

The one great rule
of composition is to
speak the truth.

—Thoreau

The Texas

An Independent

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We will serve no
group or party but
will hew hard to the
truth as we find it
and the right as we
see it.

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PRESS SPECULATES AS JONES CLAMS UP

AUSTIN

The Observer's new associate editor, Lyman Jones, is now — and simultaneously — beefing up Ralph Yarborough's bonds with Texas liberals, shadowing Jake Pickle, and splitting Yarborough ranks.

Or so said some of the Texas daily press this week.

Walter Hornaday of the Washington bureau of the Dallas News said: "The ties between Sen. Ralph Yarborough and the liberals of the Texas Democratic Party have been further strengthened."

Don Politico of the San Antonio Light said: "Sudden departure of ... Lyman Jones from Washington for Texas to work on The Texas Observer is being seen on the Potomac as a move to offset publicity efforts of Jake Pickle with the state Demo committee."

Jon Ford of the San Antonio Express said the Jones move gave rise to questions of dissension within the Yarborough camp.

Jones said nothing. He wrote this box.

The 'Organized Bar'

FORT WORTH

"The organized bar" met at the Hotel Texas several days for two rather distinct purposes: to trade know-how and to pass some conservative resolutions.

One knowledgeable independent lawyer expressed a view held in some quarters that the State Bar is controlled by a small group of conservatives. He thought it symptomatic that the state's lawyers refused to raise their dues on motion of the control group several years ago.

Why was he at the convention, then? "I heard ten speeches in my areas of work that I couldn't have got with less than six months' research otherwise," he said.

For whatever purposes, the lawyers came, and they were interesting to see. There were a lot of old barristers, as the Bar was honoring (with engraved certificates) those who have practiced in Texas for more than 50 years.

All of the delegates seemed to be wearing single-color business suits; all of them had good pos-

Get a Lawyer, Say Lawyers

ture and, as it were, a public manner. At a coffee shop sat a lean, rather crafty looking man with pointed eyebrows, a sharp nose, wavy, head-hugging black hair, a slanting cut to his mouth when he seemed to be thinking, and a spiraling-forward hand gesture he used to unwind his points. The lean, furrowed face of a county prosecutor dominated a conversation in the lobby. An older lawyer, a tuft of well-brushed silver hair over the middle of his forehead, supported by a somewhat duller monk's fringe, led with his paunch down a hallway saying, "You know, when they first formed the cattle raisers' association, I was that high ..." (But most of the delegates were ordinary looking men.)

On the fourteenth floor the lawyers gathered for the final session. A lot of them seemed to be judges. "You know Judge Woodley? Judge Whooziz. And

this is Judge Whooziz's son, Judge O'Toole." A partly middle-aged lawyer was saying to a trimmer friend: "But I don't drive. I don't. I drive home to the office. I drive from the office to the country club. From the country club home. But I don't drive much. Now you—"

The public relations display was interesting. There was a clipping about the general counsel of the State Bar calling on law enforcement officers to help the bar get rid of the "undesirables" who suggest to injured people that they have legal rights and ought to hire a lawyer. (This is called "barratry," and the Bar disbars barristers for doing it, sometimes.)

Then there were the pamphlets. "Be careful when Buying a Home." ("... you should have all legal papers drawn or examined by your own lawyer ...") "Crash! What to do in case of an Auto Accident." ("Even if you feel you probably are to blame, it is best to make no admission ... The sooner your lawyer is brought in to the matter, the better ...") And "Property is a Family Affair." ("Advantages of a Will ...")

(The layman who concludes that barratry is improper only at retail level is, obviously, not qualified by legal training to ponder these matters.)

Full Disclosure

It was Saturday morning, so the session got started about half an hour late. Newton Gresham, the president, called it to order, and after some preliminaries, Will Wilson rose to make his speech, occasioning the only undignified episode of the morning, a delegate's rising "Whoop-Whoop!" (See page 8).

Chief Justice J. E. Hickman of the Texas Supreme Court said one of the great traditions of the bar "is its ability to adapt itself to change." He advocated "accepting changes in proportion to the measure that they correspond to the great traditions of justice."

The task of lawyers, said Justice Hickman, is "the administration of justice, and the preserving of property rights, and ultimately the peace of the community."

The 50-year lawyers were clustered together in the audience, and one by one they came up to get their certificates from Justice Hickman. The first one wanted to know if he should make a little speech, but Gresham said no. Another stood at attention; several bowed a little to Hickman. A former state senator seemed to be conscious of walking on the green carpet of the Senate floor.

Then came time for the fight over the resolutions. Most of them were uncontroversial for the lawyers—advocating three new federal district courts for Texas, asking that lawyers get the same pay as "physicians, dentists, and veterinarians" in military service, proposing the exemption of oil and gas from the new state securities law (a "no" was heard), and proposing to bring to an end "traffic courts ... presided over by laymen." With four or five noes, the convention again proposed higher dues (up to \$20 a year).

With several noes, the convention adopted a resolution "to the

HARDIN IN DARK ON ASHLEY PARTY

AUSTIN

When will Sen. Carlos Ashley of Llano, president pro tem of the Texas Senate and one-time recipient of a \$10,000 "legal fee" from U. S. Trust & Guaranty, be honored at the customary gift-bestowing dinner for presidents pro tem?

Carl Hardin, Jr., executive secretary of the Board of Dental Examiners, is usually in charge of these little affairs. The Observer asked him what plans are in Ashley's case.

"I don't know. I have not heard, I have not been asked, and I don't know anything," he said.

"I would assume," he added, "it would come from his hometown folks." But, he said, "I have nothing to do with it. I don't do things unless I'm asked, and I haven't been asked anything."

Ashley returned the \$10,000 to U. S. Trust, admitting he hadn't done anything to earn it.

He was named president pro tem by the Senate last session. The vote was announced as 28 ayes and one present and not voting; but Sen. Charles Herring of Austin voted no. Only nine votes could be lined up behind a substitute candidate, Sen. Searcy Bracewell of Houston, so Ashley was elected on the usual seniority basis.

Former Rep. Dolph Briscoe, Jr., wealthy Uvalde rancher, is expected to run against Ashley next summer, should Ashley seek re-election.

end that the acts of all public officials who are members of the State Bar of Texas shall be free of suspicion of improper private gain." The Bar recommended that the Supreme Court of Texas amend the Bar's rules to provide that any Bar member in public office "shall make full public disclosure as to the sources of all compensation and gratuities received by him, directly or indirectly, from persons, firms and corporations who could have an interest in the performance of any duty during his tenure of office."

'A Few Judges'

The debate was over the Nowlin Randolph resolution condemning the Supreme Court. "Following long-established judicial precedent is usually wise," it said. "Judicial precedent ... is most vitally important because it becomes, in effect, a part of the constitution A few courts, (notably the Supreme Court of the United States) have in recent years followed a tendency to abandon judicial precedent ... and to substitute therefor the concept of a few judges as to what the constitution, on that particular day, ought to be much of the nation has lost some of its respect for that (Supreme) court."

Therefore, said the resolution, the State Bar deprecates the tendency and is "opposed to the creation of any new constitutional provision or any new statute solely by the process of interpreting an existing constitutional provision." (Continued on Page 8)

STUDY 'SUPERVISED'?

(Last of a series)

AUSTIN

When the business-financed Texas Research League takes over the state's official research on who ought to pay new state taxes, it very likely will call on "voluntary consultants loaned by private enterprise" for advice.

It has done so before. In several studies of state agencies it has used personnel administrators loaned by oil and life insurance companies, a maintenance engineer from a business management firm, an auto pool manager from a gas producing company.

The league's policy statement of Feb. 11, 1953, says that "the executive committee or the board may secure the services of consultants from time to time to supplement the staff to work. In addition, business, industry, and other groups may be called on to make individuals available to assist in studies."

Ronnie Dugger

The executive board chairman is Ben Belt, vice president of Gulf Oil, and the other members are Herman Brown, president of Brown & Root, Ben Wooten, President of First National Bank in Dallas, James Nash, Austin oil man, Lon Hill, chairman of the board of Central Power and Light, S. J. Hay, president of Great National Life Insurance, J. B. Thomas, president of Texas Electric Service Co., and Melrose Holmgren, president of Alamo Iron Works.

The policy statement says the research will be done "in the main" by the professional staff—but there is an informal kind of understanding between the staff and the business moguls who run the league.

Alvin Burger, formerly a top research director for the Council of State Chambers of Commerce and now the league's executive director, explained this under-

League's Tax Research

To Get 'Sort of Review'

standing to the Observer in these words:

"We take some of the more important findings of a study ... If we are having a meeting of our board, or our membership, or the executive committee, we give them a brief resume of our findings. It's a sort of review."

To date the league's work has been confined to efforts to streamline the state's spending programs—it has never ventured into questions of whom the state should tax.

"At no time has our board or executive committee told us, 'You can't say this, we veto it,'" Burger told the Observer.

Wendell Bedichek, assistant director of the league, said on the point:

"Consistently the staff has been given full and unfettered opportunity to go about its work unbothered by pressure of any kind."

"When research conclusions and recommendations take shape, progress of the study is given in occasional meetings of our 72-member board of directors and 11-member executive committee."

"Until now," Bedichek says, "there has been no change in a staff recommendation that forced the staff to write anything it did not agree with in principle."

In the last statement, Bedichek makes two things clear. There is a possibility that when the loaded questions of taxation come before the league, its oilmen, contractors, bankers, utility chieftains, and other business leaders might take more interest in the staff work than they have up to now.

Secondly, Bedichek implies, staff recommendations have already been changed because of comments from businessmen financing the league, although, Bedichek explains, not to the extent the staff had to write anything it felt was wrong.

The research league seems to be occupied by a certain skepticism about the objectivity of public servants.

When Hines Baker, then president of Humble Oil and chairman of the research league, was addressing a bankers' convention in 1955, he said the league was a better vehicle for government research than a "government-sponsored commission." A government agency, he said, "would find it difficult to achieve impartiality and objectivity in the same degree as could a private, nonpolitical group."

This same idea—that studies paid for mostly by big business are more objective than those conducted by public employees—cropped up in the Observer's interview with Burger.

"It protects the independence of our studies that they are financed entirely out of our budget," he said. Did this mean, he was asked, that publicly-financed studies are not independent?

"Well," he said, "certainly a great many of them have been. But we want to insure the independence of our studies by paying for them ourselves."

'Very Specific'

The league now has a stakes-down chance to prove it point. How will it go about selecting and presenting the data on the basis of which the legislature will be asked to decide whether to tax oil companies or grocery store customers, chemical plants or wage earners?

First there will be "a study of what they should study," as Burger says. This will be outlined by Jim McGrew, the research director. The stage is "very important," Burger says.

