

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

—Thoreau

The Texas Observer

An Independent General Weekly Newspaper

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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THE SENATE RACE — II

Yarborough In It

AUSTIN

"Roosevelt told Maury Maverick Senior one time that a man wasn't worth a damn if he hadn't been kicked around some by life and fate and never lost anything in life—that these fellas that were raised on a silver spoon and never lost anything aren't worth the powder and shot to kill 'em."

Ralph Yarborough talking. "Maury told me that after the '52 campaign. He said not to be discouraged—that was just training."

Yarborough wasn't discouraged, and today, after two more defeats, the last one so close he could feel the warm breath of destiny on his

Ronnie Dugger

brow, he is ready for a try for the U. S. Senate.

"Pay your poll tax before the deadline—Jan. 31, 1957," his announcement said. "Without a poll tax, you cannot vote." Not exactly soaring theory, that, but Ralph Yarborough has always talked right at the people he wants to vote for him. "I write my platform from what the people want, if I agree with it," he said.

He is a Democrat of the old school—he is one of those he calls "the old trueblue real staunch Democrats." When in doubt on an issue in an Observer interview, he opened up the Democratic platform and studied it, as much as to say, "I can't do much better than this."

When he was asked whether he would stand with the Democrats for 135,000 new public housing starts a year or side with the Eisenhower program of 35,000 starts, he said:

"In any conflict between the Democrats and Republicans, my general policy will be to follow

Democratic policies. Not slavishly or without criticism, but I generally find myself in agreement with the Democratic Party and the theory that government ought to serve the people instead of the Republican theory of more profits for big business regardless of the welfare of the people as a whole."

HE ANNOUNCED for the Senate Friday, he said, because "a lot of people told me in East Texas I must announce before the first to get Democratic poll taxes paid, that there's not any Democrat in the race who's been out fighting for the Democratic Party, and if I didn't get in they were not gonna pay their poll taxes. They told me that in so many counties, the old trueblue real staunch Democrats are not interested unless somebody runs who's been out fighting for the Democratic Party."

James Hart and Congressman-at-Large Martin Dies are also candidates for the vacancy, as are State Sen. Searcy Bracewell, a Democrat who supported Eisenhower in 1952 and 1956, and Thad Hutcheson, a Republican. Yarborough led them all in the latest Belden Poll with 36 percent to 33 percent for Dies.

Yarborough last summer made about 30 speeches for the Democratic ticket in the Panhandle, South Plains, and North and Central Texas. He made one TV talk in Austin and two statewide radio talks.

He is still \$23,750 in debt from his last campaign. He is trying to practice some law before he plunges into his fourth major race in five years. In 1952, after his first try for the governor's chair, he paid off \$25,700. "That was out of my earnings, and it wasn't deductible, so I had to go out and earn income tax on that, too."

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BLAKLEY SUCCEEDS DANIEL

AUSTIN

William A. Blakley, 58, a Dallas millionaire whose public relations aide is better known in political circles than he is, took office as Senator from Texas succeeding Governor Price Daniel.

The slender, graying Blakley was appointed by Governor Allan Shivers just two hours before Daniel took the oath of office. An Eisenhower Democrat, he said as he arrived in Washington: "I am a Democrat. No question that I'm going to stay with the Democrats in organizing the Senate." He will not enter the special election set for April 2 by Daniel.

Shivers kept reporters waiting 13 minutes—until 10:13 of the last morning he was in office—for his announcement. James P. Hart, one of the announced candidates for the special election, and his public relations aide, Bo Byers, waited for the announcement in front of the Governor's reception room, but had no comment when it was released.

BLAKLEY'S publicity assistant, James H. Blundell, Dallas, is better known to the public than his boss. Blundell worked closely with Senator Lyndon Johnson

and Gov. Shivers in former years and was active in Daniel's campaign for governor last summer. Blundell was named state Democratic chairman at the Fort Worth convention, but later resigned, giving personal reasons. He will be Blakley's assistant in Washington.

The new senator, owner of a 165,000-acre ranch in West Texas and an 85,000-acre ranch in New Mexico, largest single stockholder in Braniff International Airways, owner of two insurance companies and substantial Dallas real estate, and an oil and gas producer, was put right to work by Johnson. The Senate leader indicated Blakley would be named to the interstate and foreign commerce committee, which handles airways, and the government operations committee.

A certified public accountant and lawyer, Blakley said his fortune grew "pretty gradual. I just sort of worked at it. I practiced law and people paid me and I kept a little of it and worked at it some more. A lot of things in this country have developed since

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JOE POOL

'He'd Look Silly If —'

Tempest Brews Over Pool's Bill

AUSTIN

One of this legislature's most unruly fights will turn on quite an unexpected question—whether the custom of high-man-wins special elections should be changed for the Senate race this spring.

Friendly, full-faced Rep. Joe Pool of Dallas, whose excited rhetoric at the House mike has knocked many a House member off balance, has introduced a bill he wants to apply to the Senate race to provide for a runoff between the two strongest-finishing candidates if no one gets a majority in the first go-round.

Pool told the Observer:

"The theory is that I believe that a majority of the people of Texas should elect their representatives to Congress in a special election. It's a cinch to pass after the Senate election; the only argument is whether it ought to apply to this election."

One source of opposition to the bill is those who think it will cost too much. Pool concedes it would cost the counties, which have to finance the elections, \$250,000 in the Senate election alone.

The proposal pays no attention to party lines and has drawn fire from Thad Hutcheson, the GOP candidate in the race, as a plot to defeat him. Another line of thought is that the bill is aimed directly at Ralph Yarborough.

Yarborough pulled 450,000 votes last July against five other gubernatorial candidates; then he received 695,000 votes in the runoff with Price Daniel, missing victory by about 3,500 votes. Some observers believe Yarborough would be the leader in a high-man-wins race but would have a tougher go in a majority-wins runoff.

Rep. Howard Green, Ft. Worth, voices this point. "The bill is to give the Republicans two shots at Yarborough," he said. "I don't think any law should be passed just to discriminate against one man. This is an anti-Yarborough bill."

Pool replied: "He (Yarborough) sure would look silly opposing my bill if he ran second in the first election." He said he has support for his bill "from both sides of the fence—some liberals and a lot of conservatives."

New Tax Issue Grips Session

Daniel Lays Out Spending Program; Lobby Frets; Sanders Quits Speaker's Race—Carr Talk Renews

AUSTIN

It is now almost a foregone conclusion that Governor Price Daniel will ask the legislature Thursday he said he would do so if the cost of his recommendations made it necessary, and few who heard him pace through his surprising spending program doubted that they would.

Speaking in a confident voice that contrasted with his more personal, emotional delivery at his inauguration two days before, the new Governor proposed the state raise the salaries of public school teachers, college and university faculty members, state employees, legislators and judges and grant a \$2-a-month old age pension increase. And he opened up the question of matching federal funds of almost \$10 million for medical expenses for pensioners, the needy blind, and dependent children.

Perhaps the most significant immediate reaction came, not from the members, but from the lobby with whom they will have to cope. James Taylor, truckers' lobbyist, said he thought the program "would please the people of Texas," but he added:

"I was up in the gallery, and a couple of fellas in front of me were sittin' there during his speech, addin' it up."

The more conservative members reserved judgment about new taxes but generally lauded Daniel's program as constructive and well conceived. Liberals were pleased with many of his recommendations, but not with all of them.

Sen. Preston Smith, Lubbock,

said it was "a good talk" but that to carry out his purposes would cost "several billion dollars." Sen. William Fly, Victoria, chairman of the Senate finance committee, said it was good Daniel indicated "he wanted to keep the expenses within what we have."

Sen. Doyle Willis, Fort Worth, called it "a good message from a good governor." Sen. A. M. Aikin, Paris, said "the revenue in sight thus far wouldn't take care of the things mentioned this morning." Sen. Frank Owen III, El Paso, said "I was happy to see he's an advocate of quite a bit of improvement."

Rep. Alonzo Jamison, Jr., Denton, thought it "a good speech," wondered if Daniel was hinting at "some kind of business tax." Rep. Max Smith, San Marcos, chairman of the House appropriations committee, said he doesn't know whether the money will be available to carry out all Daniel wants, "but I admire his stand that he says he will recommend taxes if necessary."

"But on the floor the boys have been very reluctant to go into new taxes," Smith added.

Rep. Zeke Zbranek, Hull-Daisetta, said: "I supported most of those measures last time but they called me a liberal for doing it."

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LATIN SEGREGATION IS CURBED BY ALLRED

AUSTIN

Segregation of Latin-American students in separate classes in the early school grades has been sharply and specifically limited by a federal court order.

Separate schools for Latins went by the board five or six years ago, and the custom of having separate classes for Latins and Anglos in the same school took root in its stead in many South and Southwest Texas schools.

