

## OKLAHOMA AND THE PARKING METER

By LeRoy H. Fischer and Robert E. Smith\*

When motorists drove to the downtown area of Oklahoma City on July 18, 1935, they noticed strange looking devices mounted on the curbs. They found that these new machines, known as parking meters, were designed to record their parking time for a fee.

Public reaction was immediate. Some motorists were outraged and expressed their feelings vocally, while others breathed a sigh of relief that at long last something was being done about the parking problem. A third segment of the population was noncommittal and adopted a wait-and-see attitude. At the same time the ever-present publicity seekers had their day. Two couples set up a folding table and four chairs in a parking space and, after depositing a nickel, played a rubber of bridge. A local rancher used a parking meter as a hitching post and justified his action by explaining that it was less expensive than a livery stable. While the complainers and attention grabbers treated the public to a circus, few individuals comprehended the significance of the world's first installation of parking meters in Oklahoma City, and the story of the development of the device remained obscure in spite of the glare of nationwide publicity.<sup>1</sup>

The appearance of the parking meter was a result of many divergent factors culminating in the need for such an invention and its use. The parking meter would never have been necessary had parking not been the unproductive part of travel. Although it is necessary to park automobiles, parking constitutes a nuisance to others attempting to travel in congested areas.

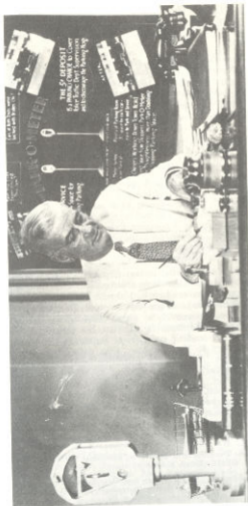
As long as the means of transportation remained totally animal-drawn, the cities of the United States were usually able

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This is the second article on the history of Oklahoma's unique association with parking meters to appear in *The Chronicles of Oklahoma*. See H. G. Thurston, "Reminiscences of the Development of the Parking Meter," Vol. XLV (Summer, 1967), pp. 112-142.

<sup>1</sup>"Officers Find Nickel Parker Fiddle Parker," *Daily Oklahoman*, July 17, 1935, p. 1; "It's Pay As You Park in Oklahoma City Now," *Tulsa Tribune*, July 18, 1935, p. 11; "Park-O-Meters Start a Controversy: Oklahoma City Split Into Two Camps," *New York Times*, July 21, 1935, Sec. 2, pp. 1 and 6.



(Oklahoma House Museum)

#### CARL C. MAGEE

The originator of the idea for automating the parking by means of a coin operated meter. He is shown at his office desk, Dual Parking Meter Company, Currency Exchange Building, Oklahoma City, soon after the world's first installation in Oklahoma City in July, 1906.

to provide satisfactory parking facilities. But the invention of the horseless carriage precipitated a new and more efficient means of transportation. The United States adopted the automobile quickly, and soon it began to replace animal-drawn vehicles as the principal mode of transportation. By 1930 there were 26,545,281 cars and trucks in the United States.

Oklahoma experienced a phenomenal increase in the number of automobiles during this period along with other states. The first count of motor vehicles in Oklahoma conducted in 1913 estimated about 3,000 automobiles of all types. By 1930 the number had increased 183 times to over 550,000.<sup>1</sup>

While the number of automobiles increased, the amount of space available remained constant. The automobile was faster than any animal-drawn vehicle and demanded a more sophisticated system of control to insure the safety and well-being of the public. Nowhere was this more evident than in densely populated urban areas. As cities grew in size and population, the demands on the center of each urban area increased proportionately, while the amount of space available downtown remained relatively unchanged. Streets were paved, which made it easier for the motorist to travel, but he still faced the problem of congestion. This situation was compounded when the motorist parked his automobile. The parked automobile, an obstruction to maximum freedom of passage on any street, made the congestion even more acute on well-traveled streets.<sup>2</sup>

Oklahoma City, already the largest city in Oklahoma, was growing rapidly and becoming a large metropolitan area. One of its more pressing problems was how to deal with the ever-increasing number of automobiles in its limited downtown area. By 1935 Oklahoma City alone accounted for nearly 10% of the motor vehicle registrations in the state. In addition, her status as the state capital and the leading commercial center in the state brought many visitors to the downtown area daily, thus compounding the problem. The city administration fixed time limits on downtown curb parking in an attempt to better facilitate auto parking turnover. But once the time limits were set, the problem of enforcement remained. Traffic patrolmen attempted to keep an accurate check of parking time by chalking the tires of cars parked in time zones. If the automobile was not moved in the prescribed length of time, the patrolman could tell by the position of the chalk on the tire. Such a system would have

<sup>1</sup> United States Department of Commerce, *Statistical Abstract of the United States*, Vol. LVIII (1936), p. 365.

<sup>2</sup> Hawley S. Simpson, "When, Where and How Should Parking Be Restricted," *Institute of Traffic Engineers Proceedings for 1933* (Chicago, Illinois: Institute of Traffic Engineers, 1933), p. 28.

worked if all motorists had honestly tried to observe the time limits. However, it soon became evident that there were flagrant violations and that it was difficult to prevent them. A motorist could easily remove the chalk mark or even move his automobile, in either case destroying the evidence of a parking violation.<sup>4</sup>

By 1932 the problem of downtown parking in Oklahoma City seemed insoluble. A survey indicated that police attempts to enforce the parking time limits were only 5 to 10% effective. The Oklahoma City Chamber of Commerce was understandably concerned. In 1932 Carl C. Magee was appointed chairman of the Traffic Committee of the Chamber of Commerce. Magee, who took his appointment seriously, was determined to find a solution to the problem.<sup>5</sup>

Magee had a colorful background. He was well known locally and had some fame nationwide. He had testified before the United States Senate Public Lands Committee on the personal activities of Secretary of the Interior Albert Fall, who was then involved in the Teapot Dome Scandal. Magee's testimony was partially responsible for the Teapot Dome exposure. At the time of his involvement with the Teapot Dome, Magee was a newspaperman in Albuquerque, New Mexico. During an attempt to expose corruption in the New Mexico court system, he was arrested for libel and contempt. New Mexico Judge D. J. Leahy, one of the principals in the corruption charges, heard the cases, imposed fines, and sentenced Magee to a prison term. Magee, however, was pardoned by the governor of New Mexico. Then in 1925 Judge Leahy met Magee in a Las Vegas hotel and knocked him down. When Magee pulled out a revolver and shot at Judge Leahy, he killed an innocent bystander. This time Magee went on trial for manslaughter, but was acquitted. In 1927 he left New Mexico and came to Oklahoma City, where he started a weekly newspaper, the *Oklahoma News*, and served as its editor.<sup>6</sup>

When Magee became interested in Oklahoma City's parking problems, he realized that an entirely new approach was needed. Reliance on the existing mechanics of enforcement had proved unsatisfactory, and there was no indication of any chance for

<sup>4</sup> "City Automobile Registration, Street Mileage, Population and Area, 1936," *Automobile Facts and Figures*, Vol. XVIII (1936), p. 51; interview of authors with H. G. Thurwa, Stillwater, Oklahoma, June 14, 1967.

<sup>5</sup> Louis W. Heavner to James E. Parrh, May 11, 1963, Oklahoma City Chamber of Commerce Archives, Oklahoma City, Oklahoma.

<sup>6</sup> Ruri Noggle, *Teapot Dome: Oil and Politics in the 1920's* (Baton Rouge, Louisiana: Louisiana State University Press, 1962), pp. 28-69; "Parking: Slot Machines Now Sell Curb Space in Five Cities," *Newswatch*, Vol. VII (March 7, 1936), pp. 38 and 36; Gerald A. Hale, "The Park-O-Meter Story," manuscript article in authors' possession, p. 1.

improvement in the foreseeable future. Magee turned to the idea of a mechanical device as a possible solution to the problem. First he approached a government mechanic and asked him to make a meter that would remedy the situation; the mechanic gave up in two or three weeks. He then hired a local machinist to build a timing device that would note the length of time each parker spent in a metered zone. Although a rough model was constructed, it was not satisfactory.<sup>1</sup>

Magee was not one to give up easily. He believed his idea of a parking meter was good; what he needed was a craftsman capable of constructing a workable model. He decided to discuss the problem with an old friend, Dean Phillip S. Donnell of the Oklahoma State University College of Engineering. As a result, Dean Donnell gave a luncheon in his home in the latter part of 1932, inviting Magee and members of the College of Engineering faculty. It was at this luncheon that Magee first met Professor H. G. Thuesen, who was later to have such a vital part in the development of the parking meter. Magee discussed the problem at the luncheon, but nothing definite was decided. There were further meetings between Magee and faculty members of the Oklahoma State University College of Engineering about the parking meter proposal. Dean Donnell attended these meetings along with professors O. M. Smith, E. C. Baker, L. E. Hazen, DeWitt Hunt, Albrecht Naeter, Ben G. Saxton, Phillip Wilbur, and Thuesen.

At one of these conferences Magee presented a novel proposal. He offered to sponsor a contest for engineering students of Oklahoma State University to develop a parking meter. He suggested that the contest be divided into two parts, the first competition to develop a design and the second to construct a working model. Magee presented his crude model of an element of a parking meter and gave Dean Donnell \$500.00 to finance the contest: \$400.00 was to be used as prize money and \$100.00 would provide materials.<sup>2</sup>

Dean Donnell announced the opening of the competition on January 4, 1933. Prize money of \$160.00 was offered in the design contest, with the remaining \$240.00 designated for the working model competition. The contest committee was composed of

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<sup>1</sup> "Device Contest is Launched by Capital Editor," *Oklahoma State University Daily Collegian*, January 8, 1933, p. 1.

<sup>2</sup> Interview of author with Thuesen, Brillwenter, Oklahoma, June 14, 1967; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicle of Oklahoma*, Vol. XLV, pp. 114-117. Until 1957, Oklahoma State University was known as Oklahoma Agricultural and Mechanical College, and the College of Engineering was known as the School of Engineering.



(University Archives, Oklahoma State University)

**THE BLACK MARIA**

The first complete and operable parking meter. This was designed and constructed by Professor H. H. Thrown and Professor G. A. Hale at Oklahoma State University in 1933.

Professor Hunt, Head of the Department of Industrial Arts Education, as chairman; Professor Thuesen, Acting Head of the Department of Industrial Engineering; and Professor Baker, Head of the Department of Mechanical Engineering. The design contest was to end on January 31, 1933.<sup>9</sup>

On January 7, when Magee met with the applicants in the Old Engineering Building (now Gundersen Hall), he outlined what he expected from the contest. He emphasized that the meter had to be small and attractive, and it should lend itself to low-cost construction. A lever was to be incorporated into the design to facilitate winding the clock mechanism. He mentioned the long-range financial benefits a device of this type would contribute to a city's treasury. There were thirteen applicants at this meeting, and six of them paired off to work as three teams.<sup>10</sup>

Magee's original parking meter element was placed in the office of Mary M. Graves, the reference librarian of the College of Engineering, for the use of the contestants. They came often to view the element and the patent papers accompanying it. The design competition progressed satisfactorily, for the students put in many hours of work. Later the deadline was extended to February 3, when all entries were to be submitted by 6:00 p.m.