If the staff asked: "What industries are not paying as much taxes proportionally as other industries," it could come up with one set of answers. If it asked:

(Continued on page 8)

Jury Trials

After a good deal of thought, and questions publicly asked, we have decided we believe the national liberals are wrong in seeking to avoid jury trials in civil rights cases.

We cannot persuade ourselves that the great government of the United States cannot enforce the right of Negroes to vote with normal civil and criminal suits.

The Eisenhower Administration insists the government must have the power to preserve the right of the Negroes to vote without a jury trial. The basic argument used is that a jury trial would be too late for a current election.

But civil and criminal suits, with resulting jail terms, will stop intimidation of Negroes to keep them away from the polls, even if the effect of the law is not felt until the next election.

Against the Administration's argument for immediate steps in a given election must be weighed the values of a jury trial for every citizen, of whatever complexion.

Jury trials buffer the individual from the excesses of a law, a statute, that is, a rule: they are the vessel through which common sense passes to lift the heavy dough of the law.

The power of a judge to condemn, to imprison, has been abused before, especially to break strikes and unions, and it can be abused again.

Juries also make mistakes; juries in the South are quite often composed of white bigots. But jury selection can be reformed to include Negroes, in the South and elsewhere. This reform is long overdue, anyway, and would curb many kinds of discrimination against Negroes, as well as strengthening their voting rights.

Filibuster

The country braces now for the Senate filibuster to perpetuate the Southern exploitation of the Negroes of the South.

Decent and honorable men will know that this filibuster, as Southern filibusters before, is a weapon forged in fear. No man devoted to the rights of the people could participate in it.

We have watched Senators Yarborough and Johnson closely all session, and we will have more to say about that later. But right now we want to say that they will have to answer to their constituents, and to their consciences, if they help in the Southern filibuster. That would be abominable.

Unfortunately the jury trial issue will not be a clear test vote, but helping the filibuster will be, and so also will be the final vote. All Texas is watching.

It is not a question of what has been done before in contempt of court proceedings. What is proposed here is not ordinary: it is the systematic use of injunctions for the enforcement of civil rights on penalty of imprisonment.

The question is really, do you want to trust a judge, or a jury, with the power to decide what the mores of the jurisdiction will and will not tolerate? It is a precious right we yield, the right to take away our freedom. To give it to one man is a far far more reckless thing than to give it to twelve, to twelve ordinary men.

The federal judges in the Southern districts were recommended and nominated by Southern senators like Eastland and Erwin. There is no reason to think they are more liberal on civil rights than properly selected federal juries would be. Why, then, subvert the ancient democratic trust in one's peers?

We are both for the Negroes' right to vote, and for the jury trial as the best method yet devised for the judging of a man by his fellow men with a view to curbing his freedom. We think the Eisenhower Administration has erred against fundamental principles, on behalf of fundamental principles, and that therefore, another means must be found.

In closing we might say we are concerned that once the "line" of the Administration program became known, it seemed the liberals followed it in a manner almost subservient. Liberals on civil rights are in the majority in the United States, and they don't have to dispense with one of the noblest devices of society for the protection of the individual to move forward toward the very values their method jeopardizes.

About Oil

Outside the industry, very few people understand oil and gas. We are inquiring into the facts about the industry: the tax situation, imports, state policies, politics. We have been consulting with experts within the industry, especially, at present, on the depletion allowance. We intend a full study of the industry, and we will welcome suggestions from readers on what questions to ask and where to find the answers.

October

We side with Governor Daniel in holding out against the skeptics who have been deriding the October special session. Much of the clatter comes from lobbyists who know they'd be netted in a session called explicitly to regulate them.

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'Let's See Now . . . Water, Lobby Registration, Crime Commission . . . Guess That's All'



Bartlett Appears Exclusively in The Texas Observer

Houston's 'Civil War'

HOUSTON

This city and all of Harris County is quietly squaring off for a new civil war, politically speaking, because the establishment of two congressional districts has split voters into the "North" and the "South."

Aptly, under the dividing line, most of the conservatives are in the south congressional district, while the north is predominantly a liberal stronghold.

Firmly settled in the upper reaches of the conservative south district is a hard core of fervent Republicans. They may be in a position to have a great deal to say about who will be the new U.S. representative from Harris County.

The incumbent, Albert Thomas, is a resident of the south district, but he has stated he will be a candidate for the north district position. Under the law he can reside in either district, but only the residents of one district can vote for or against his election. However, the Harris County Democrats, who would support Thomas in the South might very well oppose him in the North.

Only other candidate being mentioned to date is County Judge Bob Casey. He has stated if he does run it will be for the southern district job.

While there have not yet been any specific names mentioned in the Republican camp, GOP State Chairman Thad Hutcheson recently warned:

"Those Democrats currently casting straws in the wind about their own candidacies should be advised that they will face an all-out Republican campaign effort. I believe the statistics on recent elections show that we are entirely realistic in believing we can win with a qualified candidate."

Hutcheson was referring to results of the November general election in the precincts now zoned in the south congressional district. In that area, Thomas beat the Republican candidate by 6,000 votes in 60,000 votes cast—a margin thin enough to permit a candidate's per-

sonal popularity to carry him to election over party lines.

A check of recent election returns probably gives the clearest picture of what the "North" and "South" Congressional district division will mean in the state's most heavily populated voting area. In the August runoff primary, voters residing in the precincts now comprising the "North" marked up 36,210 ballots for Ralph Yarborough to 20,357 for Price Daniel, which gave Yarborough a lead of 15,853 votes. In the "South," the voters in that election favored Daniel 49,166 to 35,001 for Yarborough, giving Daniel a 14,115 edge.

This left Yarborough with a slim county victory by 1,820 votes in 140,774 cast.) Only 41 percent of the 339,653 qualified voters went to the polls.

Probably the clearest picture of just how powerful a liberal stronghold the north district is can be seen from the presidential election results. Despite President Eisenhower's popularity, he beat Adlai Stevenson by only 3,228 votes in precincts now comprising the north. Adlai got 45,851 votes to 49,079 for Ike. By comparison, in the conservative Democrat and GOP "South," Ike polled a tremendous 106,476 votes to 48,110 for Adlai.

Although it appears unlikely that the Liberals will be able to elect a Congressional candidate in the south, it seems certain they will have little trouble getting their man in office in the north.

The conservatives have the upper hand in naming their congressional choice in the South, but they could, as Hutcheson warned, encounter much trouble from a strong GOP candidate, perhaps Hutcheson himself.

The situation should give the liberals a chance to spend more time and money in Houston trying to get votes for Senator Yarborough instead of having to concentrate all their fire on getting a representative elected.

The July primary of 1958 will be the first chance Harris County voters will have to cast ballots under the new congressional district division.

BOB BRAY

A TIME OF ANGUISH

MARSHALL

Perhaps the worst victims of the seething emotional conflict on integration versus segregation are those who genuinely desire for the government to be closer to the people and abhor the thought of increased police power. It matters not on which side of the controversy they may find themselves aligned, the result must inevitably be the same.

Those who conscientiously oppose educational and social integration, yet desire political and governmental equality, find themselves in the camp of the Ku Klux Klan and the prey of the cynics who distrust popular government but mask their work of sabotaging it behind their creation of racial hatred.

These last seek to bring about stacked juries, rigged elections, and the myriad of additional devices through which the popular will may be denied a voice in government. They know where they are going, they ride the tide of ignorance and prejudice they exploit among voters who end up following their enemies, and thus they aid in keeping the unscrupulous at the controls of political parties.

On the other side of the coin, those whom the Observer has humorously, but perhaps accurately, styled the perfervid egalitarians are faring little better. They find themselves supporters of a plan calling for extraordinary powers in a centralized commission, not answerable to the people of the states where it is to operate, and all powerful as a police force. Its decrees are to be enforced by the fist of appointed judges. Trial by injunction, one of the judicial processes most subject to abuse, is to be substituted for trial by jury.

Swept along in this fervor for possible judicial abuse appear labor unions, the progenitors of which were being slowly strangled to death until the Norris-LaGuardia Act took the injunctive power away from the courts in labor disputes. If it was unwholesome to allow the practice in labor disputes, is there less reason to condemn it as applied to the Ku Kluxers, et al? Here is a good testing ground for the precepts many of us hold in the abstract. Will they weather the temptation to consider representative government secondary to the rapid achievement of the end desired? If not, what is gained by giving one group representation in government, at the cost of denying it to another?

The tragic truth is that the police power used as a foundation for the Texas segregation act is of a piece with the police power the federal

government is being urged to apply. The ends sought by each may be as far apart as the poles, but the corrupting power to be employed alike in each case.

Long before an investigation or charge would reach the courts under the commissioner plan, however, those accused would be subject to the nibbling, nabbling, and harassment that can come only from an appointed official or an agent protected by rules of civil service. The outlook on life of the majority of these is well characterized by a question once put to us by an Arkansas lawyer, thus:

"Why is it that when you use a little political pull and get a ne-er do well appointed assistant janitor in a federal building, he immediately becomes a 'building custodian' and won't speak to you when he carries you up on the elevator?"

Aside from what the future may hold, regard our suffering in the

past and present. The Negro can't pay his proper share of the taxes in many places because he has had insufficient training and opportunity to earn or accumulate wealth; advantages that have been denied him, because one who doesn't carry his part of the tax load is not entitled to the training and opportunities made possible by those who do.

Franklin Jones

And 'round and 'round the vicious circle we have gone.

Economically, many a community has remained blighted on account of the large proportion of Negro citizens who must not be allowed to compete with the white population. No federal aid or community building programs may be entertained; for this would tend to bring about integration.

Before unscrupulous political charlatans set race against race in 1954, a small streak of dawn was visible. The Negro was on his way to being accepted politically. To the sure-fire hatred raiser, "Do you want your sister to marry a nigger?" the reply, "No, and I don't want her to marry a Republican, either," was beginning to work as only ridicule can. But with the school integration issue brought forward, beginning political acceptance was erased in many areas, to be replaced by blind social and racial hatred.

We are all its victims, and for one this writer sees no solution short of the training of the young away from the terrible heritage of their parents and grandparents. In this field the colleges and the churches should lead the way, as indeed they are beginning to do. Not the public whirling dervishes of the "Let God do it" cult, but men of good will who are constantly urging upon church and college the social responsibilities that are justly theirs.

Ethos of the University

AUSTIN

A university is students, teachers, buildings, books, cafeterias, stadium, mall, trees, lawns; and all these, the University of Texas is. A university is also a place to think; and this, the University of Texas is, less and less.

When is a university first class? It is no easy question. Perhaps when it induces its members to think. Yet some men in a third rate university will go on searching for truth alone in their studies, even if they must hide it when they find it. The true, the good, the beautiful, are elusive; perhaps it is more "realistic," as Professor Joseph K. Bailey said in justifying the removal of Negro Barbara Smith from the student opera at the University of Texas, to abide by "the Law of the Situation."