However, in an important test case, parents of Mexican-name students at Driscoll school outside of Corpus Christi brought a federal suit against the practice there of segregating Latins in the first and second grades and requiring most of them to spend three years in the first grade.

After the suit was filed, the school started letting the Latins leave the first grade after two years. Language tests were given beginner Latin children as they entered the first grade for the first time, but they were not tested again during the three or

four years of their segregated education.

Last week Federal Judge James Allred ruled that this was unreasonably discriminatory—that it is all right to segregate first-grade Latin pupils, but that it must proceed strictly on the basis of merit, "must not be based upon racial extraction but upon individual ability" in English, and must be determined in good faith "by scientific tests recognized in the field of education."

The defendant schools denied any discrimination and said the segregation was necessary for educational reasons and enforced in good faith to that end.

Allred noted that about seven out of ten students at Driscoll are Latin. With one exception, none were able to speak or understand English when they were enrolled; Spanish only was prevalent in the home.

"There is no dispute that this represents a serious teaching problem," Allred said. While he said he was "impressed" by the testimony of Dr. George I. San-

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A Good Program

Are states' rights real or imaginary? Will the states really pass the taxes necessary to protect and advance the public good, or do the states' righters merely use the states as lineblockers for reaction?

"If we have more exercise of states' responsibilities," Governor Daniel said at his inauguration, "we will not have so much worry about loss of our states' rights." He is right. There is no necessary reason why federal action is preferable to state action. The point is simply that the states do little or nothing while the national government acts for the people.

Now we will see in Texas.

In his policy address to the legislature—a speech at once bold and forward-striding—Governor Daniel asked the legislators to adopt a constructive spending program and told them he is ready to fight for a tax bill if it is needed.

The lobbyists sat in the gallery figuring up the costs; few doubt new taxes will have to be raised. We are eager to learn whether Daniel will want to tax the average man or the massive interests who are profiting handsomely from the resources and labor of the state. For the meantime, we assert that he acquitted himself worthily in the books of the future when he rose Thursday to lay out his ideas.

For first he said we must rein in for good the relatively few miscreants who have so spectacularly discredited the state government. He wants a lobby registration law, a code of conduct for state officials, a law requiring state legislators who represent others before state agencies to register when they are doing so, a commission to investigate official misconduct.

He asked the legislature to double the water projects revolving fund to \$200 million—still just two drops in the bucket of the state's needs, but another step in the right direction. Perhaps, someday, somebody will mention in the legislative halls the Bureau of Reclamation-Lyndon Johnson plan for state-federal cooperation in this critical area.

He spoke out eloquently for the needs of injured workmen for more adequate compensation benefits, reporting Texas a shameful fiftieth among the states and territories in this area. While he was vague about industrial safety, he certainly left the way open for the legislature to adopt a strong industrial safety law to help both workers and industry.

He stood fast for teachers' salar-

ies; broke new ground by asking for faculty salary increases in the colleges and universities; opened up the subject of state-federal matching funds for medical expenses of pensioners, needy blind, and dependent children. He took his stand for better parole supervision for adults and juveniles.

WHAT HE SAID on integration is in doubt. He is, he said, "still" opposed to "forced integration." He thinks a majority of the people in "most" of the school districts oppose integration and should have the right "to make local determinations as to how this problem shall be handled," which the state will back up by "every legal means." But what does "how this problem shall be handled" mean? Does it imply that school districts have to get used to the idea that all they can do is adapt to the law, one way or the other, but adapt to it, nevertheless?

Governor Daniel recalled for the legislators that he took the floor of the U. S. Senate the day after the Supreme Court decision and defended separate but equal schools. But he also said in that May 18, 1954, speech:

"No matter how much some of us may disagree . . . we must look to the future with patience, wisdom, and sound judgment to live under the law, as it has now been written and at the same time preserve our public school systems and maintain peace, order, and harmony. My efforts shall be in this direction."

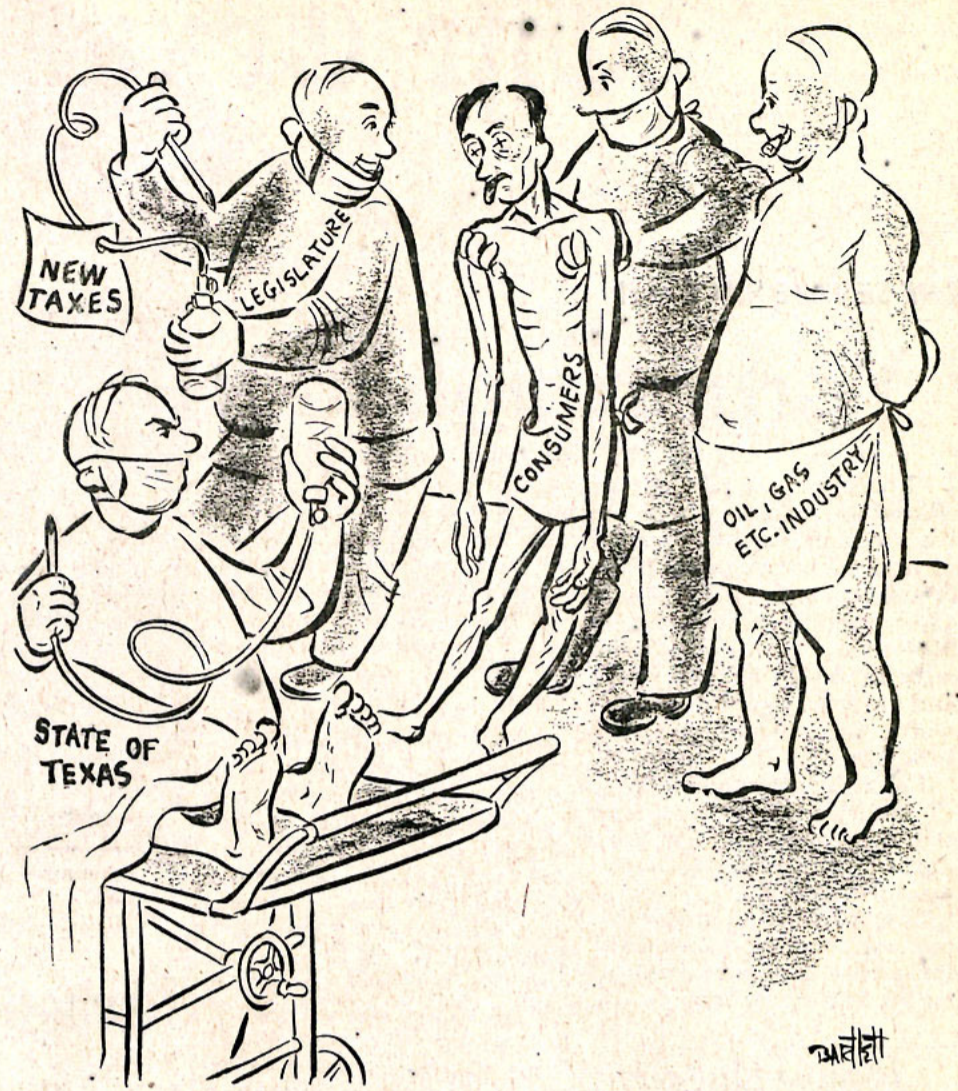
We hope that still goes—that Price Daniel agrees, not with the few extremists in the House, but with the unanimous judgment of the nine Texas Supreme Court justices that the desegregation decision is the law of the land.

WE REGRET several very important skip-overs and omissions in the speech. It is not enough to say loan companies need to be regulated: the ruthless Texas loan sharks must be registered and limited to a 30 or 36 percent total annual charge, and we hope Governor Daniel will take occasion to say so in time to affect the legislature.

The governor could give an assist to the hundreds of thousands of poor and hapless families living in the rat-infested, bathless, toiletless dumps in the slum areas in all our major cities merely by advocating legislative permission for the cities to enter into contracts for federal urban renewal if they want to.

Unemployment benefits, like

'Was That a Gasp? . . . Or Did He Just Volunteer?'



Bartlett Appears Exclusively in the Texas Observer

.... With Some Omissions

workmen's comp, are disgracefully low.

The continuation of monopoly premium rates in the \$400-million-a-year Texas casualty insurance business—rates set, maintained, and enforced by the State of Texas itself—is a gross offense against business competition and a burden on hundreds of thousands of Texas policyholders. Apparently the Governor either does not think this is a serious problem, or he is not ready to slug toe-to-toe with the insurance industry for the public interest.

Another monopoly getting away with mayhem on the consumers' pocketbook is the telephone industry. Texas is one of only two states in the union which do not regulate

long-distance rates within their borders. The way the phone company gigs a man more for calling a fellow Texan than he does for calling some non-Texan further away in a neighboring state is downright "un-Texan," as Beauford Jester would have said. (Provincialism does have its uses.)