The contest judges were Oklahoma City engineers Carl Boener, Clair Drury, S. L. Rolland, Ward Sherman, and A. E. Phillips. They met with the committee on February 4 in the offices of the Oklahoma Gas and Electric Company in Oklahoma City to choose the winning designs. Victor L. Rupe was the winner of this phase.<sup>11</sup>

Although the working model competition was to start immediately, inclement weather prevented Magee from meeting with the contest committee, and the opening of this competition was postponed. To provide the students with a guide for their models, Professor Thuesen began working on two models, one with a signal device on the outside and the other with the signal device enclosed in the meter.

On February 11, Magee met with the committee and approved the design with the signal device enclosed which Thuesen

<sup>9</sup> "Engineers to Compete in Carl Magee Parking Device Contest," *Oklahoma State University, Daily O'Colleges*, January 4, 1933, p. 3.

<sup>10</sup> "Device Contest Is Launched by Capital Editor," *ibid.*, January 8, 1933, p. 1.

<sup>11</sup> "Aggie Engineers Work on Device," *ibid.*, January 14, 1933, p. 1; "Contest Winners Will Be Picked," *ibid.*, February 4, 1933, p. 1; "Rupe Is Winner of Carl Magee Design Contest," *ibid.*, February 5, 1933, p. 1.

had drawn from the diagrams submitted by the students. It was adopted because Magee and the committee believed it would be more weatherproof. The College of Engineering provided the contestants with drawings of this design, and the students based their models on these drawings.

The entrance deadline was then set for February 17, 1933, and the contest was to end on April 1 of that same year. The entrance deadline was later extended one week to allow more students to participate. Eight students constructed models in the contest, and to allow them more time, the final deadline was tentatively extended to May 6.<sup>12</sup>

At first progress appeared to be unsatisfactory, but the contest continued, and the entrants resorted to using old alarm clocks to perfect their timing mechanisms. The model competition was called to a close on May 4; that evening the entries were judged. Although Lloyd Goodwin was awarded the first prize of \$100.00, none of the models were sophisticated enough to insure smooth operation. It was at this point that Thuesen began to take an active part in the development of a workable parking meter model.<sup>13</sup>

Thuesen was well qualified for the task. He was a graduate of Iowa State University and held the Professional Degree and the Master's Degree in Mechanical Engineering. At the age of sixteen he had developed a speed indicator which used a timing device and had obtained a patent on it. He had spent some time working in industry and had taught at the University of Colorado before coming to Oklahoma State University in 1921. By 1933 he was an associate professor and Acting Head of the Department of Industrial Engineering.<sup>14</sup>

After he had sent a letter to Magee informing him that the models were not wholly satisfactory and that an operational model would need more work, Thuesen decided that he would ask a promising engineer to help him develop a better model. He thought of a former student, Gerald A. Hale, who was a

<sup>12</sup>"Deadline Is Set Up in Contest," *ibid.*, February 11, 1933, p. 3; "Parking Contest Deadline Set Up," *ibid.*, February 12, 1933, p. 4; "Deadline Extended in Magee Device Contest," *ibid.*, February 18, 1933, p. 4.

<sup>13</sup>"Old Alarm Clocks are Still Needed by Carl Magee Contest Entries," *ibid.*, April 27, 1933, p. 3; Thuesen to Carl C. Magee, May 6, 1933, H. G. Thuesen Collection, University Archives, Oklahoma State University Library, Stillwater, Oklahoma.

<sup>14</sup>M. H. Lohmann to Chairman, Awards Nominations Committee, American Institute of Industrial Engineers, October 8, 1963, Thuesen Collection, University Archives, Oklahoma State University Library; United States Patent Office, *Official Gazette*, Vol. CCXX (November, 1915), p. 439. At the time, Iowa State University was known as Iowa State College.



1927 graduate of Oklahoma State University and was at that time employed as an instructor in the Department of Mechanical Engineering. Hale had worked with Thuesen on a machine to increase the output in hooking rugs for a government sponsored student aid project. Although the rug hooking project failed, the machine was a success. Thuesen considered Hale an outstanding engineer, and they worked well together.<sup>15</sup>

Hale agreed to cooperate with Thuesen primarily for the experience, but also for the pleasure of seeing the parking meter project succeed. They began their efforts in May, 1933, and all of the work took place in the Old Engineering Building on the Oklahoma State University campus. The design of the meter was characterized by three main points: (1) the signal was enclosed in a window through which it was visible, (2) the last coin deposited was visible through a window to guard against attempts to cheat the meter, and (3) provision was made to accumulate energy supplied by the operator turning a lever.

It took Thuesen and Hale about three weeks to design the mechanism. The two engineers called Magee when they completed the design, and he came to Stillwater to view the drawings. He quickly grasped the salient features involved and was favorably impressed. He asked Thuesen how long it would take to build a model of the design and how much it would cost. Thuesen replied that it would involve about ten days of work and would cost approximately \$100.00. Magee told Thuesen and Hale to construct the model and contact him in Albuquerque, New Mexico, where he temporarily would be when they completed the project.

Thuesen and Hale began working on the model the next day. The actual construction which took ten days was done in the Engineering Shops Building on the Oklahoma State University campus. All the interior parts were constructed by the two engineers, a local plumber made the case, and a Yale lock was used to secure it. This model, known as the "Black Maria," is now on display in the Department of Industrial Engineering at Oklahoma State University.

Thuesen attempted to telephone Magee at Albuquerque, but he was unable to contact him. Failing to reach Magee after repeated attempts, Thuesen and Hale decided to find out how much it would cost to manufacture the parking meter. They prepared drawings of the model and submitted them to various manufacturing companies. They asked the companies to give

<sup>15</sup> Thuesen to Magee, May 5, 1933, Thuesen Collection, University Archives, Oklahoma State University Library; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 121.

them an estimate of the cost of constructing manufacturing tools to make each part, as well as the cost of producing enough parts to construct 1,000 meters. The Century Electric Company of St. Louis, Missouri, provided them with a complete cost estimate. This company was willing to do so because there was a chance for them to get the construction contract, and they were also much in need of new business during the years of the Great Depression.<sup>16</sup>

In the early fall of 1933, Thuesen finally succeeded in contacting Magee, who agreed to come to Stillwater to look at the model. Magee detested doing business by telephone or by letter, and he tried to confine his activities to personal conferences. When he saw the "Black Maria," he was favorably impressed, and he asked Thuesen and Hale to prepare a cost estimate immediately. They presented him with the figures prepared by the Century Electric Company, and he was delighted with their foresight.

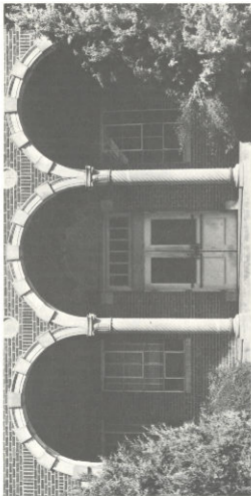
During the Christmas holidays of 1933, Thuesen traveled to Milwaukee, Wisconsin, and Chicago, Illinois, to talk with prospective parts suppliers for the parking meter. When Thuesen gave his report to Magee, they decided to employ a Sand Springs, Oklahoma, machinist named Adolph Schillinger to do further work on the model. Schillinger had a well-equipped shop and used ingenious methods, but his efforts were unsatisfactory.<sup>17</sup>

In the early summer of 1934, Magee and Thuesen went on a trip together to meet with prospective manufacturers of the parking meter. They talked with Schillinger in Sand Springs and went from there to Kansas City, Missouri, where they visited with a die caster and a slot machine manufacturer, but they did not accomplish anything tangible. They proceeded to St. Louis and had a conference with officials of the Century Electric Company, a firm which assured them that its men could build both the tools and the parts necessary to undertake the venture. With this information Magee and Thuesen returned to Oklahoma.

Before embarking on the trip with Magee, Thuesen had tried to contact a Tulsa firm, the Nic-O-Time Company. This concern had constructed timing devices used for exploding nitroglycerin in oil wells, but the firm was no longer in business. After Magee and Thuesen had visited Schillinger in Sand Springs, Schillinger decided to sell the information that Magee was look-

<sup>16</sup> *Ibid.*, pp. 121, 123 and 125; interview of authors with Thuesen, Stillwater, Oklahoma, June 28, 1967.

<sup>17</sup> Tulsa City-County Library to authors, March 5, 1968. In authors' possession; J. B. McGay to authors, August 14, 1967. In authors' possession.



(Division of Public Information, Oklahoma State University)  
**THE INDUSTRIAL BUILDING (ENGINEERING SHOP) AT OKLAHOMA STATE  
UNIVERSITY**

Where Professor H. G. Thimmon and Professor G. A. Hale constructed the world's first  
operatic parking meter.

ing for someone to manufacture parking meters. He contacted J. B. McGay and G. E. Nicholson, the owners of the Macnick Company, which had been formed in 1932 and had replaced the Nic-O-Time Company. Schillinger offered to sell them the name of a person who wanted an unspecified item developed and produced. McGay and Nicholson paid Schillinger \$50.00 for this information. They contacted Magee and made an agreement with him to produce his parking meter.<sup>14</sup>

Magee raised enough capital to start his own corporation. He acquired the necessary funds from 125 businessmen and incorporated the Dual Parking Meter Company. The offices of the company were located in the Commerce and Exchange Building in Oklahoma City. The company was created primarily to promote and sell parking meters, and their manufacture was carried out by the Macnick Company of Tulsa. Parking meters were not actually produced in Oklahoma City until after World War II, and then by a new firm, the Magee-Hale Park-O-Meter Company. By that time the Dual Company had been sold to the Union Metal Company of Canton, Ohio.<sup>15</sup>

Magee served as president of the Dual Parking Meter Company and Virgil Brown and H. L. Eddy were his aids. Later, Hale joined the firm. In 1936, R. J. Benzel, vice-president of the Southwestern Bell Telephone Company, became executive vice-president of the company. After agreeing to the manufacture of the meters, McGay and Nicholson bought stock in the company.<sup>16</sup>

The name chosen for the parking device was the Park-O-Meter. It was discovered not long afterwards, however, that the name "Parkometer" was protected by a trademark. Magee tried to secure a release of this trademark, but his efforts were unsuccessful. By 1937 the meters were known as "Dual" after the company. The trademark "Parkometer" was purchased during World War II, and when the new company was formed after

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<sup>14</sup> Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 127; McGay to authors, August 14, 1967, in authors' possession.

<sup>15</sup> "Parking; Slot Machines Now Sell Curb Space in Five Cities," *NewswEEK*, Vol. VII, pp. 38 and 39; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 132; Hale, "The Park-O-Meter Story," manuscript article in authors' possession, p. 5.