But a university distinctly is not first class when its students are barred from the sight of their teachers thinking together and its teachers are reprimanded for their thinking.

The Faculty Council of the University of Texas met June 17. The proceedings opened with a request from a student, Donald Petesch, that he be permitted to attend. He was asked why he wanted to attend. He said he was interested in the Barbara Smith student opera case and the report of the Committee on Academic Freedom and Responsibility, in the criticisms that might be made of President Logan Wilson's report on the Smith case, and in any discussion about sending out a minority report. The Faculty Council refused to let him stay in the room.

He was a student; he was attending as an individual; he was merely interested in hearing his mentors' views on a very troubling matter. He was ejected from their midst.

A report on the case was submitted by the committee. Wilson's decision, said the report, "was as just to the student and as wise as the social climate would permit at this time." The basic error was selecting the Negro girl for the part in the first place, said the report.

Then R. H. Williams, chairman of the Department of Romance Languages, read a statement for himself and R. C. Stephenson of the English faculty. He said it ought to be recorded that the incident "has left some troubled minds on this campus," that "our conscience is not appeased by the official exposition." He gave his reasons; "we feel humiliated," he said; and he recalled, in passing, the time Eleanor Roosevelt was invited to the campus, then was told the invitation would have to be withdrawn; of editorials suppressed in the student daily newspaper; of the recent at-

tempt to prohibit faculty members from taking part in specified political campaigns.

"All of these reflect a tendency to yield to pressure from any direction," Williams said. A continuation of such policies will prevent the University from attaining first class rank "within Dr. Wilson's lifetime or ours."

We are now advised by parties other than Williams that Dr. Wilson called Williams into his office after this meeting and chewed him out interminably for the speech he made that day. He told Williams to stop meddling in administration matters and go about his purely academic duties. Williams told him the maintenance of his opinions in faculty meetings was one of his duties to the university.

First, professors barred a student (all students, any student) from hearing them debate a matter affecting the integrity of the institution of which they are a part; second, Williams was bitterly reprimanded by the President for speaking his mind; for thinking, and saying what he thought.

WHAT, THEN, is a university?

Dr. Wilson has said on the essential issue that the board of regents and administration of the University of Texas "must be cognizant of the environment in which the University exists and of the mores prevailing within the state to which they are responsible."

To this Williams replied: "The university was established for the moral and intellectual benefit of our citizenry; its mission is to improve both the mores and environment in which it exists."

Professor Charles Zlatkovich agreed with Wilson. According to the minutes, he said it is elemental that just as a business can survive only by giving its customers services or products they like, so also can the university survive only so long as it operates in a manner compatible with the social order in which it operates and in a manner acceptable to citizens whose tax payments make its very existence possible.

Mr. Bailey, too, agreed with the President. The objectives of any organization must be in conformity with the desires of the society which the organization serves, he said. (A university is now an "organization," like General Motors. Does it then follow that university professors should be "organization men"?)

John Silber, of the philosophy faculty, suggested some consequences of these latter doctrines. The subordination of the university to the will of the legislature on matters of social import would hamper

or destroy our University as a community of scholars in the free pursuit of truth, he said. It would imply approval of the Tennessee legislature's prohibition of teaching evolution in the public schools and the action of the church in condemning Galileo. In some of the views of the legislators whose race bills passed were majority opinions, by the same reasoning competent geneticists, anthropologists, or philosophers would be forbidden to disagree.

FOR OUR PART, we will share cups with Messrs. Williams and Silber; we will stand apart from Dr. Wilson's university of the public mores, and value, as the best institution of the culture, the first-class university passionately devoted to the rights of free inquiry and free debate. Yale President A. Whitney Griswold was speaking for this institution when he said:

"The creative power of the individual is more sorely needed today than ever before. This alone can save us from collective sterility ... Nor shall we recover our self respect by chasing after it in crowds. ... It comes to us when we are alone, in quiet moments, in quiet places, when we suddenly realize that, knowing the good, we have done it; knowing the beautiful, we have served it; knowing the truth, we have spoken it."

The universities of South Africa have been opposing legislation intended to bar colored students. There is no doubt about the mores of the whites of South Africa on this issue, but the people in her universities feel they have a larger duty to certain traditions and ideals of the University of the Western World. The senior scholars of the Universities of Cape Town and of the Witwatersrand recently issued a statement, "the Open Universities in South Africa," a part of which will serve here to close:

"A university ceases to be true to its own nature if it becomes the tool of Church or State or any sectional interest. A university is characterized by the spirit of free inquiry, its ideal being the ideal of Socrates—to follow the argument where it leads. * * * It is the business of a university to provide that atmosphere which is most conducive to speculation, experiment and creation. It is an atmosphere in which there prevail 'the four essential freedoms' of a university—to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study."

R.D.

The Listening Post

.... Most politicians were quick to issue statements about the loss to the community after Hugh Roy Cullen, Houston oil millionaire, died. A Houston reporter was amazed when Senator Ralph Yarborough, invited to make such a statement, answered: "I'm sorry but I had never met the gentleman and therefore don't feel qualified to speak ...". Later Yarborough commended Cullen's help to education.

.... Governor Daniel sent Mrs. R. D. Randolph a letter "acknowledging and thanking you for your letter suggesting party registration as a subject to be brought before the special session of the Legislature. I appreciate your writing me about this matter and assure you that I shall keep it in mind," answered the governor.

.... The state Democratic executive committee's advisory committees include one on urban problems. One newsmen promptly observed that the biggest "urban problem" of the state committee is Mrs. Randolph.

Culture in Kenedy

KENEDY The citizenry of Kenedy have at last attained a genesis like the one Athens must have experienced around 500 B.C. when the Greek drama was in its incipency. Indeed, perhaps Kenedy is now occupied by the very same type of individual as the Athenian—cultured, curious, filled with intellectual fire.

Yes, Athens had its theatre and Kenedy has its wrestling arena.

The erudite, the brilliant, the sophists, the sages of Kenedy all flock out to Dean's arena to enjoy this intellectual and emotional purgative. Cynics from the outside do not realize the social benefits received from wrestling. They think of Kenedy as a clear-

Dan Strawn

ing in the sticks, but that is so no longer. In addition to the other luminaries, we have, gracing Karnes County, the flower of British Knighthood, Sir Robert Jackson, a wrestling notable, who enters the ring with monocle and cape to contend with the more plebeian wrestlers.

The gallant thespians of the mat enhance the cultural milieu of Kenedy regularly with their agile gymnastics and their adherence to the script. "This guy is goin' to win the first match, the second is goin' to be a draw, and he's goin' to win the main event," said a fan who claimed to have inside information. Sure enough, it came to pass.

The fans consist of approximately seven Latins to every three Anglos. Kenedy citizens

have been honored by performances from such aristocrats in the wrestling world as Big Humphrey, the Golden Terror, Honest John, Pretty Boy Collins, and the Elephant Man.

All the wrestlers seem to have trained quite rigorously on malt and hops, considering their girth, but they seem to be quite lively for what is expected of them. Occasionally, however, we do have midgets wrestling, which are quite popular. ("Oh, I just love to see them midgets," a fan once confessed.)

The greatest difficulty that the local gendarmes have to contend with is not the enraged wrestlers (who rave and rant at one another vociferously with great malice) but the fans. Occasionally a lady fight fan who does not think a certain wrestler has come by his winnings fairly will brain him with a chair. Another fan also took sides, also with a chair, when a wrestler started cheering one of the contestants on from the ringside. The proprietress explained, "he gets all shook up over wrestling." The wrestler picked up a chair and sword-fought until the fan took flight.

Then there was the night the female "world's champion" wrestler, a German gal who smokes cigars when entering the ring and has legs like concrete posts, got into a ringside argument with her husband. Her husband was carted off to jail and fined \$25.

THE LESS ARDENT fans also take note of the proceedings in the ring. They shout advice to the hero, who invariably is in sore difficulty with the villain. The

Latin element advises, "He choke, he choke," and the referee admonishes the villain, "Quit that chokin'." The villain quite ignores him, much to the consternation of the fans, who continue advising the hero and the referee.

There comes a time, alas, when the villain gets his due. The overwrought hero finally uses dastardly means on the hapless cad. You can usually detect this even if you don't know what's happening on the mat, for the referee usually looks away—at the stars, at a light bulb, at some well developed senorita, at anything while the villain catches it. This meets with the fond approval of the fans, who shout with glee.

About this time the proprietress has decided that the gastric juices of the fans must be flowing at full force, for the hamburger vendor has been sent around.

No careful student of culture seriously disputes Kenedy's ascension over her barbarian Athenian ancestors. Did Sophocles have a monocle?

STATE FACES BIG DEFICIT

AUSTIN

The October special session may have more on its hands than Governor Daniel has mentioned to date. Comptroller Robert Calvert reports that the teachers' retirement system will need \$6 million more than he had anticipated in the next two years. Since appropriations of the last legislature will take all but about \$80,000 of previously anticipated revenue, this will leave a considerable deficit for the session to cope with, Calvert said.

Daniel has said no tax measure will be submitted. With a deficit on hand, Calvert could not certify any spending bills of the special session—including appropriations for the session itself.

In Fort Worth at the Bar convention, Daniel indicated he has called the special session in part because he is anticipating the indictment of some legislators and/or lobbyists by the Travis County grand jury. That jury heard Rep. Jim Heflin of Houston this week; Heflin will be a state witness in the trial of ex-Rep. Jim Cox of Conroe starting Monday.

In other state government news, the State Commission on School Accreditation has recommended that 15 schools be dropped from accredited status and seven others be refused their applications for accreditation. Atty. Gen. Will Wilson commended 54 inmates of the Texas Prison system who received certificates averring they had completed high school training entitling them to enter college on release from prison. The State Board of Water Engineers ruled that the Guadalupe River-Blanco River Authority can have 50,000 acre-feet annually for municipal purposes from Canyon Dam and that San Antonio can not have any of the water in question. (It had asked for 100,000 acre-feet, but Canyon Dam is not on the San Antonio watershed.)

Two months ago there were 121,413 Texans in 60 counties on the federal surplus food relief lists. Now, according to State Welfare Director John Winters, there are 79,840 in 49 counties. The heaviest concentration used to be in Karnes County, which does not register at all now. Eleven South Texas counties still account for 35,906 of the relief beneficiaries.

The food is acquired through the government's price support and surplus removal programs. Local governments have to put up 20 cents per person on relief.

Washington News

WASHINGTON

The Two Texans who run the Congress had a controversy apiece on their hands this week.

In the House, Speaker Sam Rayburn prepared to pilot to final passage a bill to free natural gas producers from federal fixing of their prices. In the Senate, Majority Leader Lyndon Johnson sat back to allow Georgia's Dick Russell to lead a Southern bloc fight—probably to be climaxed by a long filibuster—against a civil rights bill.