A \$2-a-month raise must seem dismal to the needy aged of the state. You can't buy much lodging or clothing or food for that; the state really ought to construct decent homes for the aged. But if Texans will match the \$10 million available from the national government to meet medical expenses of the aged, the needy blind, and dependent children, it will be some improvement for these now neglected citizens.

The whole area of the education of migrant children ought to be opened up for study, for nowhere are more poignant human values at stake. Parents who can't afford to clothe or feed their children well put off enrolling them until they are seven, because the law, strangely, does not require enrollment at six; aid to dependent children stops at 14, but the leaving-school age is 16, so for two years underprivileged children are under unfair pressures to leave school. The legislature has as great a duty to care for the state's 1,300,000 Latinos as it does to advance industry and trade.

Mr. Blakley

It seems likely to us that Price Daniel and Allan Shivers agreed on the appointment of Mr. Blakley to the Senate seat for the interim. Otherwise Shivers would have appointed a man who would vote with the Republicans, or Daniel would have been sworn in at midnight and made his own appointment—or would simply have made an appointment of his own on the grounds that he had not resigned the Senate until he became governor, thus retaining the right to appoint his own successor.

But the more pertinent question is why Mr. Blakley was appointed. Apparently his main qualification is that he is a millionaire. He has never taken much part in public life, and surely nobody could possibly think of him as "the people's choice." Nor did it reflect much credit on the Democrats' frequently-aided indignation about "conflicts of interest" in the Republican administration when Lyndon Johnson appointed Senator Blakley, the biggest stockholder in Braniff Airlines to the Senate committee which handles airline matters.

But we will wait and see.

BUT PRICE DANIEL cannot say everything at once, and every man has his own ideas about what is most urgent. Last Thursday the new Governor showed that he is ready to fight for constructive advances. If, now, he will come forward with a new tax plan based on the democratic principle of ability to pay—a plan like the graduated corporate income tax, which would come out of the federal treasury in large part—then he will be bidding for the stars of state history. made his own appointment—or

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Ronnie Dugger, Editor and General Manager
Bob Bray, Associate Editor
Sarah Payne, Office Manager

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EDITORIAL AND BUSINESS OFFICE: 504 West 24th St., Austin, Texas.

P.O. Box 2246, Capitol Station, Austin, Texas
ADVERTISING REPRESENTATIVE
SJA Associates

Staff correspondents: Ramon Garces, Laredo; Clyde Johnson, Corsicana; Mike Mistovich, Bryan; Jules Loh, Central Texas; Jack Morgan, Port Arthur; Dan Strawn, Kenedy; Al Helken, Houston; and reporters in San Antonio, Dallas, El Paso, and Big Spring.

Staff contributors: Franklin Jones, Marshall; Minnie Fisher Cunningham, New Waverly; Robert G. Spivak, Washington, D.C.; John Igo, San Antonio; Edwin Sue Goree, Burnet; Drew Pearson, Washington, D.C.; and others.

Staff cartoonist: Don Bartlett, Austin. Cartoonists: Bob Eckhardt, Houston; Etta Hulme, Houston.

Ma Bell's Self Control

AUSTIN

Shed a tear for the poor old Bell Telephone system. Everybody knows they are so hard up they are having to kick prices to a dime for coinbox telephone calls and post rate raises in virtually every Texas city where they think there's a chance of fattening the take.

Just to show how tough things are at the phone company, consider the financial statement they recently released. They netted \$763,877,472 last year, only \$100,000,000 more than in 1955. Stock earnings were \$13.13 per

share, a twelve-cent per share increase over 1955.

Unfortunately we did not find any breakdown of how much of this profit was made in Texas, although we feel reasonably sure that Texans paid their share, and then some. This is only logical when one considers that Texas is one of the two states in the union which have not set up any kind of regulatory body with jurisdiction over long distance telephone calls within their states.

The disparity in long distance telephone rates for calls within Texas and calls going outside the state is as plain as the rate chart in your telephone

book. In fact, the disparity is shown right there. From Austin, you can call Texarkana, Texas, for \$1, but you can make a slightly longer distance call to Texarkana, Ark., for only 75 cents. The rate on the call to Texarkana, Ark., is regulated by the Federal Communications Commission, while the rate on the call inside the state to Texarkana, Texas, is unregulated—merely set by the officials of Southwestern Bell Telephone Company.

DESPITE some admitted rate disparities, Southwestern Bell officials say rates in Texas are "in line" with charges for similar calls in other states. One explained: "Our rates are fairly reasonable. What we really try to do is stay average." He showed the Observer statistics indicating that rates in Texas were on par with 13 other states, lower than rates in 15 other states, and higher than those in 17 states. He added that a legislative committee had studied the rate disparity matter a few years ago and found "there isn't a hell of a lot you can do about it. It's just the nature of the beast."

Bell officials may know what they are talking about, but in the interests of the people of Texas the legislature ought to take another look at "the beast," his nature, and his bank account. Like any other business enterprise, the phone company is principally interested in making money. Unlike most other business enterprise, it is a public utility—a legal monopoly. For the legislature to allow a monopoly to set a major portion of its rates without governmental control is like a farmer opening the door to his granary and telling his hogs to eat only enough to stay in good health.

So far only one bill pertaining to phone rate regulation has been filed, and it is aimed at controlling rates for rural phone users rather than long distance calls. Introduced by Rep. Jack Welch, Marlin, the bill would give a new division of the State Railroad Commission authority to regulate charges made to customers in unincorporated towns and on rural lines.

Welch said the need for such regulation was brought to his attention in Chilton, Texas, where one company bought out another, made improvement in the service, and "made a large rate increase . . . Some customers woke up to find their rate had been

Town and Country

'BRINKSIDE'

NEW WAVERLY

We have a new word in the American vocabulary, coined by one of my favorite Washington newscasters especially to fit John Foster Dulles. Mr. Dulles is speaking in behalf of President Eisenhower's request for a blank check for World War III. The reporter fears that Mr. Dulles is again at the "brinkside" of war. Good word. So comprehensive.

Shall we proceed to discuss Professor Eisenhower's desire to play with the matches after he solemnly promised to end war in Korea, not to start a new one, and to create a wonderful prosperity without needing military materiel purchases in vast quantities. That's a long sentence, but from it, gentle reader, you may deduce that I am not for handing the little boy the match box. He is fully equipped already with a lighter adequate to all his actual needs. Also, you may wish to observe that I am at the brinkside of a mental disturbance.

(Educators say if you use a new word in three different sentences it becomes a part of your vocabulary. The Dulles sentence is one; the disturbance sentence is two; I'll manage a third before I sign my initials).

On January 6, the Houston Post Washington Staff and a headline writer launched a false and unprecedented attack on Texas's duly elected national committeewoman. Is it not fair to assume that so serious a movement could not have been undertaken without the approval of the top brass in the Post's management? I have not talked with Mrs. Randolph, but I have heard from a lot of other people, and we all hope she is on the brinkside of doing something about it. (There.)

M. F. C.

doubled. I was amazed there was no control over such things," he said.

APPARENTLY Ma Bell doesn't need to worry about Welch's bill, since it would be applicable to only a small part of the system's business, if any. However, Bell officials will probably fight the proposal on grounds that any state controls on phone rates would set a dangerous precedent as far as they are concerned.

BOB BRAY

The Listening Post

.... Only one lobbyist participated in the grand march at the principal inauguration shindig. He was Ed Clark, who was chairman of the reception committee for the inauguration.

.... Dr. Sam Hoerster, superintendent of the Austin State Hospital, hasn't fined any of his employees for tardiness or parking in restricted areas since the Observer revealed many of them were extremely angry about it (Observer, Dec. 26, 1956).

.... When the question of state taxes that are being paid by various counties came up at a Texas Water Resources Committee hearing, Senator George Parkhouse of Dallas observed regretfully that beer taxes were going to fall off because portions of his county had voted dry in local option elections.

.... A book entitled, "Oil and Turmoil," written by Modern Lazarus, director of the labor press service of Canada, should hold interest for a number of Texans. For example, it describes how the oil cartel companies and also such "newly-rich U. S. oil millionaires" as Clint Murchison, H. L. Hunt, H. R. Cullen, et al, are reaching into Canada. It explains how "cheap oil from foreign companies is sold in the U. S., England, Europe and elsewhere at prices based on the price of high-cost Texas oil. This price-fixing system assures the cartel companies of enormous profits, without any price competition."

.... The Houston Informer says, "Hounding Mrs. Frankie Randolph is a fair way to describe the scheme now of leaders of the Texas Regular Democratic party to force her off the National Democratic Executive Committee, or to isolate her: . . . Few expect Mrs. Randolph to knuckle under to the Regulars by giving up the relationship with the liberals . . ."

.... "Facts," the Better Business Bureau information bulletin published at Corpus Christi, reports that the Armed Forces Disciplinary Control Board for the San Antonio-Corpus Christi area has placed San Antonio Chevrolet dealer Mike Persia off limits to military personnel. "According to the minutes of board's December meeting, the auto dealer, in transactions with service personnel, was guilty of many unethical business practices.