<sup>16</sup> Interview of authors with Thuesen, Stillwater, Oklahoma, June 14, 1967; "Benzel to Quit Phone Job, Joins Parking Meter Firm," *Daily Oklahoman*, September 10, 1938, p. 16; McGay to authors, August 14, 1967 in authors' possession.

the war, the trademark "Park-O-Meter" was used on the Magee-Hale meters.<sup>21</sup>

When the Macnick Company agreed to manufacture parking meters for the Dual Parking Meter Company, it decided to modify the original Thuesen-Hale model. This decision was based primarily on the meter's adaptability to the production equipment possessed by the Macnick Company. The original model had been designed to be produced with standard machines requiring a minimum of initial tool cost. The Macnick Company, however, had produced bomb timers and recording meters, and they were one of the few firms in the area equipped with the automatic lathes and punch presses necessary to produce these products. The Macnick Company thus developed a model which could be manufactured by using predominately punch press sheet metal parts.

The model was quite similar to the original Thuesen-Hale design. It used an enclosed signal which was visible through one window and provided another window through which the coin last deposited could be seen. One of the flaws in the model was that it did not require the operator to complete the winding cycle. Thus one could purposely turn the handle only part of the way through the cycle and make the meter appear to be operating. The operator could manipulate the handle so that the signal flag would be up, but the coin would remain in the machine and could be used repeatedly to operate the meter.

Thuesen and Hale met with McGay and Nicholson and pointed out the flaws in the new model. The paramount problem was that the design did not cause the operator to store the energy necessary to drive the mechanism through its cycle without completely turning the handle. McGay and Nicholson were quick to recognize the flaws, and they recommended changes in the Macnick design. When these changes were incorporated in the design, they partially overcame its shortcomings, and the first parking meters installed were based on this design. The Macnick Company set up their plant to manufacture this type of meter, and the Dual Company began their quest for a trial installation.<sup>22</sup>

Fortunately, conditions were excellent for the acceptance of the parking meter. Motorists in Oklahoma had been enduring intolerable parking conditions for years, and they were beginning to look to new methods to solve the problem. Also, city govern-

<sup>21</sup> Hale, "The Park-O-Meter Story," manuscript article in author's possession, pp. 3 and 6; "Toledo Installs Automatic Parking Meters," *American City*, Vol. LII (January, 1937), p. 104.

<sup>22</sup> Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicle of Oklahoma*, Vol. XLV, p. 130.

ments were in need of additional sources of revenue during the Great Depression, and the parking meter would partially alleviate this problem. Magee, recognizing these facts, decided to attempt to set up a test installation in Oklahoma City.

This urban area was experiencing the same problems that were common in most large cities during this period. In addition to the parking situation in the downtown area, the city was experiencing a steady shrinkage in the valuation of its tax base. In 1931 real and personal property in Oklahoma City was assessed at \$169,774,658. By 1934 the assessed valuation of this property had dropped to \$119,142,466. The assessed valuation of public service companies in Oklahoma County in 1931 was \$31,392,103, but by 1934 had plunged to \$24,401,360. This meant that the tax base of property and public utilities had shrunk 28.8% in only three years. Such a rapid drop in the tax base had left the city administration in a critical position. As the amount of tax money decreased, the city could revert to deficit spending and continue to maintain all the ordinary services performed before the fall in valuation, drastically curtail services and stay within its budget, or look for new sources of income.

Oklahoma City chose the last method. The federal government was making loans to cities in this period, but to be in a favorable position to receive such a loan, it was imperative that Oklahoma City pay its debts in an orderly manner. Oklahoma City maintained this policy, and by 1935 it was one of the five soundest municipal corporations in the nation. It was amazing that the city could boast of this fact. While it was paying off its debt, it was collecting taxes on a steadily decreasing base. In addition, the tax levy had dropped \$5.23 per \$1,000 assessed valuation in 1934 alone. The city's population was increasing, but not fast enough to warrant this decrease in the levy.<sup>13</sup>

The city manager who was directing this masterful manipulation of the city's revenues was Orval M. Mosier. He was able to effectively utilize existing funds and was aided by provident state supreme court rulings which released over \$300,000 to the city's treasury in the early 1930's. However, by the end of 1934 the city was faced with the problem of using all of its surplus to maintain services in 1935, or seeking new sources of revenue.<sup>14</sup>

<sup>13</sup> Oklahoma Tax Commission, *Report of the Oklahoma Tax Commission—from its Creation January 19, 1901 to July 1, 1931; and for the Three Fiscal Years Ending June 30, 1932, 1933, and 1934* (Oklahoma City, Oklahoma: Harlow Publishing Company, 1934), pp. 167-171; "Bond Debt Cut Puts City in Nation's Top Financial Rank," *Oklahoma City Times*, April 19, 1935, p. 18.

<sup>14</sup> "Mosier Faces Problem of Finding New Resources to Replace Shrinkage in Income," *Daily Oklahoman*, April 26, 1935, p. 2.

Mosier could have recommended a general tax levy, but he was reluctant to resort to this method. He turned instead to the oil companies which operated pipe lines and wells within the city limits. A heavy pipe line tax was imposed on the Oklahoma Natural Gas Company, and this tax alone accounted for over \$30,000 a year in increased revenue. He proposed a \$250.00 a year tax on each oil well operated within the city limits, but the city council, after hearing arguments from the oil companies, agreed on a \$100.00 a year tax on each well. Mosier's plan would have netted the city \$70,000 a year, and the compromise tax would only net \$27,700. The city needed \$200,000 a year in new revenue, and the two new sources would bring in less than \$60,000. Mosier could look to two additional new sources of revenue: an extended sewer tax and parking meters.<sup>25</sup>

The sewer tax on users outside the city limits was aimed primarily at the meat packing houses. Mosier voiced the opinion that if the packing companies used the sewers, they should be charged for the privilege. The sewer tax would net \$25,000 a year, but that still left the city far below the needed \$200,000 in new revenue.<sup>26</sup>

Mosier had been planning to utilize parking meters for some time. He recognized their value and recommended that the city council act on an ordinance permitting the use of parking meters by the municipal government of Oklahoma City. On November 20, 1934, the city council directed the municipal counselor to prepare a suitable ordinance providing for the installation of about 200 parking meters in downtown locations. When Mosier was faced with the problem of finding new sources of revenue in April, 1935, he was able to submit this ordinance to the city council. It was introduced to the council on April 25, but no action was taken.<sup>27</sup>

The new council that would vote on the ordinance was somewhat more favorable to Mosier than the earlier council that had instructed the city attorney to draw up the ordinance. In early April of that same year, G. A. Stark, the leader of the opposition to Mosier, had been defeated in the city's election. Without Stark there was not much organized resistance in the council. On April 26, Mosier let the fact that he intended to ask for a five-mill levy leak to the newspapers. The reaction of

<sup>25</sup> "Mosier Hopes to Keep City Without Levy," *ibid.*, April 21, 1935, Sec. A., p. 9; "Mosier Faces Problem of Finding New Revenues to Replace Shrinkage in Income," *ibid.*, April 29, 1935, p. 9.

<sup>26</sup> T. T. Johnson, "Opposition to Mosier Begins Still Evident as Revenue Measures Draw Fire," *ibid.*, April 22, 1935, p. 12.

<sup>27</sup> "Ordinance is Ordered on Parking Meters," *Oklahoma City Times*, November 20, 1934, p. 1; "Council Faces Heavy Docket," *Daily Oklahoman*, April 23, 1935, p. 2.

the council members was immediate. They countered with the proposal that they would wait until the budget proposals were announced and until it was definitely known how much money the city would receive from federal funds before they would commit themselves on any levy increase that would raise taxes \$1.50 for each \$1,000 in property valuation. On the day the council met, Mosier announced in the newspaper that he was seeking new ways to avoid an ad valorem levy for general fund purposes. He again advocated the use of indirect taxation with the income derived from the new sewer tax and the installation of parking meters. He estimated that the parking meter would bring \$75,000 to the city's coffers the first year.<sup>21</sup>

On May 2, 1935, the parking meter ordinance was read for the second time before the Oklahoma City Council. It was passed by a vote of five to three. It called for the installation and regulation of Park-O-Meters and provided for a penalty for violations. The wording of the ordinance used the term "Park-O-Meter," the Dual Parking Meter Company's trademark.<sup>22</sup>

Mosier's victory was not complete on the parking meter issue. Within a few days opposition to his plans began to develop, but he was not seriously challenged. He did not press for the levy increase once the parking meter ordinance had been passed. However, Mosier's master plan had called for the eventual installation of 1,000 parking meters, and it was on this basis that he had anticipated an additional \$75,000 in new revenue.<sup>23</sup>

The test plan provided for the installation of 200 meters in the downtown area of Oklahoma City. The parking meters would be set up on fourteen blocks in the city's most congested area. The parking fee was set at five cents an hour for the use of each timed zone. Violators would be required to pay a \$20.00 police court fine under the original ordinance.

A short time after the ordinance was passed, there was speculation on how well the parking meters would work. At first the newspapers reported that a red flag would be visible in the

<sup>21</sup> Johnson, "Opposition to Mosier Regime Still Evident as Revenue Measures Draw Fire," *Ibid.*, April 22, 1935, p. 12; "Mosier 10 Year Plan Faces Council Test on Levy Issue," *Oklahoma City Times*, April 26, 1935, p. 23; "Council May Get Two City Budget Proposals in July," *Ibid.*, May 2, 1935, p. 4; "Mosier Favors General Fund Levy Next Year Unless New Revenues are Found," *Daily Oklahoman*, May 2, 1935, p. 12.

<sup>22</sup> Oklahoma City, Oklahoma, "Minutes of the Meeting of the City Council, May 2, 1935," Book 9, p. 294, manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma.

<sup>23</sup> Horace Thompson, "Mosier's Job Called Secure Until Autumn," *Oklahoma City Times*, May 8, 1935, p. 13; "Parkers Will Pay, Lawyers Will Litigate," *Daily Oklahoman*, May 8, 1935, p. 1.



glass window, and when a motorist deposited a nickel, a green flag would pop up and replace it until the parking time elapsed. Newspapers soon reported, however, that there was no red flag, and only a green flag would be used to signal that the motorist had paid his parking fee. Meanwhile, Magee conceived the idea of a sealed tube in the meter which would collect all deposited coins. The tube could be removed by a city employee and transported to the treasurer's office.<sup>11</sup>

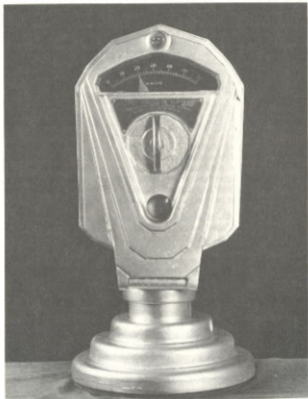
The parking meter made its first public appearance at a display in Oklahoma City on May 8, 1935. While Oklahoma City's residents were viewing and preparing for this novel device, Magee was drafting a contract for presentation to the city council. The city advertised for bids on parking meters on June 12, 13, and 14, 1935, and the Dual Parking Meter Company submitted its bid on June 17, 1935. The company agreed to sell parking meters to the city for \$23.00 each, with payments made at thirty-day intervals from receipts from the meters. The city council accepted the bid by a vote of five to three, but did not agree to pay interest on the unpaid balance.<sup>12</sup> Although the contract authorized the purchase of 225 parking meters, only 175 were actually installed. The initial installation was made on July 16, 1935. This event caused a storm of controversy which put the practicability and legality of the device to a severe test in the months ahead.<sup>13</sup>

When parking meters were installed on Oklahoma City streets, opponents of the device maintained that they were an illegal infringement on the individual's right to free use of the public streets. Favorable court rulings soon counteracted this opinion, and thereafter, not only in Oklahoma City but throughout the United States, more complex legal strategies were used in attempts to remove parking meters. In some cases the defenders of the parking meter lost court decisions, but in most instances the device was found to be legal.