(Although it could not be confirmed with the senators in question, Time Magazine this week said flatly that four Southern senators—Texas' Johnson and Ralph Yarborough, and Tennessee's Albert Gore and Estes Kefauver—would not take part in the expected filibuster.)

The natural gas bill, replacement for the bill vetoed with vehemence by President Eisenhower last year, passed favorably out of the House Commerce Committee on Tuesday. Rayburn predicts passage if all House members who have said they are for it "put their oar in." The current bill does not remove all federal power—through the Federal Power Commission—to fix natural gas prices, as did the vetoed bill of 1956. It would free producers from utility-type FPC regulation, substituting rate regulation on a "reasonable market value" basis for the present cost-plus-a-reasonable-profit formula used by FPC.

Representatives from urban centers are primed to fight the bill, on the ground that producers will be free to get "what the traffic will stand." The bill's backers, however, contend it is a reasonable compromise between the consumer need for protection from excessively high rates and the producers' desire for less federal regulation.

Observers here believe the bill will pass the House handily only to move to a Senate so occupied with the emotion-charged civil rights issue that it will have time for nothing else. (The first narrow cot was placed in a Senate cloakroom this week by Ives of New York. As the civil rights issue is debated, the cloakrooms will be crowded with these beds. The session may run into September.

Gas, and oil, made news off the floors of both House and Senate this week, with Yarborough ripping into Commerce Secretary Sinclair Weeks in person and Eisenhower in absentia in a committee hearing.

enhower in absentia in a committee hearing.

Yarborough made Weeks admit that Eisenhower's signature on an executive order could halt what the junior senator claims is an excessive flow of foreign oil into the U. S. He said the order was necessary to save the Southwest's economy.

Meantime, FPC suspended, until it can examine, an increase of \$8,964,000 proposed by Texas Gas Transmission Co. of Kentucky in its wholesale rates to utilities in eight states.

And one-time Texas oilman-capitalist Robert Anderson, former deputy secretary of defense, won Senate confirmation to succeed George Humphrey as Secretary of the Treasury.

Junior Bar Urges Loan Shark Action

FORT WORTH

The Junior Bar of Texas has decided to carry on its fight for control of the Texas loan sharks.

At a board of directors meeting here at which Cullen Smith of Waco was selected to succeed Wales Madden of Amarillo as president, the Junior Bar expressed again its concern for the people who patronize small loan institutions "without adequate protection as to interest rates and other wise."

Many small loan firms "charge the borrowers exorbitant and usurious interest on money loaned," said a resolution that was adopted. The Junior Bar feels "there is an immediate and urgent social need for enactment of adequate and enforceable laws."

The Junior Bar resolved that if Governor Daniel deems it necessary to call a special session of the legislature, "he request the members of such session to be prepared to act upon and to enact such legislation as will guarantee those people reasonable protection under the law."

AFL-CIO MERGER PATH CLEARED BY DECISION

AUSTIN

The AFL-CIO merger convention ought to be much smoother as a result of an agreement between the building and construction trades and the industrial unions on a national jurisdictional dispute.

Wildcatter Cullen Gave \$180 Million

HOUSTON

Hugh Roy Cullen, a great oil wildcatter and the state's best known philanthropist, died in Houston at 76 of cerebral thrombosis which finally led to a heart attack. His total bequests to education and medicine were estimated at \$180,000,000.

His largest gifts were given to the University of Houston, Baylor University College of Medicine, and Houston hospitals.

His office in a downtown bank was lined with pictures of buildings his money had built, and he was proud he had made them possible. The first gift he ever tried to make—a \$5 check to the Salvation Army—bounced.

He was a right wing Republican. He did not believe in the United Nations, was a bitter critic of Truman and Roosevelt, supported Herbert Hoover, Alf Landon, Wendell Wilkie, Thomas Dewey and Dwight Eisenhower, and devoted much of his political energies to states' rights and to fighting what he thought of as creeping socialism.

He was an avid backer of the late Sen. Joe McCarthy and brought about McCarthy's invitation to Houston for a San Jacinto Day celebration several years ago.

He helped launch W. Lee O'Daniel in Texas politics and supported the Texas Regulars.

In 1948 he opposed a city zoning plan for Houston. Some land adjacent to his University of Houston had been classed as available for industry, and he was outraged. After a year of virulent controversy, the zoning ordinance was defeated by the voters, two to one, and Houston remained one of the nation's largest cities without zoning.

Cullen was born in Denton July 3, 1881. He passed much of

his youth at San Antonio. He got the equivalent of a fifth grade education—no more. His first job was putting candy in sacks for \$3 a week.

In the 1920's he and his associates brought in a 2,500-barrel-a-day well on the flank of a salt dome under what is now South Main in Houston. Eventually he became a company unto himself. He was president of Quintana Petroleum Corp. when he died.

After caring for his relatives, he said, he had given away 93 percent of his wealth. "My wife and I are selfish. We want to see our money spent during our lifetime so we may derive great pleasure from it."

"Giving away money is no particular credit to me," he said. "Most of it came out of the ground—and while I found the oil in the ground, I didn't put it there. I've got a lot more than Lillie and I and our children and grandchildren can use."

He founded the Cullen Foundation with oil properties which eventually are expected to yield 55 million barrels of oil. His original announcement was for only half this value, but he told the Houston Chamber of Commerce Board of Directors in 1947, "Lillie and I have been thinking this thing over, and we've changed our minds a little bit. We've decided to double that figure."

In 1955 Cullen said he had given the University of Houston the equivalent of about \$13 million and Houston hospitals about \$11 million. Other large bequests went to the Memorial Hospital Nurses' Home, Saint Luke's Episcopal Hospital, Methodist Hospital, Hermann Hospital, and St. Joseph's Hospital. For four days in 1954 he gave away a million dollars a day to each of the four hospitals.

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HOUSTON, TEXAS

Rev. Daniel Hits Zionists

AUSTIN The Observer has noted a copy of a letter written by the Rev. Carey Daniel, pastor of Dallas' First Baptist Church and a cousin of Gov. Price Daniel, to a Texan in Congress.

Written on a letterhead reading: "The Dallas Citizens Council (with the words 'for Segregation' typed in), The Daddy of the Texas Citizens' Councils," the letter says in part:

"On behalf of our entire fast-growing Citizens' Council movement—which already numbers thousands in Dallas and about three and a half million over the South—please let me URGE you to remember that you are representing a state the people of which have voted over four to one for continued segregation and interposition ...

"Am enclosing a free copy of a booklet I have written showing the Biblical basis for racial segregation. Now in its twelfth edition, it is selling in the tens of thousands all over the nation ...

"Also please urge passage of the BRICKER AMENDMENT, the LANGER BILL ... adoption of the Georgian resolution to IMPEACH THOSE MONGRELIZERS ON THE SUPREME COURT and enforcement of the Walter-McCarrain (sic) Immigration law.

"Also please help ABOLISH federal aid to education, the so-called 'civil rights' program, the Zionist pressure on our government and especially THAT DAMNABLE UNITED NATIONS ORGANIZATION ..."

The letter closes with "Very truly, Yours for a Segregated South."

Daniel is executive vice-president of the Dallas Citizens' Council; its president is James L. McNeese, Jr.

Texas Social Work Studied

AUSTIN It may come as a surprise to some of the Observer's readers that Texas has only 3,000 people in "social work," but judging from Charles Laughton's report, "Staffing Social Services in Texas," not many of the average citizenry will care much.

Laughton, associate professor of social work at the University of Texas, cites a thesis that indicates few college seniors in Texas have a clear understanding of what social work is, while other studies show high school students rank the work "low in prestige."

"The writer has never heard of children playing social worker," Laughton says. "What they see and hear is more likely to be a caricature of the profession than an accurate portrayal."

Texas has two schools of social work, one at Our Lady of the Lake College in San Antonio, the other at the University of Texas. The former was established in 1950, the latter in 1952, yet already 20 percent of Texas social workers are graduates of one of them.

Up to 1950, no Texas university was training professional social workers for the state's hospitals, clinics, family service agencies, child guidance centers, child welfare programs. And as of now the area of social work is closer in status to nursing than it is to medicine and law among the professions.

Laughton regards social work as charged with the duty of helping to meet the economic, emotional, and social needs of the citizens. In 1955 the State Department of Public Welfare spent \$135 million for public assistance and child welfare; a campaign for con-

tributions for Houston voluntary agencies one year raised \$4.5 million. So social work is an item of magnitude, even by the dollar scale. "No longer," says Laughton, "can the Texan's needs be met entirely through individual initiative or simple neighborliness."

Social workers staff government agencies, administer services to individuals and families through private agencies, and work in many informal education, recreation, and group work agencies. Two thirds work directly with individuals and families, one-fourth with youth-serving groups.

Educational requirements generally are low. Nine out of ten

public assistance positions in Texas require less than a college degree. Turnover is high, one out of five workers leaving his agency each year.

Two out of three social workers are women: there is a problem of what Laughton calls "the false stereotype of a feminine profession." This results in a shortage of workers in a labor market with proportionally few women in it and with even these subject to attrition through child bearing and job demands from nursing and teaching.

The average wage is \$73 a week; \$3,800 a year. This is about the national average, too. The comparable 1955 average weekly paycheck for production and related workers in Texas manufacturing was \$75.78.

Here, then, is a profession directly addressing itself to the primary work of the do-gooders that has not, however, attracted public sympathy or understanding or commanded salaries that will draw enough people into social work studies or keep them in the field.

State Is 37th In Army Tests

WASHINGTON Texas led the rest of Dixie but ranked only 37th among the 48 states in order of rejection of its young men by the Army for educational deficiencies during the Korean emergency, July, 1950, to December, 1953.

Figures cited to the Senate by liberal Democrat Richard Neuberger of Oregon, a federal aid to education advocate, showed that 19.1 per cent of Texas enlistees and inductees failed the Army's general classification test. Percentages for Kentucky, Florida, Tennessee, North Carolina, Virginia, Georgia, Arkansas, Alabama, Louisiana, Mississippi and South Carolina were lower—in that order. All of these states maintain racially segregated schools.

Neuberger said, "it is obvious ... that the problem of educational deficiency in Southern states is a national rather than a local problem ..."

REP. MOORE FUMES AT LOOK MAGAZINE

HOUSTON Rep. Carlton Moore of Houston is fighting mad about picture caption references to him in the recent Look Magazine article entitled, "How Corrupt Is Texas?"

"I resent this scar on my character. I'm looking forward to the day I meet the man who wrote that article," Moore fumed.

He had reference to cutlines which said he "... received \$3,750 in 1954-55 from the Harris County Commissioners Court for land appraisal work at the same time he was a member of the state legislature that voted bills giving substantial pay raises to Harris County officials."

Answered Moore: "I made that money honestly. Public records show that contracts which other Houston legislators and myself received from the commissioners court were a drop in the bucket compared to what other real estate men in town got."