"Among other things, it was brought to light that the company was selling used and repossessed cars as demonstrators and even as new cars. To create this subterfuge the company obtained replacement license plates in order to conceal previous registration, obtained financing by describing cattle mortgage property as 'new cars' which they were not, and turned back speedometers to conceal true mileage," it was reported.

.... Investigators in Houston are trying to figure out what can be done to protect the property rights of people who bought homes in several new subdivisions. It has been determined that "surveys" upon which some new subdivision lots and homes were sold were so inaccurate that purchasers ended up living in homes located on

another owner's property. In one case surveys or home construction layouts were so far in error seven houses were built on a block that was only legally divided into six lots.

.... When word spread on the House floor that a man named William Blakley had been appointed U. S. Senator from Texas, Rep. Bob Mullen of Alice asked: "Whozzat you say? Bleakley?"

.... There was a real feeling of satisfaction among some of Daniel's staff people after his speech. One of them said in jest: "Now we'll see if the money-bags mean it" (about states' rights). A legislator, who doesn't want his name used, had told him: "That was the most liberal conservative speech I ever heard."

.... About ten liberal legislators gathered Monday night before the inauguration in an informal get-together, but the session has not yet taken on any recognizable ideological form.

.... Phil North of the Fort Worth Star-Telegram and several others took a suite for the inaugural celebrations, and friends leaving it were given buttons reading: "Vote of Jim Hogg." Daniel and his party, including Billy Graham, used the suite briefly before the prayer breakfast Tuesday morning, and it is reported North welcomed them in his bathrobe.

.... Byron Skelton, the Democratic national committeeman, was sitting on the House floor during Daniel's inauguration.

Johnson Flubs on Seniority

WASHINGTON

"Crime and Punishment—When I was a youngster and studied civics, I was told that "seniority" was the most sacred tradition in Congress. If a man could just stay around long enough, he would automatically be elevated to the most powerful committees and might even one day become a committee chairman.

If it turned out that he was a demagogue, or came from some one-party state, well, that was just too bad. The "system" had to be preserved.

Seniority was one thing no political leader would dare tamper with, if he expected to retain the loyalty of his fellow-politicians. Or, so we were taught.

Now Lyndon Johnson, the Senate Democratic leader, has flouted that tradition. He did it in the case of Sen. Estes Kefauver of Tennessee. Involved was a highly desirable seat on the Senate Foreign Relations committee. Kefauver had four years seniority over Sen. John Kennedy of Massachusetts. But Johnson handpicked Kennedy for the honor.

Kefauver, of course, has been guilty of some heinous "crimes" in the eyes of Johnson and others who don't like all this talk about the "New South." What were these "crimes"?

Well, Kefauver broke with his Dixie colleagues to vote in favor of curbing the filibuster. He exposed the Dixon-Yates contract, despite some

close ties between certain Democrats and the giant utility companies. He even dared to run for vice president, when everyone could see that Johnson had his heart set on running. What's worse than all this Kefauver does not regard Johnson as all-wise in his capacity as Senate leader.

For all these things, Johnson chose to "punish" Kefauver. Now some observers wonder if the supposedly shrewd Johnson, in his pique, really wasn't inflicting a graver injury upon himself than upon Kefauver. By ignoring seniority precedents he may have opened a "Pandora's box."

Civil rights advocates will find it hard ever to accept Johnson's explanation now that he had to redesignate Sen. Eastland of Mississippi as chairman of the Senate Judiciary Committee on the grounds of seniority

Bringing the New Deal Up to Date—The biggest problem for the Democrats is to modernize and streamline the ideas which brought the New Deal into existence. The biggest stumbling block to any such attempt is the continuance of the brand of political "leadership" supplied in the Senate by Lyndon Johnson of Texas and to a lesser extent, aging House Speaker Sam Rayburn.

If it can be said that the recent surveys show a paucity of new ideas among the "liberals," then a similar survey is likely to show that Messrs. Johnson, Byrd of Virginia, and Eastland of Mississippi probably have no

ideas at all. Unless the desire to "hang on" to what they've got can be said to constitute an idea.

One idea beginning to take hold, now that the election passions are dying down, is that the small band of Senate liberals must begin to make common cause with the "modern" Republicans on as many issues as possible. Sens. Douglas and Humphrey made no bones about this in issuing their "liberal manifesto," particularly on the matter of curbing the talkathon permitted by Senate Rule 22. Without the help of "modern" Republicans, they said, there was no hope of putting over civil rights legislation in the 85th Congress. And they were right.

Allies in Loneliness—Already Sen. Potter of Michigan, who is a sometime "liberal" GOPer, has joined forces with Douglas and Humphrey. Sen.-elect Javits of New York probably will, too. Sens. Case of New Jersey and Cooper of Kentucky are likely to join the anti-filibuster fight.

The fact is that these "moderns" in the Republican Party feel just about as lonely and isolated as their Democratic counterparts. Only they have a few friends in the Administration, whereas the Democratic liberals get little encouragement from the Texas leadership.

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Daniel Seeks Lobby Control

AUSTIN GOVERNOR PRICE DANIEL'S PROGRAM FOR STATE GOVERNMENT:

Recommended as emergency needs:

Establish a state law enforcement commission of one member from each of the eleven supreme judicial districts selected by and from grand jury memberships to investigate alleged official misconduct.

Pass a strict lobby registration act, a code of conduct for state officials and employees, and a law requiring registration of those who represent others before state agencies.

Pass the \$100 million bond issue for a revolving fund to help build new water conservation structures, except double it to \$200 million, or provide in the constitutional amendment that it may be doubled by a two-thirds vote of the legislature.

Reorganize and finance the State Board of Water Engineers, or create a separate Texas Water Development Board, for statewide research and planning in water management.

Acquire conservation storage in federal reservoirs; protect the streams and underground water from pollution; provide for research, logs, and records on underground waters.

Modernize the state laws on eminent domain and highway right of way.

Recommended, but not in the emergency category:

Establish policies throughout state and local governments for full and complete freedom of information concerning official acts and business of public officials and employees.

Make funds available for the state's share of any further federal drouth relief.

Pay half of all right-of-way costs of cities and counties on the remaining primary trunk and state highways out of state funds.

Increase the Texas Highway Patrol by 200 men to a maximum strength of 870; increase their salaries with funds available now in the Department of Public Safety.

Pass an increase in salaries of public school teachers and of the faculties of state universities and colleges.

Amend the constitution to let the state put up \$1 for \$1 federal money to raise the maximum old age pension from \$58 a month to the maximum possible under the matching program, \$60.

Study whether to take part in the 50-50 state-federal matching program which makes almost \$10 million available to Texas as of July 1 for medical expenses for pensioners, needy blind citizens, and dependent children.

Repeal Chapter VII permitting insurance-banking operations like U.S. Trust & Guaranty; give the Insurance Commissioners enough examiners to conduct the examinations required; strengthen and

make uniform penal statutes on insurance and securities frauds.

Permit state funds to be used to advertise the advantages of Texas.

Improve the state's industrial safety record.

Increase benefits under the workmen's compensation law.

Appropriate 15 million for capital improvements and new buildings and higher guard salaries in the Texas Prison System.

Establish a paid probation and parole system for paroled prison inmates and juveniles.

Add to park and fishing and hunting recreational facilities.

Finance the completion of the state courts and office buildings and a state archives building.

On segregation: "The people of each school district should have the right to make local determinations as to how this problem shall be handled, and I shall support every legal means by which the state can assist in having the local determinations respected and not overruled by federal force."

To be recommended in later messages:

Driver education; responsibility and punishment of minors for traffic offenses; driver license law revisions; revision of the state constitution; higher salaries for legislators, judges, and state employees; continued improvement in building and treatment pro-

grams in state hospitals and schools;

A study commission on problems and needs of physically and mentally handicapped persons; appropriation of aid to persons permanently and totally disabled; implementation of the Commission on Alcoholism program; a retirement amendment for county judges;

Expansion of training and research in medical schools; narcotics law revision; election law amendments; a long-range study of future needs and tax resources of the state; study of possible reorganization of the executive agencies to improve services and cut out duplication and waste.

NEW TAXES GRIP SESSION

(Continued from Page 1)
Rep Bob Wheeler, Tilden, said he thinks Daniel "a fairly dedicated man."

States' Rights

Governor Daniel carried out his campaign pledge of advocating a "strict lobby control bill," a code of conduct for state officials and employees, registration of those representing others before state agencies, and an independent law enforcement commission to investigate alleged official misconduct.

Many were surprised when he

advocated encouraging more industrial safety and raising the workmen's compensation maximum from its present \$25 a week, which he condemned as 50th among the states and territories.