Magee had anticipated court actions when he began his development of the parking meter. His legal training and experience suggested that parking meters would be declared illegal

<sup>11</sup> "Parking Meters to be Installed in City at Once," *Oklahoma City Times*, May 7, 1935, p. 1; "Parkers Will Pay, Lawyers Will Litigate," *Daily Oklahoman*, May 8, 1935, p. 1.

<sup>12</sup> "Here's the Park-O-Meter in Action — For a Nickel a Park," *ibid.*, May 8, 1935, p. 2; Oklahoma City, Oklahoma, "Contract Between The Dual Parking Meter Company and The City of Oklahoma City, July, 1935," manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma; Oklahoma City, Oklahoma, "Minutes of the Meeting of the City Council, July 2, 1935," Book 9, p. 429, manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma.



(University Archives, Oklahoma State University)

**WORLD'S FIRST INSTALLED PARKING METER,  
OKLAHOMA CITY, 1935**

The type of parking meter used in the world's first installation in Oklahoma City in July, 1935. This meter was manufactured for the Dual Parking Meter Company of Oklahoma City by the Macclack Company of Tulsa.

because city governments would be charging rent for the use of public streets. He therefore decided to approach the problem from another direction. He maintained that parking meters could be utilized to regulate traffic, and for this purpose a small fee would be legal.<sup>13</sup>

When the Oklahoma City council instructed the municipal counselor to prepare a suitable ordinance providing for the installation of parking meters, some Oklahoma City residents questioned their legality. Attorneys Ed S. Butterfield and R. R. McCormack announced that they would file an injunction suit if the city planned to install parking meters.<sup>14</sup> As it became evident that the ordinance would actually be passed, Butterfield emerged as the leader of the opponents of the parking meter ordinance. When the city council passed the measure, Butterfield changed his tactics. He decided not to contest the ordinance, but to confine his opposition to the legality of the city's purchase of parking meters. He planned a two-pronged attack: first, he would file a suit against city officials to prevent them from paying for the parking meters; second, he would file a suit against Magee to prevent him from collecting any money to pay for the parking meters. Butterfield elected to allow the city to install the parking meters in order to build a better case.<sup>15</sup>

The opponents of parking meters took no legal action against the meters until they were installed on July 16, 1935. Butterfield, however, had again changed his approach and sought a temporary injunction charging that the city was attempting to levy an additional tax on automobiles while claiming that parking meter fees were used for traffic regulation. He contended that this tax was depriving automobile owners of their property without due process of law. In addition he maintained that the fees were for the sole purpose of raising revenue. On these grounds a temporary restraining order prohibiting the use of the meters was granted on July 17, 1935, by District Judge Clarence Mills. Now the two lines of battle were clearly drawn. The opponents of parking meters had used the approach Magee had anticipated. The city could base its defense on the idea that parking meters would be used merely to regulate parking. The courts could decide on the legality of its stand.

<sup>13</sup> "Park Meters Cost Lacking," *Daily Oklahoman*, July 27, 1936, p. A-9; Julia Baughman, "Park-O-Meter — Yes? Bah!" *Oklahoma City Times*, July 16, 1935, pp. 1-2.

<sup>14</sup> Interview of authors with Thorsch, Stillwater, Oklahoma, June 14, 1947.

<sup>15</sup> "Ordinance Is Ordered on Parking Meters," *Oklahoma City Times*, November 20, 1934, p. 1.

<sup>16</sup> "Parkers Will Pay, Lawyers Will Litigate," *Daily Oklahoman*, May 8, 1935, p. 1.

As soon as the restraining order was granted, City Manager Mosier ordered Police Chief John Watt to revert to the old parking ordinance and enforce time-zone parking without using the meters. The money already deposited was collected from the meters, and they were rendered inoperative pending a court ruling on the temporary restraining order.

A hearing to determine whether the temporary restraining order should be changed to a permanent restraining order was set for July 23, 1935, in the courtroom of Judge Sam Hooker. Harlan Deupree, the city attorney, was aided by Magee's attorneys, Malcolm W. McKenzie and W. H. Brown, in preparing the city's defense. A. P. Van Meter, the assistant municipal counselor, actually represented the city at the hearing, and the defense of the ordinance was presented by Brown, who acted as a special attorney for Oklahoma City. The opponents of the parking meters were represented by Butterfield, Melville F. Boddie, and Harry L. Neuffer.<sup>17</sup>

The day before the hearing Butterfield served Mosier with a subpoena to appear in court the next day, but Mosier disregarded the subpoena and left for Washington, D. C., the night before the hearing. Butterfield used this event to furnish more publicity for the hearing.<sup>18</sup>

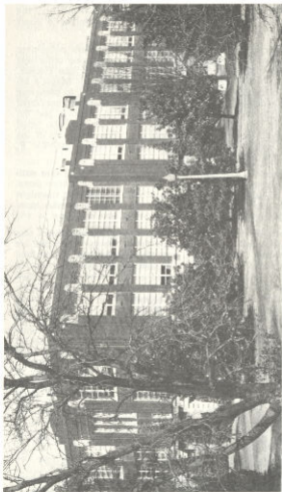
When the hearing began the next day, the courtroom was packed with interested spectators. Judge Hooker was aided by Judges Mills, Ben Arnold, and George Giddings. Butterfield based much of his case on an appeal to personal sentiment. He presented himself as a witness and attempted to create the impression that he was a model citizen. He maintained that a good citizen would only park the prescribed time in a timed zone; that if he overparked, he would gladly pay his fine; and that a parking meter was an insult to a good citizen's integrity. He maintained that charging a nickel for the use of public streets was illegal. The spectators in the courtroom applauded his attack so many times that Judge Hooker threatened them with eviction to maintain order.<sup>19</sup>

Brown's presentation of the city's case was in marked contrast to the tactics used by Butterfield. Brown attempted to

<sup>17</sup> "Meter Parking 'Fren' Pending Test in Court," *Oklahoma City Times*, July 17, 1935, p. 2; "Plaintiff's Claim Mosier Dodged Subpoena in Parking Meter Test Suit Today," *Daily Oklahoman*, July 23, 1935, p. 12; "Oklahoma City Autoists Plan to Fight Nickel-in-Slot Curbstone Parking Meters," *New York Times*, July 17, 1935, Sec. 1, p. 21.

<sup>18</sup> "Plaintiff's Claim Mosier Dodged Subpoena in Parking Meter Test Suit Today," *Daily Oklahoman*, July 23, 1935, p. 12.

<sup>19</sup> "Cheering Through Bark Butterfield in Parking Fight," *Oklahoma City Times*, July 23, 1935, pp. 1-2.



(Division of Public Information, Oklahoma State University)  
**THE OLD COLLEGE OF ENGINEERING BUILDING (1912-1928) AT  
OKLAHOMA STATE UNIVERSITY**

Now Quadrenna Hall, where Professor H. H. Thurman and Professor G. A. Hale designed  
the world's first slow speed portable printing press.

present a case based on sound legal principles and did not resort to an emotional appeal to the court. He recognized the need for similar precedents in order to create a strong case for the parking meter ordinance. He began his defense by explaining the operation of the parking meter and pointed out that it was a progressive invention. He maintained that if there were no need for parking meters, they would not have been invented. He alleged that parking was a privilege and not a right, and that parking meters were necessary in some instances to preserve that privilege. Brown contended that the principles of law involved were not new. Oklahoma City required the payment of license fees by individuals who desired the privilege of operating certain business in the city, and the same principle applied to parking meters. He argued that the city charged these fees to regulate businesses and would apply the same principle with parking meters.

Brown was not content to limit the scope of his defense to local ordinances, but based much of his case on state statutes. He maintained that not only could cities establish ordinances that were not in conflict with the laws of the United States or the laws of Oklahoma, but such ordinances would benefit trade and commerce. He noted that a city could pass an ordinance to prevent an encroachment upon its streets, and he emphasized that a city had the right to pass ordinances that it deemed necessary for its own welfare.<sup>40</sup> Brown turned next to the city charter and pointed out that the city was empowered to pass and enforce ordinances that provided for the removal of nuisances that were in conflict with the best interests of the city. He contended that overtime parkers were in this category. He quoted forty-six pertinent court decisions from over the United States and noted in each case that the court had gone far beyond what was necessary in order to preserve a similar ordinance. He ended his defense by stating that the city had every right to charge a regulatory fee for the privilege of parking on its streets.<sup>41</sup>

The judges took one day to deliberate the case. They concluded that the city did have the right to install parking meters and charge a nominal fee in order to regulate parking on its

<sup>40</sup> W. H. Brown, "Memorandum Brief and Argument, Ed Butterfield vs. The City of Oklahoma City, July 23, 1935," pp. 1 and 3, manuscript document, Thurston Collection, University Archives, Oklahoma State University Library; Frank O. Eagin and C. W. Van Eaton, comps., *Oklahoma Statutes, 1931* (2 vols., Oklahoma City: Harlow Publishing Co., 1932), Vol. 1, pp. 187B, 189A, and 189B.

<sup>41</sup> Brown, "Memorandum Brief and Argument, Ed Butterfield vs. The City of Oklahoma City, July 23, 1935," pp. 4-26, manuscript document, Thurston Collection, University Archives, Oklahoma State University Library.

streets. However, while they maintained that parking was indeed a privilege given by the city, they agreed that if the meter revenues remained as high as they were on the first day of operation, then the fee was exorbitant.<sup>41</sup>

When the court's decision was announced, Butterfield did not lose heart. He maintained that the decision was a victory for the opponents of parking meters. He was confident that the amount of revenue taken in by the meters would remain constant, and therefore exorbitant; if this were true, then he would indeed have a case. Magee laughed at this contention and commented that he could set the parking meters so they would take a smaller coin.<sup>42</sup>

Notwithstanding the confidence of Magee, Butterfield announced that he would appeal the decision to the Oklahoma Supreme Court. However, Butterfield waited three months before he took action, and then he was joined by Boddie in making an amended petition for an injunction in district court. The new petition charged that the parking meter ordinance was a revenue-raising measure and not merely a regulatory measure. The injunction was never granted, and this phase of court actions against parking meters was superseded by the H. E. Duncan case in 1937.<sup>43</sup>

When the district court denied a permanent injunction against parking meters, the opponents of the meters began to seek new ways of attack. Paul Dillard, an Oklahoma City attorney, decided to seek a referendum on the parking meter ordinance in the next election. He announced on July 25, 1935, that he would attempt to get enough signatures on a petition to place the ordinance on the September 24 ballot.<sup>44</sup>

Mayor J. Frank Martin agreed that Dillard had a good idea and said that he would vote for the referendum if the city council vote ended in a tie. He contended that the people should have an opportunity to vote on an ordinance as controversial as this. He did not give any help to Dillard, however, and left it up to the opponents of the meters to get the necessary signatures.