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Law for Two Congressmen From Houston Fouled Up

AUSTIN Austin Attorney Dave Bennett said there is a possibility the congressional redistricting act passed by the 55th Legislature is void. Bennett said the legal description of the line dividing Harris County into two districts "has a closure error of nine miles." The pertinent language of the act reads: "Beginning at the point where U.S. Highway No. 290 intersects the county line between Harris and Waller Counties; thence along said U.S. Highway No. 290 to the intersection of said highway with Post Oak Road; thence along said Post Oak Road to Buffalo Bayou;

thence along said Bayou to Morgan's Point."

But, said Bennett, Buffalo Bayou does not run to Morgan's point. Instead it runs into the San Jacinto River at a point nine miles upstream of Morgan's Point. It is the San Jacinto that enters Galveston Bay at Morgan's point.

Bennett took his doubts to Jake Jacobsen, Gov. Price Daniel's assistant. Jacobsen admitted the error and said he had checked the bill for policy before the Governor's signature, but not for accuracy of language.

A land deed with such a closure error would be void, Bennett said.

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WHISKY DOIN'S ON CADDO LAKE

CADDO LAKE

Somewhere during his more active days, James Johnson had picked up the nickname, "Hadacol." I never knew whether his sexual vitality of those times suggested it or whether his jibes at his fellow millwrights that they needed Hadacol to keep up with him won it for him. It could have been either, for Hadacol had been a mighty man in both work and play. It had taken not one but two accidents to cripple him to the extent that, when our tale begins, he had to content himself with running a small fish market.

Not that he would not, on occasion, take another look around town, or, as he put it, "blow my stacks out." These were the times when Hadacol would come by a pint or a fifth that would momentarily recall his days of action. I remember one such occasion when he was seated in a restaurant booth, his legs of no great use to him. For justifiable reasons, no doubt, the occupant of the opposite booth protested Hadacol's behavior, but unhappily came a little too close to his table. Somehow Hadacol pulled him down to his level and gave cause for the charge of simple assault that followed.

Hadacol did not regret these occurrences. Usually they were brushed aside with the remark, "Well, he jes paid too much attention to that sweet thing," or, as more likely would be the case, "He jes thought I insulted his wife."

In my own dealings with him I gradually learned that he had spent his youth in the environs of Lake Caddo and truly belonged to the species of fauna and flora for which it is famous. Sawmill work had fitted him for machine work when the war effort came, and what he saw in the industrial centers must not have been near so startling as what their inhabitants experienced on seeing him. Tall, muscular, with no fear of the devil himself, he doubtless, even in his middleage of that period, gave many a tavern owner a fright.

One day as I drove Hadacol toward a little timber cruising job on Caddo, he spoke of the depression days on the lake. "Yes-sir," he began, "that was the time me and Lum Perkins went in the bootleggin' business. We had done tried every way we knowed to scare up somethin' to do, but it jes didn't show up. There wasn't any mills going, and the roads and railroads was full of bums lookin' for work, and jes moving from one place to another for no particular reason.

Through Sand

"We couldn't finance no manufacturin' operation. Besides, it was about all took up at the time, with cookin' pots a-goin' 'most everywhere there was enough thicket to hide a mash barrel and a sack of sugar. We had to hit the retail trade and a boommin' one fer a starter if we expected our little pocket change to get us anywhere. Well, Lum raked and scraped, and I got a little P.W.A. help to where we got the price of

Leonard Burress

a half gallon together, jes before the July 4th picnic and fish fry set for Black's Landing.

"Lum was fer going up to old Bud Bickers' still and buying the half gallon and then sellin' her in pints. But I told him we could shore beat that by goin' in fer real profit, and puttin' our goods out by the drink. He oughter knowed that a feller at a picnic and fish fry might buy one drink where he wouldn't have wanted to spend fer a pint. Then when that drink warmed up and spread, that customer would come back till his money was gone, even if it put the whole pint in him. This way we could git started where we might not on a pint, or even half pint, fruit jar market.

"Finally Lum come around to my way of seein' things, and we lit out fer old man Bud's in his jalopy. He lived near Bear Bottom, and this was before anybody ever heard of farm-to-market roads. In fact, it was purty near before anybody heard of roads.

We bumped and chugged through sand so that we got to his house after about two hours, and about at sun-up. We had figured close on the half gallon price, and expected a discount fer good will, and the fact we was goin' in business, and gonna give a new outlet fer Mr. Bud's products. He wouldn't see it this way, 'cause he said he had about as much outlet as he could let out without the Fed's movin' in on him. We had to end up takin' only three pints, and with a quarter left between us.

"Before gittin' to the old man's place, Lum and me had fixed our per-drink price at the picnic to be two bits. As prices went in them times, this would start us in business, and then if we wanted to go into the fruit jar trade, we would have some capital.

A Dry, Dry Lane

"I had the quarter, and Lum had the whisky as we started back over that long, dry, sandy, and bumpy lane. About when we left the clearing of Bud's place my throat begun to parch, and I knowed I had to have a drink. When I told Lum to pass that jug over, he froze over and told me we had sellin' whisky, not drinkin' whisky. That nobody livin' or dead was gonna have a

drink out of that jug without payin' two bits fer it.

"This stopped me fer a-while, but my throat kept gittin' dryer and dryer. I licked my lips and tried to remember my last drink, but it didn't do no good. Then it come to me all at once that a quarter wasn't worth a hoot to nobody twenty miles from a store, so I opened up on Lum. I says, 'You are right, partner, nobody's gonna git a drink of that whisky without payin' fer it, but you fergit I am a man with two bits, and here it is. Now you jes pass me that jug please.'

"Well, Lum couldn't answer that, so he passed over the jug, and I give him the quarter. That drink begun to smooth that road out and lay the dust like nobody's business. Lum begun to watch me expand from the corner of his eyes, and I could jes about see his tongue a-dryin' plumb up. Finally he broke, and says, 'Jim, I believe I'll just sorta taste that likker, to see if its gonna satisfy out trade. We don't wanna make no bust with our first customers and sell 'em somepin' that bites and scratches as it goes down.'

"I knowed Lum was a tightwad, so I says to him, 'Don't you worry, partner, that stuff is as smooth

as any old Bud ever cooked on his kitchen stove while the sheriff was outside lookin' at the smoke and a-wonderin' why in tarnation old Mrs. Bicker was a-cookin' up such a big meal. You don't need to taste her, I already have!'

"Purty soon Lum had took about all he could of my tellin' him how good the drink was, and when I flat out refused him one, he pulled out the quarter I had bought my drink with and says, 'All right, Jim. Here's the price of a drink, now you give me that jug.'

"I took the quarter, and he took the jug. Well, we was still a long ways from the landing, and the road was gittin' dusty fer me again, so in a little while I had the jug for another pull, and Lum had the quarter. A little further down the road, Lum couldn't stand it, and bought a drink from me, to where he had the jug, and I had the quarter.

"Yessir, that's the only time I was ever in the boot-legging business."

We drove along, Hadacol fallen silent. Finally I asked, "But Hadacol, what happened at the fish fry? How'd you and Lum come out?" My rugged friend looked me full in the eye and replied: "Shucks, Mr. Leonard, we never even got to no fish fry. Me and Lum ended up early in the mornin' of July 5th with an empty jug and that same blamed quarter."

Diverting Cinema Available

AUSTIN

If you've been planning to beat the heat and the fall-out by taking refuge in an air-cooled, lead roofed motion picture theater, you couldn't have picked a better time. Chances are that the fare currently offered there is as varied and unlikely as you could possibly wish.

What could be more off-beat than the Warner release "The Prince and the Showgirl" in which Marilyn Monroe finds herself playing the sparring partner of Sir Laurence Olivier? She, incidentally, is the show girl, and he the crowned head, and the show, itself, an adaptation by Terrence Rattigan of his London hit and Broadway flop, "The Sleeping Prince." Mr. Rattigan,

whose talent more and more seems to be a knack for warming up old chestnuts, has here heated that one about Graustarkian royalty having a fling with a fetching commoner. There's not much flavor left in this goodie, and by the time the evening is over, it has cooled off considerably. Still, Sir Laurence, who functions as both producer and director here,

Harris Green

has served it all up with a little spice of his own, and savored it with excellent performances by Dame Sybil Thorndike and Richard Wattis as well. Our girl Marilyn is not, histrionically, in as good form here as she was in "Bus Stop." Physically, though, she remains one of the wonders of the world.

Things are quite heated and more serious in the Hecht-Hill-Lancaster production, "The Sweet Smell of Success." An adaptation of the novelette by Ernest Lehman, it grubs about in the personal life of a gossip columnist who allies himself with a hopelessly amoral press agent in order to break up a budding romance between his sister and a musician who is just about to flower. Since both press agents and columnists have long been considered sacrosanct in the movie colony, I suppose this film, in which both are royally trounced, could be considered a product of the brave, new, unfettered Hollywood we have been hearing so much about. In just about every respect it is perfect. The only flaw is in Mr. Lehman's script, which is really lurid, two-dimensional stuff. In preparing it for the screen, though, Hecht-Hill-Lancaster have chosen Clifford Odets, an expert at making such shallows gush pure bile, to aid in the adaptation; so there is plenty of bite and sting. Alexander Mackendrick, who was originally brought over I believe to direct something else, got the job of stirring up this grisly stew, and James Wong Howe was commissioned to set it all on film. Both have gone about their tasks utilizing a harsh, restless technique that comes pretty close to making the entire movie a tour de force in cinema crafts-

manship. Burt Lancaster as the columnist and Tony Curtis (of all people) as the agent are really first-rate, and the rest of the cast (Marty Milner, Susan Harrison, Sam Levine, and Sam Meyer) aren't far behind. The result is a show high of polish and considerable force that may well leave you in a cold sweat.

You'll really be comfortable, though, if you were left as cold as I was by the film version of Rogers & Hammerstein's "Oklahoma." It appeared last year in Todd-AO and didn't especially get anywhere; so here it is again, this time trimmed down to Cinemascope proportions. Still there, though, is that same debilitating lack of that indispensable quality, style. Director Fred Zinnemann shouldn't feel too badly, however, since as far as I know only one man in business has this knack for musicals. He's Stanley Donen who can, by exaggerating the acting, setting a proper pace, and using plenty of imagination, establish the mood, even when actual settings of Paris ("Funny Face") or New York ("On the Town") serve as backdrops. I fear none of these miracles have been wrought upon "Oklahoma."

Let's hope that the next time our neighbors north of the Red serve as the subjects for a movie, they get George Stevens to direct it. He made "Giant," y'know. Now there was a show.