In his Tuesday speech, Daniel had emphasized the need to fulfill states' responsibilities — to fight offensively as well as defensively for states' rights. He pledged to uphold the U. S. Constitution, but especially the Tenth Amendment reserving undelegated powers to the states. Of the fight "to preserve the rights and property of our state," he said: "Today I dedicate the rest of my life to this cause."

"Whatever the price may be for progress and good government . . . it will be worth the cost," he said. Thursday he said he would try to keep the spending program within foreseeable income, but he added no one would want to forego necessary taxes, "especially when a major portion of these tax dollars would end up in the federal treasury" if not collected by the state.

The Governor's position on desegregation is still that the Supreme Court was "wrong." He added he thinks the people in the school districts should have the right to make local determinations "how this problem shall be handled," and the state will support "every legal means" to back up these determinations—but the meaning of the phrase, "how this problem shall be handled," did not seem clear enough to satisfy avid desegregationists. Daniel did say the summer referendum vote was a "mandate" to the legislature.

The morning of the inauguration Daniel and evangelist Billy Graham addressed about 500 state officials at the Driskill. "I do believe that God guides the destinies of nations as well as the destinies of men," said Daniel. He lauded applying "Christian principles to problems of government and politics."

Graham said the important problems are not social, economic, or political, but spiritual. America has an enemy at its gates with the power to destroy us, he said. "If the American people will repent of their sins and turn to Almighty God, God and God alone can save us," he said.

Graham said of Daniel: "I know of no greater Christian statesman in the world today, for I have watched him in Washington."

Daniel and Mrs. Daniel watched a parade, entertained 100 friends and relatives with a hot meal at the Mansion left them by the outgoing official family, received out-of-town guests in the Capitol Rotunda, and attended five inaugural balls.

Sanders Drops Out

In other legislative news, Rep. Barefoot Sanders, Dallas, surprised the House by withdrawing from the race for the 1959 speakership. He said the decision was made "by my wife and myself and no one else." While many factors are understood to have entered into the decision, including the prospect of a long, close contest, Sanders is understood to have been concerned about the loss of mobility on legislation a candidate for the speakership must accept. He is sponsoring several bills and expects to take part in debates on others.

Rep. Joe Burkett, Kerrville, a conservative, put "the sweat" on many members to pledge to him early in the week. Other candidates for the job are Reps. Ben Glusing, Kingsville, and Will Smith, Beaumont. After Sanders withdrew speculation about a second term for Speaker Waggoner Carr proliferated, although Carr has not given any indication of such an intention.

Rep. Homer Koliba, Sr., Columbus, filed an affidavit with the Secretary of State that he is "not in the employ of or under retainer by" any individual, corporation, or organization "which might be materially affected through the enactment, or failure of enactment, of matters properly before the legislature for its consideration." He said he thought other legislators should file similar statements.

A blind former Marine major general, who lost his eyesight in the Korean War, urged a joint House-Senate session to expand the state's rehabilitation services. General Melvin J. Maas, chairman of President Eisenhower's committee on employment of the physically handicapped, reported:

"Texas ranked 37th among the states in rehabilitation in 1956 on the basis of persons rehabilitated per 100,000 population. During the fiscal years 1955-56, Texas appropriated \$520,525 to its state rehabilitation agencies and received \$1,028,591 in federal aid. An increase of \$400,000 in state funds will mean \$765,000 more in federal aid."

Maas, a former six-term Congressman from Minnesota, is holder of the Silver Star, the Legion of Merit and the Purple Heart.

Zollie Steakley, Austin attorney, former assistant attorney general, and Travis County campaign manager for Governor Daniel, was approved by the Senate as Secretary of State. (His predecessor, Tom Reavley, entered private law practice in Austin in the firm of Powell, Wirtz, Rauhut, and McGinnis.)

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Weinert, Lock Lead in Senate

AUSTIN

As expected, Lt. Gov. Ben Ramsey selected his committee members to nail down the conservative government he pledged in his inaugural speech.

Minority reports by liberals cannot be expected from the finance, insurance, labor, oil and gas, rules, constitutional amendments, or state affairs committees—the main committees of the Senate except for education. Ramsey for some reason—possibly because he favors a teachers' pay raise—gave more liberal members an apparent edge in the education committee and named a liberal, Sen. Doyle Willis, Fort Worth, its chairman.

Freshman Sen. Culp Krueger, an El Campo conservative, got twelve committee assignments, more than 18 of the 23 old members.

Possibly the most potent senator on the floor this session will be Sen. R. A. Weinert, the veteran from Seguin. He speaks on the floor very little—but he has more committee assignments than any other member, 16; he is chairman of both rules and jurisprudence panels; and he is a member of the banking, amendments, finance, insurance, labor, oil and gas, state affairs, and water committees.

Perhaps his equal in influence will be Sen. Otis Lock, Lufkin, also a conservative. Lock drew 15 committees, including two chairmanships.

Sen. A. M. Aikin, Jr., Paris, who ran against Ramsey for lieutenant governor (but withdrew before the runoff), was one of only three veteran senators who did not get committee chairmanships (the others: Grady Hazlewood, Amarillo, and Andy Rogers, Childress). Sen. Charles Herring, Austin, was the only freshman to get a chairmanship (state departments and institutions).

Five of the more liberal senators (Sens. Henry Gonzalez, San Antonio, Herring, Bill Moore, Bryan, Rogers, and Willis) together received 32 committee assignments, whereas Ramsey gave five conservative members (Weinert, Lock, Carlos Ashley, Llano, Bill Fly, Victoria, and George Moffett, Chillicothe) 65 appointments.

Senators and the number of committee assignments—Aikin 8; Ashley 12; Bracewell 9; Floyd Bradshaw, Weatherford, 4; Mrs. Neveille Colson, Navasota, 4; Fly, 11; Jep Fuller, Port Arthur, 11; Gonzalez 6; Hardeman 6; Hazlewood 5; Herring 7; Hubert Hudson, Brownsville, 7; Abraham Kazen, Jr., Laredo, 12; Krueger 12; Lane 11; Lock 15; Crawford Martin, Hillsboro, 12; Moffett 11; Moore 6; Frank Owen III, El Paso, 7; Parkhouse 10; Jimmy Phillips, Angleton, 10; David Ratliff, Stamford, 7; Bruce A. Reagan, Corpus Christi, 8;

Ray Roberts, McKinney, 9; Rogers 6; Jarrard Secrest, Temple, 6; Preston Smith, Lubbock, 5; Weinert 16; Willis 8; Bill Wood, Tyler, 6.

Committee chairmen and vice-chairmen, respectively:

Agriculture and livestock, Moffett, Krueger; banking, Secrest, Fly; claims, Ratliff, Reagan; constitutional amendments, Phillips, Owen; contingent expenses, Martin, Kazen; counties, cities, and towns, Owen, Gonzalez; education, Willis, Reagan; finance, Fly, Kazen; game, Kazen, Ashley.

Insurance, Bracewell, Bradshaw; interstate cooperation, Lock and Secrest; jurisprudence, Weinert, Hardeman; labor and management relations, Ashley,

YARBOROUGH RUNS FOR SENATE

(Continued from Page 1)

Understandably, he is upset some about the costs of elections in Texas. "If something isn't done on unbridled and unlimited spending of money in these campaigns, it's gonna destroy the democratic form of government," he said. "It would be good for the people's side if each side had only so many TV broadcasts. In the first primary last year there was a virtual blackout of TV time on my race. They should be limited to, say, three statewide broadcasts by each side, paid by the state or made available free by the networks or paid by the candidates."

He is making the transition from state to national and world issues easily enough, for he has always followed national politics closely, and his mind is replete with eloquent detail. But he can be expected to peel off for salvos at his venerable Texas foes periodically.

"There has been a paucity of vision and leadership in Texas in the postwar years. The last seven years we have had a negative government," he said. "I expect we will have some improvement now; it's inconceivable that it could stay that bad. The executive will be weaker than in the last seven years, and the legislature stronger. There are more men of vision in the legislature than the executive. For instance, the test for membership on the Board of Water Engineers has been how obedient you'll be to the governor."

Tax Cut

ON ECONOMIC ISSUES Yarborough is a national Democrat—essentially liberal. On segregation he refrains from comment now, hoping, perhaps, that the question that's caused him so much woe in past campaigns will go away. Last summer he said he was against "forced integration."

As he was declining to comment on desegregation, he remarked:

"Price Daniel is for more states' rights. And he says the place to press for states' rights is as Governor of Texas."

"I am in favor of a tax cut now for the little man," he said. He wants an increase in the personal exemption from \$600 to \$800 a year. "Let human beings that breathe and have souls get some of those tax cuts."

Rising interest rates under the Republicans also drew Yarborough's criticism. Government loan rates have increased from 2.5 to 3.59 percent since 1952, he said; the higher rates throughout the economy "are going to lead to creeping recession and have already slowed home building.... They are taking out of the economy of this country \$10 billion a year more than in 1952, money that's going to sources that are not plowing it back into that part of the economy that earns salaries and creates productivity."