When Dillard began his referendum movement, he thought that he would have to get 8,000 signatures to place his refer-

<sup>42</sup> Sam Hooker's decision of July 25, 1935, in Brown, *ibid.*

<sup>43</sup> "Parking Appeal Rushed, Meters Go in Use Again Friday," *Oklahoma City Times*, July 25, 1935, p. 10.

<sup>44</sup> "Parking Meters Held Legal," *New York Times*, July 25, 1935, Sec. 1, p. 12; "Changes Made in Meter Suit," *Daily Oklahoman*, October 6, 1935, p. 4; "Parking Meters Ruled Valid by Court, But City Denied ProGa," *Oklahoma City Times*, March 9, 1937, p. 1.

<sup>45</sup> "Parking Appeal Rushed, Meters Go in Use Again Friday," *ibid.*, July 25, 1935, p. 10.

endum on the ballot. But since the last election in Oklahoma City had been over the gas franchise for the city and only 11,000 voters had bothered to cast their ballots, Dillard needed only 3,000 signatures. Still another legal question arose before Dillard submitted his referendum petition to the city council. Legally he had to submit his petition within thirty days of the passage of the parking meter ordinance. Although over two months had elapsed since the ordinance was passed, the city attorney was agreeable and allowed Dillard to submit the petition if he could get the necessary signatures. Dillard and his associates were successful, and on August 6, 1935, they submitted a petition containing 3,153 names which called for a referendum on the parking meter ordinance at the next election.<sup>46</sup>

Opponents of the referendum protested, however, and were successful in having a hearing date delayed until September 18. Dillard realized that this would not give his forces enough time to wage a successful campaign even if the council found the petition sufficient. Reluctantly Dillard dropped out of the fight on September 11. He announced that he would try to get the referendum on the next city election in April, 1937, but by that time the Oklahoma State Supreme Court had reached a decision in the H. E. Duncan case.<sup>47</sup>

When Magee conceived the idea of parking meters, he decided that five cents would be the best fee to charge. He held that although the amount was sufficiently large to more than pay for the cost of operating the meters, it was still small enough to impose no hardship on the parker. The opponents of the parking meters had another view: no matter how small the fee, they contended that the principle of paying it was in fact tacit agreement that the city had the right to charge a fee for metered parking.

On the day that parking meters were installed in Oklahoma City, attorneys Neuffer and Dillard spent all day deliberately violating the parking meter ordinance, but they were not arrested. Police Chief Watt had given orders to his men not to stop anyone until the public had become accustomed to the meters. It was obvious that the police were not going to create a test case before the expected injunction hearing took place, and Butterfield and Boddie were only able to issue threats of what they would do if anyone were arrested. Butterfield offered to pay the fine of the first arrested motorist, and Boddie

<sup>46</sup> "Mayor Will Support Move for Popular Vote on City Parking Meter Question," *Daily Oklahoman*, July 20, 1935, p. 4; "Spread of Parking Meter Seen," *Oklahoma City Times*, August 6, 1935, p. 1.

<sup>47</sup> "Parking Vote Plan Dropped," *Daily Oklahoman*, September 12, 1935, p. 1.



said that he would apply for a writ of habeas corpus on that individual's behalf.<sup>45</sup>

When the temporary injunction was granted, there was some confusion in the city administration on what to do to prevent tampering with the parking meters. Pranksters found a way to jam the meters the first day of their operation, but City Manager Mosler could not locate a city ordinance to deal with the problem. But when the permanent injunction was denied, Chief Watt announced that not only did the parking meter ordinance forbid tampering with the meters, but that the police department would arrest violators. He compared parking meters with mail boxes and fire alarm boxes and vowed to uphold the ordinance. At this time Magee printed an appeal in the *Daily Oklahoman* asking for the cooperation of the public. He pointed out the benefits of the parking meter and asked for the public's patience and cooperation in the experiment.<sup>46</sup>

The first person arrested for a parking meter violation was the Reverend C. H. North of the Third Pentecostal Holiness Church of Oklahoma City. Reverend North said that he was guilty, but maintained that he had gone to a store to get change, and when he returned to deposit his nickel, he found a ticket on his windshield. After hearing this testimony, Police Judge Mike Foster dismissed the case.<sup>47</sup> R. H. Avant of Clinton, Oklahoma, was the first person actually fined in Oklahoma City for a parking meter violation. He was arrested for placing a slug in a parking meter, and was fined \$11.00, which he paid. Judge Foster said similar violations would bring the same fine.<sup>48</sup>

On August 2, 1935, the same day Judge Foster was assessing the first parking meter fine in another part of Oklahoma City, an event was taking place which could have resulted in irreparable harm to the use of parking meters. District Court Judge Mills parked his car in front of the Tradesmen National Bank in a one-hour parking space and deposited his nickel. Mills and his bailiff went to lunch and returned in twenty-seven minutes, only to find a ticket for overtime parking. He went straight to police

<sup>45</sup> Interview of authors with Thawen, Stillwater, Oklahoma, June 28, 1967; "Officers Find Nickel Parker Fiddle Parker," *Daily Oklahoman*, July 17, 1935, p. 1; "Oklahoma City Antelope Plan to Fight Nickel-in-Meter Curbstop Parking Meters," *New York Times*, July 17, 1935, Sec. 1, p. 21.

<sup>46</sup> "Officers Find Nickel Parker Fiddle Parker," *Daily Oklahoman*, July 17, 1935, p. 1; "Parking Appeal Rushed, Meters Go in Use Again Friday," *Oklahoma City Times*, July 25, 1935, p. 10; "Courtesy Tag Used on Curb Meters Today," *ibid.*, July 26, 1935, p. 1; "Concerning the Park-O-Meters," *Daily Oklahoman*, July 26, 1935, p. 11.

<sup>47</sup> "Testimony Blocks Park Meter Test Involving Pastor," *Oklahoma City Times*, July 30, 1935, p. 1.

<sup>48</sup> "Parker Fined for Cheating Meter," *ibid.*, August 2, 1935, p. 1.

headquarters and explained the situation to Police Captain Tom Webb. Webb agreed that something must be wrong with the parking meter and took the offending ticket. Judge Mills did not pursue the matter further because of the amended injunction hearing that was pending.<sup>52</sup>

Another form of opposition appeared when Judge Foster suspended Mrs. C. W. Alley's \$3.00 fine for overtime parking in order to give her time to sell her chickens to pay the fine. Mrs. Alley contended that two police officers told her not to put money in the parking meter because people were already paying enough taxes. Chief Watt ordered an investigation, and the case made good publicity for the opponents of parking meters.<sup>53</sup>

On October 8, 1935, Boddie was fined \$3.00 on each of two charges of not placing a nickel in a parking meter. Neuffer, who acted as his attorney, said that he would appeal the conviction to the criminal court of appeals if the county court upheld the police court conviction. However, since Boddie was really using the tactic of not placing money in the parking meter as a part of the amended petition Butterfield submitted in the injunction suit, the Boddie case did not become a test case.<sup>54</sup>

No further action was taken to create a test case until the late summer of 1936, when two separate violations were used. One involved Tom Chambers, an attorney who illegally parked in a taxi zone; when arrested, he contended that the city did not have the right to segregate parking zones. The other involved H. E. Duncan, a sign salesman, who did not deposit a nickel in a parking meter. Both men were committed to the city jail, and when James R. Eagleton brought habeas corpus action, it was refused. The Oklahoma City Police Department did not feel the offenses were serious enough to warrant a police record and did not even bother to keep a record of the cases. Though these were considered minor offenses, the stage was set for further court action.<sup>55</sup>

Chambers and Duncan appealed to the district court for a writ of habeas corpus. They had difficulty getting the court to meet, and the hearing was repeatedly delayed. Finally they were able to get a hearing on September 25, 1936. Eagleton, acting as

<sup>52</sup> "Judge Mills Has Evidence in re Meter," *ibid.*, August 2, 1935, p. 15.

<sup>53</sup> "Watt Hears Two Policemen Knock Parking Meters," *ibid.*, August 3, 1935, p. 1.

<sup>54</sup> "Meter Conviction Heads Test Case to High Court," *ibid.*, October 8, 1935, p. 1; "Changes Made in Meter Suit," *Daily Oklahoman*, October 8, 1935, p. 4.

<sup>55</sup> "Judges Will Gang Meters," *ibid.*, September 11, 1936, p. 3; "Parking Law Faces Delay," *ibid.*, September 4, 1936, p. 3; Hilton Geer to authors, November 2, 1967, in authors' possession.

their attorney, declared that he wanted to get a clear-cut decision so that the case could be taken to the state supreme court. Judges Hooker, Arnold, Giddings, and Mills listened to the presentation of the two cases. Eagleton contended that the regulation of traffic and streets was a state-wide concern and that municipal authorities, restricted to things local, had no right to regulate streets. The judges took the case under advisement and did not reach a decision at that time. The district court decided to deny the writ of habeas corpus, and Duncan applied to the Oklahoma State Supreme Court for the writ. Chambers joined Eagleton and acted as one of Duncan's lawyers in the case. The supreme court acted on the case on March 9, 1937, when Duncan was denied the writ of habeas corpus. The court said in effect that parking was not such an absolute right for which the city was prevented from charging a fee. The validity of the parking meter ordinance was upheld as a regulatory measure, but the decision might have been different had the ordinance been for revenue purposes. This was the final defeat in Oklahoma City for the opponents of parking meters. Eagleton did not push the case further, and no new action was taken in Oklahoma City against the validity of parking meters. With an eye on the Great Depression, the court still maintained that if the fees proved to be excessive, then the parking meters were not being used primarily for regulation. The Oklahoma City case did not decide the parking meter question statewide, and as late as 1961 the city of Lawton, Oklahoma, was involved in a court fight over parking meters.<sup>16</sup>

The success of a new invention is measured in part by its ability to capture the public's imagination. Aware of this, the promoters of parking meters devoted much time and effort to capturing the public's attention just preceding and immediately after the first installation of parking meters in Oklahoma City. As early as May 8, 1935, almost two months before the first installation, the *Daily Oklahoman* printed a picture of Mayme Warren, a pretty Oklahoma City housewife, operating a demonstration model of a Dual Park-O-Meter.<sup>17</sup> The local newspapers seized upon the installation of the first parking meters as a novelty and consequently gave them free publicity in their pages.

<sup>16</sup> "Parking Law Faces Delay," *Daily Oklahoman*, September 4, 1936, p. 3; "Judges Will Gang Meters," *ibid.*, September 11, 1936, p. 3; "Meter Issue Is Up Today," *ibid.*, September 26, 1936, p. 3; "Decision Is Delayed on Parking Meters," *ibid.*, September 26, 1936, p. 14; Roy H. Semmler to authors, August 31, 1967, in authors' possession; *Ex Parte Duncan*, 176A. *Oklahoma Reports* (Oklahoma City, Oklahoma: Harlow Publishing Co., 1937), pp. 356-359; "Parking Meters Ruled Valid by Court, But City Denied Profit," *Oklahoma City Times*, March 9, 1937, p. 1.