Incidentally others to avoid are "Paris Does Strange Things" and "Autumn Leaves." In the former, Ingrid Bergman has a fine time being chased through the City of Light and surrounding countryside by a revolutionary cabal, but I'm afraid that writer-director Jean Renoir hasn't given the audience much excuse to join in the jollity. In the latter Joan Crawford is married to a lad twenty-five years her junior and, understandably, has hell. The show differs from her other vehicles only in that at no time does she feel called upon to resolve her dilemma by slipping a .38 into a fur coat. For this reason, I suppose, it is being shown at the "art houses." Plainly, this heat has been terrific.

THE TEXAS OBSERVER

Page 6

July 12, 1957



Jury Trial

To the Editor:

Opponents of the civil rights bill have made the charge that the bill would destroy the right to a trial by jury. Your editorial of June 21st, when it speaks of doing "away with jury trials," helps to reinforce this misunderstanding of the terms of the bill.

The board of directors of the Southern Conference Educational Fund, Inc., adopted a statement (which bears on this in part):

"... a provision for jury trial ... can only be intended to cripple the enforcement of the (civil rights) law by introducing into the proceeding the very local prejudice against which protection is sought.

"The Administration's civil rights bill in providing injunctive relief properly orients the procedure within the historical area of equity jurisdiction of the courts. Jury trial never has been an integral part of equity proceedings ... The contempt powers of equity courts are founded on the funda-

mental sanctity and authority of the court to enforce its own decree, and not on any concept of crime against the state, in which cases the right to jury trial is in-violate ..."

JAMES E. DOMBRONSKI
822 Perdido St., New Orleans 12
(Mr. Dombronski is executive director of the fund.—Ed.)

Jut-Jawed Galahads

To the Editor:

Will Wilson's "jaw jutted forward" (Observer, June 28). Atta babee, Ron-nee! Get Time-style-ized, Scripts-Howard-hued, and clean American boy-ed. Brag on your knowledge of Dick's joint in San Antonio, hold Lynn's hand, run them crap shooters outa Galveston (one of the few liberal bastions in Texas), protect the Gulf Sharks from the girlie girlies, sing hypocritical hosannahs versus the baddie buddies of the Balinese room, let the boys steal the dome and enhance the diaphragm business in the Capital City, whilst you and Rover Boy Rotsch sanitize Treasure Isle and see if I care.

Frankly, you jut-jawed Galahads afflict a lot of your readers with mal-de-mer.

JAMES REMINGTON
Fort Worth

On the News

To the Editor:

That the Dallas News has hit "rock bottom" with its editorial, "D.O.T. Liberalitariat," might be a good thing because this means more people will recognize that the D.O.T. couldn't be all that bad. There is a limit to the Dallasites' gullibility. No doubt the people of Russia have for a long time stopped believing everything they read in Pravda, but then that paper can afford to print unbelievable propaganda. Can the Dallas News afford this?

C. E. FALBO
1208-F Brack. Apts., Austin

Self-Expression

To the Editor:

I feel a deep inner need to express myself concerning the situation developing in world affairs. Garble.

MARK ADAMS
Austin

LEGALS

SHERIFF'S SALE

BY VIRTUE of a certain Order of Sale issued by the Clerk of the 53rd Judicial District Court of Travis County, Texas, on the 2nd day of July, 1957, in a certain Cause No. 106, 060, wherein Lois D. Thrasher, a feme sole is Plaintiff, and Jesus G. Sosa, is Defendant, in favor of the said Plaintiff for the sum of One Thousand Five Hundred Sixty-one and 25/100 (\$1,561.25) . . . Dollars, with interest thereon at the rate of 6 percentum per annum from the 13th day of May 1957, together with all costs of suit, that being the amount of a judgment recovered by the said Lois D. Thrasher, a feme sole, Plaintiff, in the 53rd Judicial District Court of Travis County, against the Defendant Jesus G. Sosa, and for the foreclosure of Vendor's Lien against Defendants, Jesus G. Sosa and wife, Juana Sosa, R. O. Davis Inc., the City of Austin and Associates Investment Company.

I, on the 3rd day of July 1957, at 2:42 o'clock P.M., have levied upon, and will, on the 6th day of August, 1957, that being the first Tuesday in said month, at the Courthouse door in the City of Austin, within legal hours, proceed to sell for cash to the highest bidder, all the right, title and interest of all of the within named Defendants, as the same existed on the 21st day of January, 1952, in and to the following described property levied upon, to-wit:

One acre of land out of that certain 110.57 acre tract of land out of the Santiago del Valle Grant in Travis County, Texas, sold and conveyed to Lois D. Thrasher et al by James H. Maxwell by deed of date December 22, 1945, of record in Vol. 776, Page 527, Deed Records of Travis County, Texas.

The above sale to be made by me to satisfy the above described judgment for \$1,561.25, in favor of Lois D. Thrasher, together with the costs of said suit, and the proceeds applied to the satisfaction thereof.

Travis County, Texas,
T. O. LANG, Sheriff,
By HENRY KLUGE, Deputy
Austin, Texas, July 5, 1957

NOTICE OF SALE THE STATE OF TEXAS, COUNTY OF TRAVIS

By Virtue of an Order of Sale dated and issued pursuant to a judgment decree of the 53rd Judicial District Court of Travis County, Texas, by the Clerk of said Court on said date in a certain suit, No. 105,923, styled Daniel J. Adams, et al and to me directed and delivered as Sheriff of said County, I have on July 1, 1957, at 2:34 p.m. seized, levied upon, and will on the First Tuesday in August, 1957, the same being the 6th day of said month, at the Courthouse door of said County, in the City of Austin between the hours of 10 o'clock A. M. and 4 o'clock P.M. on said day, proceed to sell for cash to the highest bidder all the right, title and interest of the defendants in such suit in and to the following described real estate levied upon as the property of said defendants, the same lying and being situated in the County of Travis and the State of Texas, to-wit: All that certain lot, tract, or parcel of land lying and being situated in the County of Travis, State of Texas described as follows: Lot Four (4) in Block One

Hundred Sixty-nine (169) of the original City of Austin, Texas, according to the map or plat of said City now on file in the General Land Office of the State of Texas, and being the same property conveyed to the heirs of Daniel J. Adams by Alexander Hamilton by Deed dated December 28, 1892, recorded in Volume 106, page 144 of the Deed Records of Travis County, Texas.

or upon the written request of said defendants or their attorney, a sufficient portion thereof to satisfy said judgment, interest, penalties and costs, subject, however, to the right of redemption, of the defendants or any person having an interest therein, to redeem the said property, or their interest, therein, at any time within two years from the date of sale in the manner provided by law, and subject to any other and further rights to which the defendants or anyone interest therein may be entitled, under the provisions of law. Said sale to be made by me to satisfy the judgment rendered in the above styled and numbered cause, together with interest, penalties and costs of suit, and the proceeds of said sale to be applied to the satisfaction thereof, and the remainder, if any, to be applied as the law directs.

DATED at Austin, Texas, this the 3rd day of July, 1957.

T. O. LANG, Sheriff,
Travis County, Texas
By HENRY KLUGE, Deputy.

THE STATE OF TEXAS

TO Ruthie Mae Norris, defendant in the hereinafter styled and numbered cause:

You are hereby commanded to appear before the 126th District Court of Travis County, Texas, to be held at the Courthouse of said County in the City of Austin at or before 10:00 o'clock A.M. of the first Monday after the expiration of forty-two (42) days from the date of issuance hereof; that is to say, at or before 10:00 o'clock A.M. of Monday, the 19th day of August, 1957, and answer the petition of J. W. Norris, Jr., Plaintiff, in Cause No. 107,426, styled "J. W. Norris, Jr., vs. Ruthie Mae Norris" in which J. W. Norris, Jr., is Plaintiff and Ruthie Mae Norris is Defendant, and which petition was filed in said Court on the 3rd day of July, 1957, and the nature of which said suit is as follows: A suit for divorce dissolving the bonds of matrimony between J. W. Norris, Jr., and Ruthie Mae Norris on the grounds of harsh, cruel and unkind treatment toward the Plaintiff, which renders their further living together as husband and wife insupportable. Plaintiff further alleges that no children were born of said union and no community property is to be divided.

If this citation is not served within ninety (90) days after the date of its issuance, it shall be returned unserved.

Witness O. T. Martin, Jr., Clerk of the District Court of Travis County, Texas.

Issued and given under my hand and the seal of said Court at my office in the City of Austin this the 3rd day of July, 1957.

O. T. MARTIN, JR.,
Clerk of the District Court of Travis County, Texas

By GEO. W. BICKLER, Deputy
Issued this the 3rd day of July, 1957.

O. T. MARTIN, JR.,
Clerk of the District Court of Travis County, Texas
By GEO. W. BICKLER, Deputy

THE STATE OF TEXAS

To any Sheriff or any Constable within the State of Texas—

GREETING:
You are hereby commanded to cause to be published, ONCE, not less than ten days before the return day thereof, exclusive of the date of publication, in a newspaper printed in Travis County, Texas, the accompanying citation, of which the herein below following is a true copy—but if there be no newspaper so printed in said county, then that you cause the said citation to be posted for at least TEN days before the return term thereof as required by law).

CITATION BY PUBLICATION THE STATE OF TEXAS

TO all persons interested in the estate of James M. Patton, Deceased.

No. 14,232, County Court, Travis County, Texas. Elizabeth Hall, Administratrix in the above num-

bered and entitled estate, filed on the 11th day of June, 1957, her verified account for final settlement of said estate and requests that said estate be settled and closed, and said applicant be discharged from her trust.

Said application will be heard and acted on by said Court at 10 o'clock A.M. on the first Monday next after the expiration of ten days from date of publication of this citation, the same being the 22nd day of July, 1957, at the County Courthouse in Austin, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting such application should they desire to do so.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates hereof, and make due return as the law directs.

Given under my hand and the seal of said Court at office in Austin, Texas, this the 3rd day of July, A.D., 1957.

EMILIE LIMBERG,
Clerk of the County Court,
Travis County, Texas,
By M. EPHRAIM, Deputy.