He is for keeping social security benefits in step with rising standards of living, as the Democratic

Lock; legislative, congressional, and judicial districts, Martin, Rogers; military and veterans' affairs, Roberts, Smith; nominations, Lock, Martin;

Oil and gas, Hardeman, Moffett; privileges and elections, Moore, Ashley; public health, Colson, Wood; rules, Weinert, Moffett; state affairs, Lane, Ratliff; state departments and institutions, Herring, Roberts; transportation, Fuller, Aikin; water and conservation, Parkhouse, Roberts.

platform provides. Texas, he says, has the "cruellest old age pensions" of any great American state.

He noted that only two "renewables" crossed party lines to break the solid Democratic vote in the Senate last session to extend social security to totally disabled persons of 50 and lower the eligibility age from 65 to 62 for women—"and one was the present governor of Texas."

In the past he has been for the oil industry's 27.5 percent depletion allowance, and when President Eisenhower vetoed the Harris natural gas bill, he observed that the Republicans had always been a processor's party, against the producers—protecting all phases of business, but not the actual producers, builders, miners." But he is not talkative on oil and gas issues now.

The farm depression is another matter. "The Republicans announced a sliding scale, and it's sliding the farmers right out of prosperity." He is for 90 percent parity on basic crops. "When the Republicans promised 100 percent of parity I never believed them, and I warned the people in 1952 they wouldn't live up to it—and they didn't."

The soil bank has helped some farms in the Midwest, he said, but there's "not much soil bank advantage for the Democrats of Texas." The GOP "copied the program from the thirties, but when the Democrats started it, horrors! they were plowing up crops, going against God. The Republicans called it the soil bank, something that sounds like banking—it's a question of terminology," he laughed.

Leaning again on the Democratic platform, Yarborough advocated a comprehensive soil conservation program with "maximum utilization of the land," encouragement of farm home ownership and the family-size farm, and a long-range solution to the surplus problem he has not yet worked out. Surpluses have never been piled up longer than a year, he said. We ought to encourage farm production "with an expanding population here and in the whole world... with greater demands for food."

'Our Own Taxes'

FEDERAL AID to help Texas solve its soil and water problems is essential, Yarborough believes.

"It's utterly stupid to pay an income tax to the federal government, then to say we'll tax every home in Texas before we'll take any federal money. It's our own income tax!" Yarborough said.

In the Republicans' tax bill last session, Yarborough said, 73 percent of the reduction went to corporations, 18 percent went to people with incomes of \$5,000 or more a year, and only nine percent went to the remaining 80 percent of the population with an average annual income of \$5,000 or less.

"As soon as the Democratic majorities got control of Congress, the Republicans immediately changed their tune and said we can't have a tax cut now. They were afraid it would be a people's tax cut."

Yarborough thinks the proposal for limiting the income tax to a fourth of a person's income would "emasculate the government of the United States" and leave the country defenseless against communism by drastically reducing tax revenues. "It would be the most shortsighted policy since the Tidewater Virginians lowered the taxes on slaves and ended the Confederacy" he said (an allusion to the decision of wealthy Virginians to reduce these taxes at a crucial time during the Civil War in spite of the Confederacy's financial needs).

He thinks massive business mergers are "forcing the little businessman to the wall all over the nation." The percentage of government contracts going to small businessmen keeps decreasing, he said, "and they give it to General Motors and a little slice to other big businesses."

"The merger trend is creeping socialism. If, say, all the auto companies get into one company, then the state and that business are on the verge of merger right then—there will be some kind of statism in it.... When both business and the state merge their powers, the outward forms of democracy are undermined, just like in ancient Rome."

"Galloping socialism, that's what it is. You approach the end of economic freedom. Economics control government, and your political freedom won't survive such mergers very many decades. You may not have quite as efficient a business, but to stop the mergers is to save the state."

In the foreign area, Yarborough believes he should hold off most statements on foreign policy until he is in the Senate, receiving the secret reports available to senators. "We don't know what went before the Suez and Hungarian crises," he said. "We either knew that Suez was coming off, or it was the most monumental collapse of our foreign policy in 100 years. I believe they knew it."

What does he think about the Suez invasion by Britain, France, and Israel? "I'm not in favor of sitting there and letting Nasser choke off our oil and liquidate Israel." He urged "consideration of our allies. I feel they made a mistake, but I'm not in favor of stabbing your ally in the back every time he makes a mistake."

On the Presidents

YOU CAN TELL a good bit about a man's ideas by the presidents he admires. Ralph Yarborough admires Washington, Jefferson, and Lincoln first, with Jackson, Roosevelt, and Wilson "close behind."

"Washington found nothing and created a government simply by his strength of character. Lincoln maintained it by strong character and political sagacity."

"Lincoln and Roosevelt were the two greatest politicians who were ever president. In time of great national peril, each held the nation together."

"Woodrow Wilson, with his idea of a world federation of states... And Jackson took the theories of Jefferson to where the people could participate in them."

"Jefferson was great because he authored the Declaration of Independence, the Virginia Statute on Religious Freedom, and founded the University of Virginia. He had the vision of acquire the Louisiana Purchase at that split second when he could. If he hadn't, we'd have lost it. He didn't believe he had that prerogative, but he submerged his personal prejudice to the national interest."

"The things he did for the creation of the nation! They called him a Jacobin, a communist, a radical, an agitator. He proved you can have a liberal president and a government stronger and better and sounder for it."

And then Yarborough remembered something else. "Lincoln and FDR—each had won campaigns, and each had lost campaigns." He remembers what FDR told Maury and goes on with it.

'BOSSES' WON'T STOP HIM, HE SAYS

AUSTIN

Friday at ten in the morning Ralph Yarborough said:

"A Texas vacancy in the United States Senate occurred on Jan. 15, 1957. I hereby announce as a candidate for that vacancy."

"By this action I am answering tens of thousands who have requested me by telegram, post card, letter, petition, and public resolutions to

be a candidate for that vacancy.

"... I pledge a campaign of honor and truth based upon a genuine desire to be of service to Texas, America, and all mankind. All the cunning delay of the political bosses will not beat the people of Texas out of this election..."

"Pay your poll tax before the deadline—Jan. 31, 1957. Without a poll tax, you cannot vote."

Shivers Appoints New Senator

(Continued from Page 1)

I started. I just grew with the country."

One of his businesses, the Girardian Life Insurance Company, is currently charged by the Federal Trade Commission with using false and misleading advertising to get policyholders on health and accident insurance. He said he intends to fight the case and added: "I wish you would read the initial decision of the examiner in this case who ruled the charge should be thrown out."

There were reports that Blakley was a compromise appointment between Shivers and Daniel. Shivers reportedly intended

to appoint another person and Daniel threatened to name a temporary senator himself and leave it to the Senate to decide who should be seated. Blakley was settled on as agreeable to both.

AMONG THOSE on hand to greet Blakley when he arrived in Washington were Johnson and his wife; Representatives Wright Patman, Texarkana; Homer Thornberry, Austin; Jim Wright, Weatherford, and J. T. Rutherford, Odessa; and Braniff Airways Washington representative Jesse Bennett.

Patman, who said he hoped Blakley would be a candidate for the permanent Senate seat, called him "an outstanding civic-

minded, patriotic citizen and one of the ablest men in business and law I have ever known."

IN MAKING the appointment, Shivers announced that Blakley would not be a candidate in the special election, and Blakley quickly confirmed that he would not run for the office. He is expected to be in office for approximately 75 days.

Blakley, native of Missouri, attended the University of Oklahoma. He moved to Texas around 1920 and was admitted to the Texas bar in 1933. He has been no respecter of party lines, supporting Shivers, Eisenhower, and Daniel and donating \$16,000 to the Democratic campaign in 1952.

William Bollaert's Texas

WILLIAM BOLLAERT'S TEXAS, University of Oklahoma Press (\$5).

It's a toss-up as to which person is the more wearying, the all too familiar braggart who repeats with relish, seasoned with a sense of truth, that tired tale about the dead Texan being told by St. Peter to come on in but he won't like it; or that other extreme, the native son, frequently young, who in his reaction against sectional vanity decides that if a thing is Texan, it must be tainted.

Actually, just a whole lot of Texans are human beings, and behave like human beings rather than like caricatures. But human beings don't make good copy, aren't commercial, and aren't the life—or butt—of the party. And so human beings in Texas are largely ignored, leaving the center of the stage either to the hooligans or the harlequins until outside of the state such a national reaction has set in that a Texan has to be twice as good as his neighbor to be taken seriously.