<sup>17</sup> "Here's the Park-O-Meter in Action—For a Nickel a Park," *Daily Oklahoman*, May 8, 1935, p. 2.

When a nine year old girl deposited a nickel in a parking meter on the first day of their use because she thought it was a gum machine, it made the front page of the *Oklahoma City Times*. The public cooperated in providing publicity, and before long people were playing bridge in parking spaces and ranchers were tying their horses to parking meters. These stunts, carried out after depositing the required nickel, made the newspapers. Whenever an embarrassing situation occurred concerning parking meters, the newspapers published the story. For example, Marvin Shahan and R. C. Clouse parked their British-made Austin automobiles in one parking space. The dilemma facing Oklahoma City patrolman J. P. Roughton when he attempted to ticket the autos presented a hilarious situation and focused more attention on parking meters. A motorist from Oilton, Oklahoma, submitted a poem about parking meters, and it was good enough to be printed in the *Oklahoma City Times*. News about parking meters was not confined to newspapers and periodicals. Cameraman Webber Hall of Fox Moviestone News captured Ted Winneberger, a seven year old Oklahoma City resident, in the act of parking his soap box derby car at a parking meter, and this sequence made the weekly news film.<sup>51</sup>

These situations caught the public eye and provided publicity, but at the same time they afforded another service to the promoters of parking meters. In most instances the newspaper articles went on to explain how parking meters worked, and in this way provided valuable instruction on their use. The articles created an atmosphere that did much to counteract the bad publicity that parking meters were receiving in court fights and encouraged people to try them.

The task of providing and promoting parking meters was vigorously pursued by the Dual Parking Meter Company. Dual had been the first company to produce parking meters, and it continued to be the industry's leader until it was sold. One of the main flaws in the original meter was its reliance on a manual type operation. Hale and Thuesen had attempted to correct this difficulty by designing an improved model in 1935, but the Macnick Company worked out a parking meter which incorporated an automatic operation. When Magee called a meeting in Oklahoma City to discuss the merits of the two designs on December 31, 1935, McGay, Nicholson, Thuesen, and Hale attended. After discussing the good and bad points of each design,

<sup>51</sup> Roughton, "Park-O-Meter—Yea? Bah!" *Oklahoma City Times*, July 18, 1935, pp. 1-2; "It's Pay as You Park in Oklahoma City Now," *Tulsa Tribune*, July 18, 1935, p. 11; "Bargain Rate on Parking: Two for a Nickel?" *Oklahoma City Times*, August 3, 1935, p. 1; Samuel Knapp, "Meters," *Ibid.*, July 22, 1936, p. 4; "Soap Box Driver Tries Meters, Lands in Mexico," *Ibid.*, July 22, 1935, p. 1.

it was decided to produce the automatic parking meter. Cooperation such as this enabled the Dual Parking Meter Company to retain its industrywide leadership in the pre-World War II period. While other companies were just beginning to prepare manual-type parking meters for the market, the Dual Parking Meter Company was already planning an automatic product.<sup>59</sup>

There was also the matter of payment. When Magee started selling parking meters, he took into consideration the feasibility of cash payments. He knew that in the Great Depression most municipalities would be reluctant to make a large capital outlay from already exhausted revenues, so he devised a time payment plan. An arrangement was made to lease parking meters to cities until the meters had paid for themselves out of parking revenues. The Dual Parking Meter Company got 85% of the income, and the city retained 15%. The city's percentage of the revenue was used to defray the cost of maintaining the parking meters. When the Dual Parking Meter Company had been paid in full, the city gained possession of the parking meters and from that time on all of the revenue went to the city.<sup>60</sup>

The amount of money paid by a city for parking meters varied with each transaction. The first parking meters were sold to Oklahoma City for \$23.00 each by the Dual Parking Meter Company. The price of parking meters continued to rise until the spring of 1936. From this time on the standard price was \$58.00 per meter. However, some cities continued to get them at bargain rates, and Mayor Martin of Oklahoma City demanded that the Dual Company supply the city with additional parking meters at \$28.00 per meter. He cited the cooperation of Oklahoma City officials in promoting parking meters as a factor to be taken into consideration when arriving at a price. In this instance the Dual Company lowered its price to \$33.00 per meter in December, 1935, for the second order of parking meters purchased by Oklahoma City.<sup>61</sup>

The methods used by the Dual Company to promote its product changed over the years. At first most of the promotion was done by Magee, and he usually went directly to city officials to make the lease and purchase arrangements. As time passed

<sup>59</sup> Thomsen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 129 and 136.

<sup>60</sup> Interview of authors with Thomsen, Stillwater, Oklahoma, June 28, 1937.

<sup>61</sup> Oklahoma City, Oklahoma, "Contract Between The Dual Parking Meter Company and the City of Oklahoma City, July, 1935," manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma; "Martin to Demand Low Meter Price," *Daily Oklahoman*, June 10, 1935, p. 3; "Parking Meters Installed in 50 Cities," *Public Management*, Vol. XX (July, 1938), p. 212.

and the idea of parking meters caught on, it was necessary to expand the company's promotional techniques. In September, 1935, Magee announced that any city that wanted to evaluate the use of parking meters could contact him and he would send them a motion picture of the parking meter in operation. The film started with scenes of Oklahoma City streets before parking meters were installed and then showed the streets after the parking meters were operational. It also demonstrated how the machines were serviced and how the money was collected.<sup>62</sup>

The most ambitious effort made by the Dual Parking Meter Company to promote its product was a series of advertisements in nationwide periodicals. In October, 1935, the first advertisement appeared in the *American City*, a monthly independent journal devoted to cities. Other magazines selected for advertisements were those which would be read by a large number of city officials. The format of the Dual Company's advertisements did not change to any extent. Since this company was the parking meter industry's leader in sales as well as the first to produce a satisfactory product, these facts were used by the company to sell its product. The advertisements usually listed many of the cities that had purchased Park-O-Meters, and after competing companies entered the field, the advertisements began stressing the fact that the Park-O-Meter was the original parking meter.<sup>63</sup> In December, 1936, the first automatic Park-O-Meters were produced, and from this time on the company's advertisements stressed the virtues of automatic parking meters. The name change from Park-O-Meter to Dual Parking Meter in January, 1937, had little effect on sales because most of the advertisements still carried the name of Magee as the president of the company.<sup>64</sup>

Magee recognized the value of personal appeal and did not rely entirely on advertisements and movies to promote his parking meters. He hired salesmen to carry the message about the value of parking meters to municipal officials across the nation. The number one salesman for the Dual Parking Meter Company was J. Numa Jordy, whose enthusiasm knew no limits. He attempted to complete an arrangement with New York City which

<sup>62</sup> "Park-O-Meter Die Shown by Movie," *Daily Oklahoman*, September 1, 1935, Sec. A., p. 4.

<sup>63</sup> "Your City Needs the Park-O-Meter," *American City*, Vol. 5, (October, 1935), p. 98; "Another Park-O-Meter City, Fort Worth, Texas Is Now Installing 650 Original Carl Magee Meters," *ibid.*, Vol. LI (June, 1935), p. 108.

<sup>64</sup> "Automatic Parking Meters, Control Parking, Aid Motorists, Help Business, Promote Safety and Traffic Enforcement," *ibid.*, Vol. LI (December, 1936), p. 110; "Read This Record," *ibid.*, Vol. LIII (July, 1936), p. 100; "Toledo Installs Automatic Parking Meters," *ibid.*, Vol. LII (January, 1937), p. 104.

would have grossed \$11,600,000, and he also had plans to introduce parking meters in Paris, France, and London, England. Jordy was unsuccessful in convincing New York City officials that their city needed parking meters, but he continued to be the leading salesman for the Dual Parking Meter Company.<sup>63</sup>

Magee tried to convince city officials of Tulsa, Oklahoma, that parking meters would solve downtown traffic congestion in their city. In this instance there was an emotional appeal in that the Macnick Company was a hometown industry, and by purchasing parking meters the city would be creating more work for Tulsans. On September 12, 1935, Tulsa City Attorney H. O. Bland prepared a parking meter ordinance in anticipation of a favorable city council vote. The city council, however, rejected the purchase of parking meters on September 14, claiming that the money necessary for such a purchase was not in the city treasury. It looked like the parking meter ordinance would get a second chance when on September 17 a merchant's committee headed by G. H. Lehrman appealed to the city council to reconsider the September 14 decision. Russell Rhodes, manager of the Tulsa Chamber of Commerce, expressed the fear that if Tulsa did not buy parking meters, the Macnick Company would move to a friendlier city. The Tulsa city council took the appeal under advisement. The Chamber of Commerce and the Retail Merchants Association representatives continued to urge individual members of the city council to act favorably on a parking meter ordinance. When the city council met on September 23, the parking meter question was not discussed because a quorum was not present; and when the city council finally met on September 25, it voted three to two against including \$8,600 in the city budget to install parking meters. The majority expressed the opinion that parking meters would be an additional tax burden on Tulsa motorists and that most of the revenue collected in the first year of operation would go to the Dual Parking Meter Company to pay for the parking meters. Some time would pass before parking meters were installed in Tulsa.<sup>64</sup>

A big boost in parking meter sales came from additional purchases by cities that were already using a limited number on their streets. Oklahoma City became the first city to make a

<sup>63</sup> "Nickel-In-Meter Regulates Parking," *Literary Digest*, Vol. CXXII (August 22, 1936), pp. 35-36.

<sup>64</sup> "Parking Meter Measure Drawn," *Tulsa Tribune*, September 12, 1935, p. 1; "Tulsa Gets No Parking Meters," *Ibid.*, September 14, 1935, p. 1; "Parking Meters Possible Again," *Ibid.*, September 17, 1935, p. 1; "Parking Meter Urges Hinting New Action," *Ibid.*, September 20, 1935, p. 1; "Quorum Absent so the Parking Meters Pass," *Ibid.*, September 23, 1935, p. 1; "Park-O-Meter out of Tulsa's Revised Budget," *Ibid.*, September 26, 1935, p. 1.

second purchase of Park-O-Meters, when on December 17, 1935, the city council approved an additional installation of parking meters. Two hundred and ninety-eight additional parking meters were installed on Oklahoma City streets on December 20, 1935, and the city kept fifty-three parking meters in reserve to meet future requests. Repeat sales continued to be an important part of the Dual Parking Meter Company's total volume of business.<sup>67</sup>

When the Dual Parking Meter Company produced its first automatic parking meters, it encouraged city officials to install these new models or to trade their old manual type meters for credit toward the purchase price of the new automatic parking meters.<sup>68</sup> The Dual Company continued its steady industrywide leadership up to World War II. Before the war caused a shut-down in 1942, 71,393 parking meters had been sold, and 15,607 were returned as partial payment for new automatic meters.<sup>69</sup>

Once parking meters began to prove their value on Oklahoma City streets, competing firms commenced planning to produce parking meters. The first person who attempted to organize a firm to compete with the Dual Company was A. W. Glaze of Oklahoma City. He announced plans to organize the Universal Parking Regulator Company on October 15, 1935. Glaze called his parking meter a Park-O-Lator and claimed that it was superior to the Park-O-Meter because it resisted cheaters. Oklahoma City officials were able to evaluate the Park-O-Lator when they considered purchasing additional parking meters in December, 1935. They preferred the Park-O-Meter, nevertheless, and the Dual Company was able to win its first test against competition. The Dual Company continued to outsell its nearest competitor by a wide margin, and before World War II it sold more than one-third of the parking meters in the United States.<sup>70</sup>

Competition forced the Dual Company to constantly improve its product. The leading companies submitted their parking

<sup>67</sup> "Council Approves Budget Transfers," *Daily Oklahoman*, December 18, 1935, p. 11; "Take of Parking Meters Is \$221," *ibid.*, December 21, 1935, p. 1.