THE STATE OF TEXAS COUNTY OF TRAVIS

In the name and by the authority of the State of Texas

Notice is hereby given as follows:

TO: Alberta Dukes and husband, Joe Dukes, Curtis Kilgore, Amanda Kilgore, Pansy E. Kilgore, Alberta Richardson and husband, Frank Richardson, Charlie Stephens, Minnie La Wright and husband, James La Wright, and Tom S. Plummer, who reside in Travis County, Texas and Maggie Harper, and husband, Mr. Harper, whose first name is unknown, who reside in Caldwell County, Texas and Robert J. Hammond, Jr., who reside in McLellan County, Texas, and Mary Leah Hammond Gandy, and husband, Mr. Gandy, whose first name is unknown, who reside in Harris County, Texas, and Roger Hughes, who reside in Tarrant County, Texas, and the unknown owner or owners of the property hereinafter described or any interest therein; the heirs and legal representatives and the unknown heirs and legal representatives of each of the above named and mentioned persons who may be deceased; and the corporate officers, trustees, receivers and stockholders of any of the above named or mentioned parties which may be corporations, defunct or otherwise, together with the successors, heirs and assigns of such corporate officers, trustees, receivers, and stockholders, and any and all persons, including adverse claimants, owning or having or claiming any legal or equitable interest in or lien upon the following described property delinquent to Plaintiff herein, for taxes, to-wit:

All that certain lot, tract, or parcel of land lying and being situated in the County of Travis, State of Texas described as follows: Lot number six (6) in Clough's subdivision, a part of Outlot sixty-one (61) in Division "B", in the City of Austin, Travis County, Texas according to the map or plat of said subdivision recorded in Plat Book 1, page 32, of the Plat Records of Travis County, Texas; and being the same property conveyed to Curtis Kilgore, et ux, Amanda Kilgore by Robert J. Hammond by deed dated September 3, 1914 and recorded in Volume 265, page 246, Deed Records of Travis County, Texas, which said property is delinquent to Plaintiff for taxes in the following amounts: \$221.65, exclusive of interest, penalties and costs, and there is included in this suit in addition to the taxes all said interest, penalties and costs thereon, allowed by law up to and including the day of judgment herein.

You are hereby notified that suit has been brought by the City of Austin, as Plaintiff, against the above named persons, and the State of Texas and the County of Travis and the Austin Independent School District, as Defendants by petition filed on the 22nd day of May, 1957, in a certain suit styled City of Austin vs. Alberta Dukes for collection of the taxes on said property and that suit is now pending in the District Court of Travis County, 53rd Judicial District, and the file number of said suit is 107,141, that the names of all taxing units which assess and collect taxes on the property hereinabove described not made parties to this suit are, NONE.

Plaintiff and all other taxing units who may set up their tax claims seek recovery of delinquent ad valorem taxes on the property hereinabove described, and in addition to the taxes all interest, penalties, and costs allowed by law thereon up to and including the day of judgment herein, and the establishment and foreclosure of liens, if any, securing the payment of same, as provided by law.

All parties to this suit, including Plaintiffs, Defendants, and Intervenor, shall take notice that claims not only for any taxes which were delinquent on said property at the time of this suit was filed but all taxes becoming delinquent thereon at any time thereafter up to the day of judgment, including all interest, penalties, and costs allowed by law thereon, may, upon request therefor, be recovered herein without further citation or notice to any parties herein, and all said parties shall take notice of and plead and answer to all claims and pleadings now on file and which may hereafter be filed in said cause by all other parties herein, and all of those taxing units above named who may intervene herein and set up their respective tax claims against said property.

You are hereby commanded to appear and defend such suit on the first Monday after the expiration of Forty-two (42) days from and after the date of issuance hereof, the same being the 12th day of August A. D., 1957 (which is the return day of such citation), before the Honorable District Court, 53rd Judicial District of Travis County, Texas, to be held at the courthouse thereof, then and there to show cause why judgment shall not be rendered for such taxes, penalties, and interest and costs, and condemning said property and ordering foreclosure of the constitutional and statutory tax liens thereon for taxes due the Plaintiff and the taxing units parties hereto, and those who may intervene herein, together with all interest, penalties and costs allowed by law up to and including the day of judgment herein, and all costs of this suit.

Issued and given under my hand and seal of said court in the City of Austin, Travis County, Texas, this 25th day of June, A.D., 1957.

O. T. MARTIN, JR.,
Clerk of the District Court,
Travis County, Texas
By C. C. Christianson, Deputy

CITATION BY PUBLICATION THE STATE OF TEXAS

TO: Morgan C. Hamilton, Julia H. Smith, Mary H. Mitchell, a widow, Robert A. Smith, also known as R.A. Smith, and the unknown heirs of each of the said Morgan C. Hamilton, Julia H. Smith, Mary H. Mitchell and Robert A. Smith, also known as R. A. Smith, and their heirs and Legal Representatives, and all persons claiming any title whatsoever to the land hereinafter described:

YOU AND EACH OF YOU are hereby commanded to appear before the 98th District Court of Travis County, Texas, at the Courthouse thereof, at or before 10:00 A.M., on the first Monday after the expiration of forty-two days from the date of issuance hereof, the same being the 12th day of August, 1957, in a suit numbered 107,301, on the docket of said court, and styled Ida Ledbetter, et al., vs. Morgan C. Hamilton, et al., wherein Ida Ledbetter, et al are plaintiffs and the persons named above are Defendants, filed in said Court on the 17th day of June, A.D., 1957, and the nature of said suit being Trespas to Try Title to 4.41 acres of land located in Travis County, Texas, known and described as Lot 1, of R. A. Smith's subdivision of Outlot No. 60, Division "B", of the Governments Outlots adjoining the City of Austin, Travis County, Texas, according to a map or plat of said subdivision recorded in Plat Book 1, Page 37, Travis County, Texas, and being the same property which is completely described by metes and bounds in Plaintiff's Original Petition in this numbered and entitled cause, filed herein on June 17, 1957. Which suit is brought by Plaintiffs against Defendants wherein the Plaintiffs are alleged to own and be entitled to the possession of said property by reason of the Statute of Limitation and Plaintiffs seek an adjudication and possession.

If this citation is not served within ninety (90) days after the date of its issuance, it shall be returned unserved.

WITNESS, O. T. Martin, Jr., Clerk of the 98th District Court of Travis County, Texas.

Given under my hand and seal of said Court, in Austin, Travis County, Texas, this the 24th day of June, A.D. 1957.

O. T. MARTIN, JR.,
Clerk of the District Courts,
Travis County, Texas,
By ELI GREER, Deputy.

CITATION BY PUBLICATION THE STATE OF TEXAS

TO Darlene V. Dittmar, defendant, in the hereinafter styled and numbered cause:

You are hereby commanded to appear before the 126th District Court of Travis County, Texas, to be held at the courthouse of said county in the City of Austin, Travis County, Texas, at or before 10 o'clock A.M. of the first Monday after the expiration of 42 days

from the date of issuance hereof; that is to say, at or before, 10 o'clock A. M. of Monday the 5th day of August, 1957, and answer the petition of plaintiff in Cause Number 107,316, in which Robert S. Dittmar is plaintiff and Darlene W. Dittmar is defendant, filed in said court on the 18th day of June, 1957, and the nature of which said suit is as follows:

Being an action and prayer for judgment in favor of Plaintiff and against Defendant for decree of divorce dissolving the bonds of matrimony heretofore and now existing between said parties; plaintiff alleges cruel treatment on the part of the defendant toward plaintiff of such nature as to render their further living together as husband and wife altogether insupportable. Plaintiff alleges that one child was born to this union, to-wit: Robert Martin Dittmar, a boy, 9 months of age, and plaintiff asks for custody of said child.

No community property was accumulated. Plaintiff further prays for cost of suit and relief, general and special; all of which more fully appears from plaintiff's original petition on file in this office, and to which reference is here made.

the 19th day of June, 1957.

If this citation is not served within 90 days after date of its issuance, it shall be returned unserved.

Witness, O. T. Martin Jr., Clerk of the District Courts of Travis County, Texas.

Issued and given under my hand and the seal of said Court at office in the City of Austin, this the 21st day of May, 1957.

O. T. MARTIN, JR.,
Clerk of the District Courts,
Travis County, Texas.
By Geo. W. Bickler, Deputy.
By Eli Greer, Deputy.

THE STATE OF TEXAS County of Bexar

Notice is hereby given that JOE M. DUPRAY and PETER CANTU, partners, doing business under the firm name of SAN ANTONIO REALTY COMPANY, intend to incorporate such firm without a change of firm name thirty five (35) days from this date, the 10th day of June, 1957.

SAN ANTONIO REALTY COMPANY
by

JOE M. DUPRAY
PETER CANTU

CITATION BY PUBLICATION THE STATE OF TEXAS

TO John A. Pickens, Defendant, in the hereinafter styled and numbered cause:

You (and each of you) are hereby commanded to appear before the 126th District Court of Travis County, Texas, to be held at the courthouse of said county in the City of Austin, Travis County, Texas, at or before 10 o'clock A. M. of the first Monday after the expiration of 42 days from the date of issuance hereof; that is to say, at or before, 10 o'clock A. M. of Monday the 29th day of July, 1957, and answer the petition of plaintiff in Cause Number 107,285, in which Thomye L. Pickens is Plaintiff and John A. Pickens is defendant, filed in said Court on the 13th day of June, 1957, and the nature of which said suit is as follows:

Being an action and prayer for judgment in favor of Plaintiff and against Defendant for decree of divorce dissolving the bonds of matrimony heretofore and now existing between said parties; Plaintiff alleges abandonment by defendant of her for a period of more than three years, with the intention on the part of Defendant of making such abandonment permanent.

Plaintiff further alleges that no children were born of said union and no community property was accumulated. Plaintiff further prays for the restoration of her maiden name of Thomye Livingston and for costs of suit and relief, general and special;

All of which more fully appears from plaintiff's original petition on file in this office, and to which reference is here made.

If this citation is not served within 90 days after date of its issuance, it shall be returned unserved.

Witness, O. T. Martin, Jr., Clerk of the District Courts of Travis County, Texas.

Issued and given under my hand and the seal of said Court at office in the City of Austin, this the 14th day of June, 1957.

O. T. MARTIN, JR.,
Clerk of the District Courts,
Travis County, Texas.
By ELI GREER, Deputy.

THE TEXAS OBSERVER
Page 7, July 12, 1957

RENEW

To the Texas Observer
504 W. 24th St., Austin

Name:

Address:

City:

One year, \$4; 2, \$7.50; 3, \$11

Over \$80 Million Insurance in Force



Home Office — 5011 Fannin, Houston

First life insurance company in Texas with \$1,000,000
Capital and Surplus paid in cash prior to writing business

Tax Study 'Supervision'

League's Research
To Be Reviewed

(Continued from Page 1)

"How can local property tax valuations be brought up to internally consistent standards?" it could come up with another set of answers.

The staff will consult with people in business, labor, and other areas of the economy to get facts of all kinds, Burger says. It will study local taxation carefully. Burger cannot conceive of a study of state taxation which overlooks tax policies of the city and the county. No important areas can be excluded; there can be no "roped off areas" the staff is forbidden to enter, he insists.

An advisory committee will probably be set up. There were 15 people on the committee for the state hospitals study, 25 on the highway study committee. They will be used "to try out ideas on; to test conclusions." And Burger adds: "They have quite an influence, because they're practical men."

Up to now the staff has made up the list of advisors themselves with the appointments confirmed informally by the executive committee or its officers.

When the staff gets its conclusions in order, it will review them with the businessmen in positions of authority in the league—in all probability with the board of directors, and certainly with the executive committee.