And yet, despite national reaction against the vainglorious, there is a lot in this state in which to take pride. Solemn pride, I mean. For one thing, there are legitimate heritages. They've been obscured until the casual student of Texas history would think that only four men ever appeared on the Lone Star scene—Stephen F. Austin, Sam Houston, Davy Crockett, and a creature named Spindletop. But the most important heritage of all is the people—the important people, the nonentities, doomed to leave no shred of their having ever been here beyond maybe an obliterated statistical statement on a weathered gravestone, petty people, expansive people—in general, nondescript people who somehow formed a continuity that brought us to today.

No better account of one time-segment of these nondescripts has appeared than "William Bollaert's Texas" (University of Oklahoma Press, \$5), as edited by W. Eugene Hollon and Ruth Lapham Butler. Here is the Republic of Texas as seen by an urbane, antiseptic Englishman, a natural reporter with a deft style and an ear and eye for the doings of the nobodies. It's not an exciting book—it isn't intended to be. It doesn't throw new light on General Houston or the half-dozen other lights of the period. But it does throw a friendly light on dozens of anonymous Texans who fought, danced, loved, bred, and died just as though they mattered to someone other than themselves.

Bollaert's book, if it is not exciting, is invariably interesting, the sort of book that leads the reader along from one sketch or one observation to the next until the first thing he knows, he's read it all the way. The editors have had the good sense to stay out of Bollaert's way, so that the book moves along pleasantly and steadily. While it is a mine for the serious historian, it is a delight for the general reader who wants to know what we would have been like if we had lived a century before. It's a book in the Texas tradition, in the best sense of that word.

WILLIAM BOLLAERT arrived in Galveston—"the abode of pirates and other strange folk" (there's a certain timelessness there)—in 1842, and traveled throughout Texas for two years, poking about and keeping voluminous notes on almost everything he saw. Almost everything he saw. Almost everything he wrote is quotable, and since it suffers in paraphrase, a few excerpts

will have to give an idea of the tone:

For instance, there is his first night in Galveston, during which he was invited to supper by a friend of a mutual acquaintance in England:

"The scanty supper was cleared away by a couple of hulking dirty slave wenches. The tallow candle shed an ambiguous light. The room was cold and cheerless.... A 'norther' had set in. It howled and shook the wooden habitation. I rose to depart, begging that Mr. — would be good enough to send one of his Negroes to show me the Hotel. His reply was the following: 'It is very late to send anyone out on such a night like this—but there are two Hotels up Town,' and he came to his door showing me the way out. The night was pitch dark, ...—and then he closed the door."

Vaunted southern hospitality, indeed.

Next, a concert at Galveston's Tremont Hotel:

"The audience arrived when it was first treated to the tuning of

what had been once a piano, but more appropriately now might be called a collection of tin kettles. Well, the piano was screwed up to G sharp, and after a considerable time passed in tuning—the audience tired of waiting.... Before (the first number) was concluded, there was a regular break down. Our Prima—and only Donna—a delicate young lady, ... found that the instrument was in as base a B flat as one could possibly wish. It was no go.... The Colonel now tried to give the 'Iargo Il Factotum,' but what with the tinkling tones of the piano, and his own tremulous husky voice, having had a severe fit of the ague in the morning, he made.... a mess of it...."

A second piano was sent for.

"... When after much screwing and thumping, it was pronounced to be tuned, ... a flute solo by a violent-tempered Irishman, with piano accompaniment was announced.... if anything, the second piano was worse than the first. Our Nicholson became in-

furiated, he cursed etc. the piano. Up jumped the lady performer, stricken at the imprecations, when he rushed out of the room, swearing that he 'would be d--d if he would be made a fool of by any such piano on this side of the Atlantic.' This of course produced roars of laughter....

Culture, you might say, was breaking out all over.

On titles:

"In the Northern and Eastern States of the Union, a gratuitous bestowal of unearned titles is frequent—in the Middle States general—at the South a majority are thus honored;—but in Texas, the custom is almost universal."

On Americans:

"It is said of the Americans that they are born in a hurry, live in a worry, and go to New Orleans to die of yellow fever."

ON AUSTIN and the State Capitol:

"On entering the city of Austin, Lo! Dreariness and desolation presented themselves; few houses appeared inhabited and many

falling to decay.... The President's house looked gloomy, the streets filled with grass and weeds....

"The Capitol is the abode of bats, lizards and stray cattle (Reviewer's note: The Outs would claim that it still is). These buildings having been built of green wood and run up with great expedition, the timbers have dried, and become loose, the plaster peeling off, and the 'Austin soft stone' cracking. If these buildings... are not repaired in a short time Austin will be a heap of ruins."

And, finally, on San Antonio: "About midnight a drove of wolves came near the town, setting the San Antonio pack of some 2 to 3,000 dogs of all sorts and sizes upon the bark."

These few quotations are enough to give an idea of the type of book. It bears the stamp of fidelity and ranges widely in the subjects it covers. Bollaert does not go too deeply into any of the multiplicity of subjects which attract him, but like the region of which he writes, he covers a vast expanse. It's a good book to have around.

JOE B. FRANTZ

A Month Spent in Mexico

No Savvy Espanol

Those crude title words meant a great deal to me for a month. On November 6, 1956, I voted, prayed, hoped, wept, and left Houston for Mexico.

The only Spanish words I knew were si and no, and I wasn't too sure how to use them.

I traveled to Mexico City by way of Nuevo Laredo and Monterrey. Returning, I came through Matamoros. I spent three weeks in Mexico City, a day in Monterrey, and a couple of days in Vera Cruz. I knew little of Mexico when I left, but I believe I learned something about her. I didn't have much money, and I wasn't able to visit all of the places I wanted to, but I did manage to walk until the soles of my shoes were worn thin and my eyes ached and yearned to see more.

Downtown Matamoros and Nuevo Laredo are clean and orderly. The central squares are restful places despite the taxi drivers and shine boys. Matamoros has a well developed residential district near the river that reminds you of many American suburban developments. The city itself is farther from the river and Brownsville than Juarez is from El Paso. Nuevo Laredo is a small, flat, rectangular town specializing as the other border cities do in shops for the tourist. Guides approach and are very kind. If you are male, they offer to take you to places of excitement removed from the main thoroughfare, to luscious American prostitutes (I still can't understand why you should go to Mexico to find an American prostitute), or to other unusual forms of entertainment.

The other products offered are worth a border trip. The leather goods are often beautifully worked, the clothes are colored vibrantly, the straw hats are beautiful and finely woven, the silver works are often carefully wrought, and the people are willing to bargain.

Across the Gully

I traveled to Mexico City by first class bus. It cost me about five dollars to go from Monterrey to Mexico and about five and a half dollars to go from Mexico to Matamoros. The buses are good ones, though a heating system would help in the mountains. The drivers are cooperative and will

stop to let passengers accommodate nature.

The land from the border to Monterrey is covered with sagebrush. It is flat, gradually spawning short, wiry trees; it begins to ripple, then becomes rocky. The small village huts are often made of rock with mud thatched roofs. The streets are not paved, and the drivers seem to delight in crashing through the mud puddles. Near the bus station in Monterrey, the streets are narrow, with narrow sidewalks; I was splashed and shook my fist at the speeding drivers. No driver got out to see how fast I could run.

Downtown is very modern, with wide streets and fine shops. As the bus leaves Monterrey for Mexico you see a contrast that is in many ways typical of Mexico. There is a large gully. On one side is Monterrey proper, its modern buildings; across the gully are the mud huts and poor houses of the people, and the people pouring from them to enter the city. Everywhere is this horrendous gap between the rich and the poor.

As we drove through the mountains, I thought more about this. At night the Indians with their machetes began to descend from the sides of the mountains. They wore white clothes, walked barefooted, stopped to let the bus pass. Their hute stand barely five feet tall. Lights barely flicker from them. I developed a real sense of the greatness of these people, ignorant, hungry, subject to an early death. Naked babies may cause some people to talk of living in the natural state, of the glories of a back to raw nature philosophy, and I did sense a glory about them in their fight to stay alive, but babies' swollen stomachs and adults' hollow faces caused me to think on the great benefits of industry. I do not mean to sound sentimental about these people, nor do I mean to condemn the government. I was told by a man who had traveled much in Mexico that it used to be nothing to run over an Indian and leave him.

The air got cooler and I wished I were in Mexico City.

Wood for a Bath

We arrived at five in the morning. A Cuban on the bus offered to help me find a room and to show me downtown Mexico. He said he was a revolutionary against Batista. He had run a

travel agency in Cuba before, being told to leave. He had been in Guatemala during their revolution. He was not a communist, but he had many things to say about the dictator Armas, the United Fruit Company, and John Foster Dulles. At first I doubted his story about a prospective revolution in Cuba, but when we ate breakfast, the police greeted him. Still I doubted, but as he took me on a tour of the bars of the hotels Bamer and Del Prado and other bars and talked to other people, I began to soften. I asked to go with him, but he refused. I was convinced when I heard of the revolt in Cuba. The man gave me a touch of the excitement that lurks and is in Mexico.