<sup>68</sup> "Automatic Parking Meters Control Parking, Aid Motorists, Help Business, Promote Safety and Traffic Enforcement," *American City*, Vol. LI, p. 110; Vernon G. Agee, "Parking Meter in a Resort City," *ibid.*, Vol. LIV, p. 16.

<sup>69</sup> Clarence E. Ridley and Orin F. Nolting, "Parking Meters," *Municipal Year Book 1942* (Chicago: The International City Managers Association, 1942), pp. 522-528; Hale, "The Park-O-Meter Story," manuscript in authors' possession, p. 5.

<sup>70</sup> "New Parking Meter Ready," *Daily Oklahoman*, October 15, 1935, p. 9; "Competition Seen on Parking Meters," *ibid.*, December 1, 1935, Sec. A, p. 2; "Council Approves Budget Transfers," *ibid.*, December 18, 1935, p. 11; Hale, "The Park-O-Meter Story," manuscript in authors' possession, p. 5.



meters to torture tests to prove their worth. It was not illegal for competing firms to make wild claims about the virtues of their products in the pre-war period, for the parking meter industry did not have regulations until 1951, when the Federal Trade Commission announced a set of twenty rules. Many of the companies that could not back up their claims went out of business, while the older and more reliable firms continued to prosper. It became evident that in order to remain in business, the parking meter companies had to conform to the requirements of the customer; this resulted in better service to cities and to motorists.<sup>71</sup>

Before World War II, many Oklahomans applied for patents on devices that could be classified as parking meters. Some of them were never produced for sale, and others were impractical and could not satisfy the requirements of motorists or municipalities. Magee had applied for a patent on his first crude parking meter element on December 21, 1932, but the Thuesen-Hale design was so much more practical that he did not pursue the first design any further. Magee also applied for a patent on the Thuesen-Hale designed parking meter, the "Black Maria," on November 13, 1933. The device produced by the Mecnick Company and modified by Thuesen and Hale was patented on May 13, 1935. This was the model that became the world's first operational parking meter on Oklahoma City's streets in July, 1935.<sup>72</sup>

Herman S. Johns of Oklahoma City patented three different types of parking meters. He patented a belt driven parking meter on December 8, 1935, and on December 21 of the same year he applied for a patent on the first electric parking meter. The patent rights for these meters were purchased by the Dual Parking Meter Company. On August 19, 1937, Johns applied for a patent on a parking meter which featured an illuminated dial housing; the patent rights on this meter were purchased by Wiley W. Lowrey of Oklahoma City.

Thuesen and Hale patented a parking meter on their own on March 9, 1936, and it was purchased by the Dual Company. Max M. Weaver of Oklahoma City patented a parking meter which recorded elapsed parking time on an electrically operated time chart. On March 27, 1937, Sam W. Long of Oklahoma City patented a parking meter model which was similar to the Dual

<sup>71</sup> "An All Weather Parking Meter," *American City*, Vol. LII (July, 1937), p. 117; "Improved Parking Meter," *ibid.*, Vol. LI (December, 1936), p. 109; "Trade Rules of Parking Meter Industry," *ibid.*, Vol. LXVI (May, 1951), p. 135.

<sup>72</sup> United States Patent Office, *Official Gazette*, Vol. CDLXVI (May, 1936), p. 103; *ibid.*, Vol. CDLXXX (July, 1937), pp. 823-834; *ibid.*, Vol. CDXC (May, 1938), p. 838.

Parking Meter. Later that same year Harry Lewis Long of Oklahoma City patented a parking meter which used an oil flow mechanism as a timing device. Both of the Long patents were purchased by Miller Meters, Inc., of Chicago, Illinois. Oklahomans contributed much to the early growth of the parking meter industry through their meter inventions and patents. Although not all of the models built by Oklahoma inventors were manufactured, they all contributed to a better product.<sup>73</sup>

However efficient the parking meter was, if it did not aid in controlling traffic in a congested area, then it was, as some critics claimed, nothing more than a means of collecting more taxes. From the beginning, Oklahoma City officials had recognized the need to determine whether or not parking meters were fulfilling their primary purpose, and on August 11, 1935, City Manager Mosier instructed Jeff Lambert, a city employee, to conduct a pertinent survey in Oklahoma City.<sup>74</sup> A second reason for the survey was to determine whether merchants and motorists were accepting parking meters. When Lambert submitted his findings to Mosier on August 26, 1935, the results were very favorable for parking meters. Lambert observed that in non-metered parking zones 80% of the automobiles were owned by merchants or people who worked in the downtown area, and that very few of the motorists parked in these zones were shoppers. After making repeated observations on the same non-metered streets, he found that the same automobiles remained. When observing metered zones, Lambert found a sharp contrast. There he noted a rapid turnover of automobiles in parking spaces, and an even flow of traffic. Lambert praised parking meters in his report and said that they were the answer to Oklahoma City's parking problems. Mosier also wanted a survey to back up his proposal to extend the use of parking meters in Oklahoma City, and this study gave him the evidence he needed.<sup>75</sup> He believed that Oklahoma City should have 1,808 parking meters to control all of its limited parking zones. He installed them a few at a time and waited for the public to recognize a need for them in a new area before he authorized additional installations. The parking problem in Oklahoma City showed a marked improve-

<sup>73</sup> *Ibid.*, Vol. CDLXXII (November, 1935), p. 802; *ibid.*, Vol. CDLXXX (July, 1937), p. 799; *ibid.*, Vol. DXXXIX (June, 1942), p. 127; *ibid.*, Vol. CDXCVI (November, 1938), p. 800; *ibid.*, Vol. D (March, 1939), pp. 1017-1018; *ibid.*, Vol. DXIII (April, 1940), p. 1104; *ibid.*, Vol. DXL (July, 1940), p. 20.

<sup>74</sup> Jeff Lambert, "Survey of Parking Meters in Oklahoma City, August 20, 1935," p. 1, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library.

<sup>75</sup> *Ibid.*, pp. 1 and 2; "Mosier Adds Data on Effectiveness of Parking Meter," *Oklahoma City Times*, August 12, 1935, p. 1.

ment by the spring of 1936, and by then the city had installed additional parking meters.<sup>74</sup>

One obstacle which parking meters had to surmount was the desire by the motorist to cheat the meter by inserting a slug. This problem was eliminated through the foresight of Thuesen and Hale, who made the last coin deposited visible through a window in the head of the parking meter. The motorist would also try to stop the handle on the meter before it completed its movement, which would enable him to park an unlimited time without using another coin. The Thuesen-Hale principle of making a mechanism which forced the user to push the handle far enough to enable the device to store enough energy to complete the cycle forestalled any attempt to gain free time by this method.

Before the installation of parking meters, many cities were plagued by the all-day parker. The fact that 80% of Oklahoma City parkers stayed in one parking space all day was one of the prime reasons Magee turned to parking meters as a solution to this problem. Although the parking meter was not infallible, it was much more reliable than police efforts to control all-day parking by chalking tires.<sup>75</sup>

Not all motorists could be relied on to keep an accurate record of their parking time in metered zones. The knowledge, however, that a device was recording the elapsed time served to remind more parkers than ever before that they had a limited period to park. Overtime parking tickets issued in metered zones were much fewer than overtime parking tickets issued in non-metered zones.<sup>76</sup>

Parking meter violation control rested primarily on the traffic patrolman and their acceptance of parking meters. When the meters were first installed in Oklahoma City, some policemen were reluctant to enforce regulations. As time passed and parking meters became widely accepted across the nation, this attitude changed, and policemen learned to accept the parking meter as an ally. The timing mechanism in parking meters was quite reliable and did not show any favoritism, thus making it

<sup>74</sup>O. M. Moeler, "Our Experience with Parking Meters," *American City*, Vol. LI (January, 1936), p. 97; "Regulating Parking by Meters," *Public Management*, Vol. XVIII (February, 1936), pp. 43-44.

<sup>75</sup>Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicle of Oklahoma*, Vol. XLV, pp. 115, 121 and 123.

<sup>76</sup>Hampson, "When, Where and How Should Parking be Restricted," *Institute of Traffic Engineers Proceedings for 1938*, pp. 30-32.

easier for patrolmen to defend their reasons for writing parking violation tickets.<sup>79</sup>

It is doubtful that the parking meter system would have begun without the prospect of raising municipal funds through metered parking. Oklahoma City officials were much in need of additional revenue for the city's coffers when they began to consider installing parking meters. Without the anticipation of new revenue to compensate for the loss of tax money through an ever-decreasing tax base, Oklahoma City very likely would not have been willing to spend money on an untried method of parking control.<sup>80</sup>

From the first day of operation, the revenue received from parking meters in Oklahoma City was encouraging to city officials. City Treasurer Joe Ammerman announced that the city had received \$86.73 in revenue on the first day of parking meter operation. This was an average of forty-nine cents for each meter. Ammerman's precise announcements of parking meter revenue earned him the title of "Jitney Joe," but he continued to systematically report all parking meter revenues to the people of Oklahoma City.<sup>81</sup>

At this rate it was obvious to Oklahoma City officials that parking meters would provide a much needed boon to the city's treasury. Parking meter revenue, however, fluctuated with seasonal traffic movement into the downtown area. By October, 1935, the parking meters were not producing as much revenue as in September, but even with this slight decline in revenue the city was able to pay for all of its parking meters in two and one-half months. This was a strong argument to back the purchase of additional parking meters, and when the second order of parking meters went into operation on Oklahoma City streets, this faith was justified. On the first day of operation of the 472 parking meters, the city collected \$221.85 in revenue. Basing calculations on this daily revenue and taking into consideration seasonal business slumps, F. G. Baker, the Oklahoma City auditor, predicted that the parking meters would bring \$55,000 annually in additional revenue to the city treasury. This estimate

<sup>79</sup> "Watt Hears Two Policemen Knock Parking Meters," *Oklahoma City Times*, August 3, 1936, p. 1; Simpson, "When, Where and How Should Parking be Restricted," *Institute of Traffic Engineers Proceedings for 1938*, p. 28.

<sup>80</sup> "Muster Faces Problem of Finding New Revenues to Replace Shrinkage in Income," *Daily Oklahoman*, April 27, 1935, p. 9.

