waste and loss. Of course the people that drilled those wells usually got out and sold stock in a manner which is not permitted under state law at this time. But they'd get out and sell stock for ten times the value of the oil underneath that block, and the stockholders lost most of their money. There is a lot of good sound sensible support for a state law regulating the drilling of oil wells. For instance, if you're going to drill eighty five hundred feet like they have to do up here in this Connally Pool in Hardeman County, the cost of drilling even a dry hole up there would be about sixty-five or seventy

thousand dollars, and if you drill and complete a well and put in all the piping and tubing and tanks, its over a hundred thousand dollars. Well, obviously if you tried to drill a well under every five acres in that pool, there's not enough oil under that five acres to show a profit. So the unit in the Connally Pool for the deep oil is eighty acres. Where the oil is shallow, around 3500 feet, and 2500 feet or down near Electra, I think it's about... it's only 1000 feet; you can have smaller units. And the Railroad Commission has the power to fix the units.

Odom: They have sole powers?

Moffett: Full powers...yes. Now the bill that I introduced conferred upon the Railroad Commission the authority to establish voluntary pooling units of development. I think in the Electra Pool it's even as low as twenty acres in some places, because the cost of drilling a well is very nominal, and you might recover more in shallow oil by drilling more wells, too. It depends on the type of formation in which the oil is found. Now in a lime formation, where sometimes the formation is treated with as high as five or ten thousand gallons of acid to bring about porosity, obviously the unit should be larger. In shallow pools where the oil is found in the sand, if it's tight sand and oil doesn't flow freely you need to have more wells. If it's an open pool of sand, you need fewer wells. So this matter of oil legislation involves a field of science and information that many people do not understand. And I can say about some Wichita Falls independent oil operators that they have taken the most enlightened viewpoint