The league is "not a deliberative body," as Bedichek says. It does not formally accept or reject the staff's reports; they are just issued. But the league does hire and fire the research staff; in the last analysis, the staff are subordinate to the board of directors.

"I don't think there's any doubt that some of our board members differ with our conclusions," McGrew says. "If one man on our board makes a suggestion or says 'that won't hold up,' we welcome that sort of thing."

McGrew says there's not "any one answer" to the tax question. "One man's model is another man's poison." The league will have to "present alternatives ... Some of them will be very specific."

'Supervision'

Thus, in informal consultation with people from private life, and after review with some of the most conservative economic interests in the state, the Texas Research League staff will issue its report on who should pay what additional taxes.

As we reported in the first of these articles, Alvin Burger says, "When the study is done, whatever it says, it's going to be an honest product on the part of our staff."

He says "we will insist on the facts, the whole truth, and nothing but the truth."

There is another clause in that 1953 statement of policy, however, which suggests it may not be so easy for the staff to buck the businessmen if it takes a mind to present some unpalatable "very specific" alternatives.

Says the statement: "The executive committee (of the league) will keep itself and the board (of directors) informed concerning the nature and course of the (research) work and will maintain supervision of the projects."

So not only the league staff, but Texas business and industry in general, will soon be on trial for objectivity and impartiality. The state is pitching to private busi-

WILSON FOR STRONG EXECUTIVE

FORT WORTH

Gov. Price Daniel and Atty. Gen. Will Wilson both spoke to the State Bar convention here. The Governor's message was hardly hot news—he urged lawyers to be more active in civic life—but the Attorney General made a speech of considerable importance for state government.

Sen. Ralph Yarborough visited the convention but did not speak.

Wilson said Texas must have a stronger executive branch; that the governor must have more powers, and the attorney general fewer. Since Wilson is a likely candidate for governor himself in 1958 or 1960, this means he would aspire to be a "strong" governor.

Gas Firms Fight On Ratable Take

AUSTIN

The Supreme Court of Texas will decide whether the Railroad Commission's historic holding that a gas pipeline is a public utility and has to service different gas producers in a field impartially will become a part of the state's oil and gas law.

Permian Basin Pipeline Co. was buying gas from Phillips in the Puckett field when Atlantic moved into the field and argued that Permian, as a common purchaser, had to extend to Atlantic's well and take its gas on a ratable basis. The commission held for Atlantic. A district court held for Permian on the grounds the pipeline was a private facility, not a public utility, but an appeals court overruled the district court.

In a friend of the court brief, the Texas Independent Producers and Royalty Owners' Assn. maintains that the Supreme Court should uphold the order as a "basic safeguard against monopolistic practices of purchasing pipeline companies."

Reviewing the role of "the traditional, fighting attorney general" in Texas history, Wilson spoke appreciatively of Jim Hogg's tenure in that office in which he helped develop the concept of the office as a policeman of corporations, especially, in that time, the railroads. Wilson also remarked that as governor "Hogg, like most strong executives, began to centralize the government of Texas."

Wilson's theme was this: "that if state government is to survive the continuing onslaught of the federal government, it must strengthen the office of chief executive." A principal handicap in resisting federal "encroachment," he said, is "the split, often weak, and plural executive department." This was "inherited from the period of Jacksonian democracy" which spawned a distrust of the executive branch.

"The non-legal administrative duties imposed upon the attorney general should be concentrated in the governor's office, either directly or through his appointments," Wilson said. He will ask the next regular session of the legislature to remove him as a member of the state Banking Board and to replace him with a governor's appointee.

"Over a period of time," he said, "I shall ask to be relieved from all administrative duties which are statutory in origin. Eventually the attorney general should be relieved from serving on all administrative boards." (At various times the attorney general has been a member of 45 boards, he said.) "The attorney general should do the state's legal work—all of it—and he should be divorced from non-legal administrative duties."

Daniel commended the State Bar, an official agency of the judiciary department of Texas, and the second largest state organization of lawyers (California is first). But he said lawyers have been dropping out of "community leadership and public affairs" in

favor of their profession and their clients, "abandoning" public affairs to businessmen, teachers, farmers and ranchers, bankers, doctors, and labor leaders.

"When so many lawyers have abandoned the arena of public affairs," he said, it is no mere coincidence that our country faces its greatest threat from a materialistic philosophy which exalts the state rather than the individual, extols security in place of liberty, and is guided by expediency rather than principle."

Daniel reviewed achievements of the last legislature in these words:

"We have increased the salaries of our judges, school teachers, college professors, and other public servants. We have made every effort to restore honesty and integrity in the halls of government and to punish those who violate public trust. A new State Board of Insurance and a new Securities Commission have been established. A study for revision of the Constitution has been commenced and we hope that the groundwork has been laid for better law enforcement and a traffic safety program which will reduce the human slaughter on our streets and highways."

Other items from the convention:

Leon Jaworski, a Houston lawyer, said provisos in union contracts that workers be given time off for jury service, with employers paying the difference between juror's pay and the worker's wage, must be curbed or pro-worker jury verdicts will become the rule.

Dallas City Attorney Henry Kucera said about 40 Texas cities are interested in slum clearance under the state-federal program approved by the legislature last session.

Associate Justice Frank Culver Jr. of the Texas Supreme Court called for fewer jury exemptions.

Herbert Brucker, editor of the Hartford, Conn., Courant, urged

more courtroom privileges for photographers and got into a long distance snarl with David Lawrence of U.S. News and World Report over the Supreme Court's recent decisions.

'Organized Bar'

(Continued from page 1)

vision or an existing statute in a new way."

To this resolution rose George Eddy of Houston. Recent decisions of the court, he said, "reaffirm the Constitution and the Bill of Rights as the supreme law of this land." (Some of the delegates responded with applause.) Such decisions should not, he said, "induce hysteria." Those "yapping at the court" ought to sponsor an amendment "repealing the Bill of Rights." "A wholesale adoption of this and similar resolutions will lead directly down the road to totalitarianism," he said.

Palmer Hutcheson, father of Thad Hutcheson, said it isn't in the province of the Bar association to tell the courts "that stare decisis becomes a part of the Constitution." He said "trial and error can and must occur." He proposed instead a substitute resolution acknowledging the Supreme Court as "the head of the entire federal judicial department" and opposing "contemptuous" campaigns against it. The substitute was not considered (two-thirds were required). District Judge Temple Shell of Wichita Falls defended the main resolution. "I have been trained in the law to follow stare decisis," he said. He preferred to follow "the legal experience of the ages."

"I'm proud of my Texas heritage," said the speaker. "I love state rights. If we're going to have any states' rights, we must do something about them. This is just a start."

The resolution was adopted by a show of hands which indicated a vote of about three to one. R.D.

Review of the Week in Texas

● The state Democratic executive committee, fighting "numbers with numbers," has appointed a number of advisers in such policy areas as labor, veterans, law, rural life, women's work.

● The Golfcrest Country Club of Houston has saved itself \$17,054—by agreeing to remain, for 20 years, the Golfcrest Country Club. The club's representatives showed up at a Houston City Council meeting to protest a paving assessment of \$14.60 per front foot for about a mile of paving along its property. Council members then offered the club an assessment of \$8 per front foot—the Houston residential rate—if the club would stay a club for 20 years. Total cost, at \$14.60 would be \$33,302. Total cost at the residential rate: \$18,248.

● Galveston's Fertitta brothers, Tony and Vic, say they'll trade Texas and gambling for Louisiana and the contracting business. Proprietors of several now-paddocked Island and Mainland "clubs," including the Balinese room and plush Cedar Oaks, near Dickinson, they will join a third brother, R. J. (Fatty) Fertitta, at Leesville, La. The "for sale" sign is up on their Galveston properties, except for the Balinese Room.

ness a part of its most controversial responsibility to the people, and before it is over, the businessmen may be wishing they'd pitched it right back.

(End of series)

● Lufkin is completing construction of two new elementary school buildings for Negro children. Total cost: \$132,000. Capacity: 720 youngsters. The buildings will be dedicated Sept. 1.

● Houston voters go to the polls July 27 to say whether Houston Power and Lighting Co. should have a 50-year franchise to furnish the city with power. Already okayed in principle by the mayor and city council, the franchise must have popular approval because of its length.

● Brown and Root, Inc., has been hired by Houston's City Council to survey and recommend development of new municipal water sources. Acceptance of this consulting role by B&R—worth about \$700,000—means it cannot bid on a far bigger dam-reservoir construction job. Mayor Oscar Holcombe says B&R took the smaller job because of its "vital interest in solving our water problem."

● Now-broke, now-flush Glenn McCarthy is back in the latter category. A cleaner found \$65,000 in endorsed negotiable checks in a McCarthy pants pocket. The cleaner reported McCarthy undisturbed by the temporary loss.

● A federal grand jury at Pittsburgh, Pa., has indicted H. Houghton Phillips and a Pennsylvanian in the theft of Gulf Oil Corp. exploration maps valued at \$24 million.

● A Tarrant County grand jury has begun an investigation of the collapse of a Negro bank—Fort Worth's Fraternal Bank and Trust Co. Reportedly the bank is shy between \$400,000 and \$800,000.

● San Antonio Express reporter-photographer Ken Kenna and Bandera JP Simon Triggs tangled when the newsman, in Triggs' court to cover trial of a San Antonian on a charge of "intent to consume beer," took a picture with the court in recess. Triggs confiscated the exposed film.

● Diane Fearis, 22, of San Antonio, killed herself at Austin with a .22 caliber rifle a few minutes after her fiancé, University of Texas student Dick Vaughan, Jr., was buried. Vaughan died in the wreck of his sports car on a mountain road.

● Ascension Tarelo, secretary of the Mexican Federation of Labor (CTM), Juarez, said he and 19 other CTM leaders have had their border-crossing cards cancelled by U. S. Immigration Service agents. Tarelo's union claims Immigration Service agents pay \$10 a head to informers denouncing Juarez and El Paso residents as subversives.

● Members of the Houston Labor and Trades Council protested to city officials that a city fire trucks had been used to try to beat down a strike of workers at the North Side Ready Mix

Concrete Company. Union officials charged that a fire department pumper roared through a picket line and firemen spent three hours trying to dislodge some concrete, which had set in one of the firm's mixer trucks.

PR FIRM LOSES PARTNER TWO

AUSTIN

Syers-Pickle and Winn, the advertising - publicity firm which produced the "Port Arthur Story" for Allan Shivers in his 1954 gubernatorial campaign, has lost a second of its three founders and original partners.

Jake Pickle, now publicity man for the state Democratic executive committee, left S-P & W at the opening of the 1956 gubernatorial campaign to work for Gov. Price Daniel.

S-P&W art director Windy Winn left the agency this week. He has opened his own advertising art agency in downtown Austin.

Bonner McLane, a junior partner in the agency, told the Observer S-P&W had dropped all its advertising business and henceforth would concentrate on the "public relations business."