<sup>81</sup> "It's Pay as You Park in Oklahoma City Now," *Tulsa Tribune*, July 18, 1935, p. 11; "Revenue in Parking Meters Tops \$116," *Daily Oklahoman*, July 19, 1935, p. 2.

was quite accurate because in December, 1936, Oklahoma City was sure of at least \$60,000 in parking meter revenue.<sup>42</sup>

The amount of money collected depended on the type of parking meter used. It was important to have a machine that continued to operate in all kinds of weather and could withstand punishment. The introduction of automatic parking meters eliminated some of the difficulties motorists had in operating the manual type. A parking meter that needed little maintenance or repair would continue to produce revenue, and the motorist would be more satisfied with it than one which was subject to constant breakdowns.

The amount of time allowed in each parking zone was likewise a factor in determining how much revenue was collected. When parking meters were first installed in Oklahoma City, the motorist paid five cents an hour in all metered zones. Also the time allowed in each metered parking space did not particularly conform to the needs of the motorists. After Lambert took his survey in August, 1935, Mosier concluded that the time period permitted in metered zones should be correlated with the time requirements of the location. Mosier then took steps, with the Oklahoma City Traffic Commission concurring, to limit the parking time in front of banks, for instance, to thirty minutes. This would enable more motorists to use the facilities of the banks, and the time allowed was enough to transact normal business. The five-cent fee remained, so it was possible to collect twice as much money from parking meters installed in front of banks than from those installed throughout other parts of the downtown area.<sup>43</sup>

Although five cents was the usual fee charged for parking, there was no specific reason why this coin had to be used in all parking meters. Magee maintained from the start that he had decided on a nickel because he had to start with some coin, but as long as the denomination was small, it did not matter what coin was used.<sup>44</sup> As time passed, penny parking looked like a solution to the high cost of parking in a short period metered zone. Another innovation was the introduction of parking meters which would take more than one type of coin. These meters

<sup>42</sup> "Parking Payments Decline Slightly," *ibid.*, October 13, 1935, Sec. B, p. 7; "City Counts on \$500,000 Surplus to Make Extensive Municipal Improvements," *ibid.*, December 6, 1935, p. 6; "Take of Parking Meters is \$221," *ibid.*, December 21, 1935, p. 1; "City Revenue for 5 Months Tops Million," *ibid.*, December 19, 1935, Sec. A, p. 27.

<sup>43</sup> "Park-O-Meters Start a Controversy; Oklahoma City Split into Two Camps," *New York Times*, July 21, 1935, Sec. 2, p. 1; "Parking Time to be Longer," *Daily Oklahoman*, September 14, 1935, p. 1.

<sup>44</sup> "Court Ruling May Legalize Coin Parking," *ibid.*, July 24, 1935, p. 2.

usually took one cent for each twelve-minute time period, five cents for an hour, and ten cents for two hours. They worked quite well and were satisfactory to the motorists.<sup>43</sup>

Parking meter violations raised the question of deciding on penalties. Oklahoma City officials maintained that a light fine would be both effective and in keeping with the nature of the violation. Oklahoma City had rejected the original proposal of a \$20.00 violation fee, and eventually motorists were fined \$1.00 for over parking in a timed zone. This worked quite well. Another method was to impose a small fine for the first offense and continue to raise the amount for each subsequent violation. Most cities made it possible for the offender to mail his fine to the police department, and this eliminated the need for a traffic court to be in session all the time. The fines were enough to make the motorist hesitate before violating a parking meter, and small enough not to cause undue hardship on the parker.<sup>44</sup>

Another question for Oklahoma City and other municipal governments to consider was the use of parking meter revenue. These monies could be put in the city treasury and used to defray day-to-day municipal expenses, but this would only serve to reinforce contentions that parking meter fees were just another tax. One solution to the problem was to allocate parking meter revenue for traffic purposes. Cities were able to upgrade their safety programs and employ additional traffic control personnel. When motorists could see improvements being made to relieve traffic congestion and aid in speeding up traffic flow, they were much more willing to pay for the privilege of parking on city streets.

Collecting parking meter coins did not pose any difficulty, for the Dual Company had foreseen the problem and incorporated an ingenious gathering system in their parking meter. The nickels fell into a tube located below the head of the parking meter. When the coins were collected each day, the tube was replaced with an empty one. The sealed, used tubes were marked and taken to the city treasurer's office, where the city was able to keep an accurate record of how much money was deposited in each parking meter. This procedure also allowed the City of Oklahoma City and all other cities that installed parking meters to evaluate the performance of each parking meter; it could be determined whether a parking meter was actually needed in a

<sup>43</sup> H. F. Agard, "Frenies Add Quickly to Parking Dollars," *American City*, Vol. LV (October, 1940), p. 92.

<sup>44</sup> "Tom McGee Fined, But Likes Meters," *Oklahoma City Times*, July 31, 1935, p. 1; William M. Healy, "Light Fines Made Meters Effective and Popular," *American City*, Vol. LV (July, 1940), pp. 46-47.

specific location and what time limit should be set on any particular parking space.<sup>87</sup>

When parking meters were first installed on Oklahoma City streets in 1935, no one knew with any degree of certainty what effect they would have on traffic control or on commercial activity in the downtown area. Merchants believed that the traffic congestion in the downtown area was undesirable for their businesses before the installation of parking meters, and this was one of the reasons that prompted the Oklahoma City Chamber of Commerce to ask Magee to find a solution to the parking problem.<sup>88</sup> Thus City Manager Mosier was anxious to determine if the downtown businessmen of Oklahoma City supported the installation of parking meters. When he instructed Lambert to make a survey of the effectiveness of parking meters in August, 1935, one of the purposes of the study was to determine whether businessmen in the affected area supported parking meters. When Lambert submitted his findings, it was evident that parking meters had won an overwhelming vote of confidence from downtown businessmen. All bankers, building and loan executives, and hotel managers interviewed favored parking meters. One hundred and twenty-three merchants were in favor of parking meters and only four voiced disapproval. They were asked if any changes should be made in the system, and some thought that there should be minor variations. For the most part, however, the merchants were satisfied. Most of the changes they recommended were concerned with a variation of time limits, depending on the business establishment affected.<sup>89</sup>

Mosier used the information submitted by Lambert to revise parking limits in timed zones. Most metered parking spaces retained their one-hour limit, but spaces near banks were designated as half-hour zones. Mosier's compliance with requests voiced by businessmen helped increase the popularity of parking meters in the Oklahoma City business community.<sup>90</sup>

Mayor Martin did not want to use the information obtained in the Lambert survey when he was asked by city officials all over the nation to provide them with an analysis of the effectiveness of parking meters in Oklahoma City. Martin did not wish to involve the city in advertising the product of the Dual Parking

<sup>87</sup> "Record Falls," *Daily Oklahoman*, August 7, 1935, p. 4; interview of author with Thuesen, Stillwater, Oklahoma, June 23, 1967.

<sup>88</sup> Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicle of Oklahoma*, Vol. LXV, p. 115.

<sup>89</sup> Lambert, "Survey of Parking Meters in Oklahoma City, August 25, 1935," pp. 1-9, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library.

<sup>90</sup> "Parking Time to be Longer," *Daily Oklahoman*, September 14, 1935, p. 1.

Meter Company. Thus in October, 1935, he asked the Oklahoma City Chamber of Commerce to take another public opinion survey, and this body appointed J. M. Gayle to direct the study. It lasted three weeks, and the results showed another victory for parking meters. Businessmen who favored parking meters outnumbered opponents 146 to twelve. Again the businessmen had some suggestions for improving the parking meter system, but now they were clamoring for an extension of metered zones. Mosier persuaded the city council to act favorably on this request, and by December 20, 1935, Oklahoma City's second battery of parking meters was in operation.<sup>71</sup>

Perhaps the most important segment of the population with regard to parking meter reaction was that of the private citizen. He would need to use the parking meter when he conducted his business in the downtown area, and his acceptance of the system was vital to its success. Mosier and Magee were aware of the importance of the acceptance of parking meters by motorists, and even before parking meters were first installed in Oklahoma City, they had tried to prepare the public for the experiment by a series of newspaper advertisements and radio broadcasts.<sup>72</sup>

When Magee had appealed to the people of Oklahoma City in an open letter concerning parking meter installation published in the *Daily Oklahoman*, he had directed his reasoning toward motorists. Mosier, too, was as interested in the opinions of private citizens as he was in those of businessmen. When he asked Lambert to take a public opinion survey on the acceptance of parking meters, he instructed him to include the opinions of motorists. Lambert found that of thirty-nine motorists interviewed, thirty-seven were in favor of parking meters, while only two were opposed to the idea.<sup>73</sup>

When the Oklahoma City Chamber of Commerce took its parking meter survey in November, 1935, it found that 75% of the motorists interviewed favored the meters. Oklahoma City motorists who opposed parking meters did so for a variety of reasons. A majority of those opposed said they did not favor the experiment because they disliked Magee, while others shared

<sup>71</sup> "Survey of Public Stand on Parking Meters is Stated," *Ibid.*, October 4, 1935, p. 21; "Coin Parking Survey Vote is Favorable," *Ibid.*, November 20, 1935, p. 14; "Take of Parking Meters is \$221," *Ibid.*, December 21, 1935, p. 1.

<sup>72</sup> "Regulating Parking by Meters," *Public Management*, Vol. XVIII (February, 1939), p. 44.

<sup>73</sup> "Concerning the Park-O-Meters," *Daily Oklahoman*, July 26, 1935, p. 11; Lambert, "Survey of Parking Meters in Oklahoma City, August 20, 1935," pp. 1-9, manuscript document, Thomas Collection, University Archives, Oklahoma State University Library.



the opinion of Butterfield that parking meters were illegal, or that they imposed undue financial hardship.<sup>54</sup> By the eve of World War II, however, most Oklahoma motorists had accepted parking meters. They realized that they performed an adequate job in controlling onstreet parking and for that reason they overlooked the five cent fee which continued to enrich city treasuries. The revenue produced by parking meters in cities like Oklahoma City enabled municipalities across the nation to refrain from increasing existing taxes or imposing new ones in the Great Depression period.

The invention of parking meters created a new industry for Oklahoma. The production and sale of over 71,000 parking meters in the pre-World War II period represented a significant increase in the development of light industry in the state. The production of parking meters in Tulsa and their promotion and sale in Oklahoma City provided steady employment for hundreds of Oklahomans in the 1930's. When many Oklahoma industries were idle or producing at reduced capacity, the new parking meter industry was expanding and taking up some of the slack of the Great Depression.

The first practical parking meter was invented by Oklahomans, produced by Oklahomans, and sold by Oklahomans. When Thuesen and Hale built their parking meter model at Oklahoma State University in 1933, they produced a quality product. Magae knew that in order to sell his meters and continue nationwide sales leadership, he would have to produce a superior product and utilize the most modern sales and promotional techniques. He did not hesitate to spend money when he thought he could increase sales, nor was he reluctant to improve his product and to buy patent rights on new parking meter designs: the Dual parking meter stayed far ahead of its competitors in design, durability, and practicability. The parking meter is one outstanding example of the creative ability of Oklahomans willing to put their faith in a machine to overcome a man-made problem.

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<sup>54</sup>"Coin Parking Survey Is Favorable," *Daily Oklahoman*, November 20, 1935, p. 14; Lambert, "Survey of Parking Meters in Oklahoma City, August 20, 1935," p. 2, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library.