I lived in an old colonia of the city of Mexico, Colonia Roma. I roomed with an American who was a very gracious guide and who spoke Spanish. Our room was cold; the bathroom was down the hall. If I wanted to take a bath with hot water, I had to buy wood. But the room was cheap and close to a neighborhood bread shop, bar, movie, and buses. The old landlady had lived in the United States eighteen years and spoke excellent English. When she discovered I was having a slight physical disturbance with my insides, she concocted a home remedy. I refused it, disappointing her.

For breakfast we had delicious bread and milk. At noon we had a very nice meal consisting of soup, rice, meat, a salad, some vegetables, beans, and coffee. Including our meals and room rent, we were living on about a dollar a day. Entertainment ran our expenses up, but the movies are cheap, and only the tourist night spots make a great determined effort to take your money.

Downtown Mexico is very exciting just to walk in. If the drivers of the buses, taxis, and other vehicles catch you in the middle

NOTE ON THE AUTHOR

(Gail Mount, education graduate of Rice Institute, studied and taught English at the University of Texas, served in the Army, worked in a steel mill, and is now spending most of his time writing. He is 26. Last November he took a tourist's tour of Mexico City and Vera Cruz, about which he has written this report in two parts for the Observer.—Ed.)

of the street, you wonder about the value of your life in their eyes. Several times I felt like a matador, and a very frightened one. The people crowding on the sidewalks, the modern buildings, the glamorous hotels contribute to the visual splendor, but the main attraction to me was the Alameda.

With an Indian

This square is a park with benches and sidewalks, with a pavilion for an orchestra. On Sunday's free musical concerts, are given, and the people flock to them. The crowd sprawls about, and balloon salesmen with whistles and huge balloons with long protruding noses burrow by. Parents tie the large balloons to the wrists of their children. I half expected to see a child wafted away. Sunday is the day out for the Mexican family, and they make excellent use of the Alameda and other parks in Mexico. Chapultepec Park, with Maximilian's castle, is a crowded place on Sunday. The spacious and well kept zoo is well attended, and the people picnic by the ponds in the park.

Near the Alameda is the Zocalo, a square where the governmental buildings are. An old church built sometime in the sixteenth century but now in disuse and another church called the Cathedral stand opposite the National Palace. In the Cathedral, terribly old and poor people run their fingers over the statues and then over themselves. While I was there, the young men who took the offering were like bees attending a hive. A wedding had just been performed, and the bride and groom looked nervous and happy, in fact relieved. A small child kept removing her head cover, but her mother, just as determined, kept replacing it. We must have gawked too much, for an old woman lectured us about the ceremony of the Roman Catholic Church.

Downtown also and just across from the Alameda is the Bellas Artes Museum. A barefoot Indian and I went through about the same time. Artifacts from the Mayas and Aztecs, Spanish colonial art, modern Mexican art, an exhibit of modern French art, and murals were shown the day I was there. The Indian and I were impressed equally, but I will not

(Continued on Page 7)

'The Iron Petticoat' Abandoned

AUSTIN

Movie-going throughout the state is, at this writing, a rather thankless, lackluster pastime. The chief attraction at the first-run theaters is something called "The Iron Petticoat," a purported comedy starring Bob Hope and Katherine Hepburn that was reportedly so befouled in the making that Ben Hecht, its original author, abandoned it on the Metro doorstep with an expressed desire to have his name removed from the credits.

Harris Green

For the discriminating patron, the art theaters would appear to be the last hope. But here caution is advised. Of late, these houses have been the depository for those films, both foreign and domestic, whose credit wouldn't have been good anywhere else.

There is even a VistaVision remake of "The Vagabond King" now touring the art circuit! This time around, the rickety old wheeze stars some leering, roaring beast dubbed simply Oreste whose last name, if it has one, must surely be Lanza. His manner of acting and singing is the deadly type that I had thought only Mario could wield with such ruthless abandon. The show, itself, is pretty devastating, too. Perhaps this ringing bit of dialogue I have retained will suffice for it. Says his Royal Highness Louis XI of the House of Capet, King of France: "I'll not beat about the bush! Paris is in greater danger from the Burgundians than I feared!" The above quote differed from the rest only in not being delivered from a table top to a bunch of extras, glassy-eyed with boredom.

There has been an import about entitled "Papa, Mama, the Maid

A MONTH IN MEXICO

(Continued from Page 6)

try to tell you about it. I felt the real sense of excitement that the Indian felt, that many Mexicans know, a real desire to elevate Mexico and modern man, to protect people, to educate them, to give them an industrial economy, and to help achieve this through a beautiful and useful art.

The National University affected me the same way. It is such a beautiful and spacious campus, I wondered how the students could find the time to study. I should want to spend my time looking at the reflecting pools, the various designs, the murals, swimming in the pool, lying on the grass watching the beautiful coeds pass, thinking what a great and marvelous world to have created the tight skirt and sweater for strong bodied, proud, bold eyed women. But I learned that even though the university is expensive, 30,000 students attend it, studying law and medicine, the humanities, atomic energy. I also learned that the university professors are often underpaid and have to seek other jobs.

(To be concluded)

and I," but I don't think we need devote too much space to it. If you've been sampling some of that Seven-Up sex farce our Gallic cousins have been bottling lately for vintage champagne, you should have no difficulty in labeling this as more frothy tedium.

Tourists have been quoted in the blurbs as pronouncing this welter of sentimentality and bromides a true picture of contemporary France. I frankly doubt that the nation of Voltaire and Moliere, Cezanne and Rodin could have sunk so low. Still, if this be France, it would explain a lot. The actors enmeshed here were easily the most mannered lot I've ever seen. I think they're all Poujadists, myself.

ONE TO WATCH FOR, though, is "La Strada," a happy reassurance that the fine, old Italian neo-realistic tradition has not

been abandoned for good. In the four years since "Umberto D" proved such an effective crowd repellent, the practice of taking the camera into the slums and mudflats has continued, only because some statuesque and disheveled beauty, rather than a universal truth, might be lurking there. Gina, Sophia, and Silvana were admittedly stimulating and obviously of firm construction, but I fear "The Bicycle Thief" was a trifle sturdier. "La Strada" cannot quite come up to the standard that was set by Zavattini and De Sica in this classic, but writer-director Federico Fellini was obviously aiming that high in this allegorical tale about a simple-minded peasant girl who finds her place in life assisting a brutal strong man in his itinerant muscle act in the provinces. An undue reliance upon such former

dispensables as background music and professional actors (Anthony Quinn and Richard Basehart) have kept Signor Fellini from scoring a direct hit. And I must admit that I found Giulietta Masina rather technically limited as our heroine. But there is that poignant quality to "La Strada" that only the Italian films at their best seem to have ever possessed, and it's a great treat to report that there is one movie about that can send you from the theater sensing some of the irony and the stuff of life.

I REALLY SHOULD comment here upon MGM's "Lust for Life," the excellent biography of Vincent Van Gogh. If you missed it, I advise you to sit tight and wait. Kirk Douglas' superb performance in the lead is bound to win him an Academy Award which will, in turn, send the show

around again. I have a few rather pedantic complaints to register about the omission of the fact that this wretched genius was an epileptic and the failure of the Metrocolor to capture all the burning intensity of his palette. However, scripter Norman Corwin and director Vincente Minelli have made such excellent use of his letters and paintings in their work that any quibbling would amount to rank ingratitude. Their film, from the first shot, with its sobriety of Van Gogh's early Flemish style, to the last, a heart-lifting, sunburst display of his life's work, is an art film worthy to rank on its own with Flaherty's "Titan" and a motion picture that drives Huston's stupid little "Moulin Rouge" right into the ground. If your theater manager hasn't scheduled it, I endorse any form of anarchy you see fit to use to get this deeply moving film displayed.

THE TEXAS OBSERVER

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LEGALS

NOTICE OF INTENTION

To Incorporate a Partnership
TO WHOM IT MAY CONCERN: Notice is hereby given that Wm. B. Henderson, L. A. Henderson and C. S. Sykes, who have been operating a lumber business under the name of Central Building Products Company, intend to incorporate under the name of Central Building Products Company of Texas, and hereafter the business of said partnership will be conducted under the corporate name of Central Building Products Company of Texas, a Corporation. After the expiration of thirty days, all liabilities as partnership shall cease and all bills, or claims, or indebtedness of any kind are assumed, and will be assumed, by Central Building Products Company of Texas, a Corporation.

The address of this Corporation will be at 2505 W. Vickery Street, P. O. Box 587, Fort Worth, Texas. Dated this 19th day of December, 1956.

WM. B. HENDERSON
L. A. HENDERSON
C. S. SYKES

CITATION BY PUBLICATION

THE STATE OF TEXAS
TO Jack Cox, 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 4th day of February, 1957, and answer the petition of plaintiff in Cause Number 105,690, in which Xenia Alene Cox is Plaintiff and Cecil Jack Cox is defendant, filed in said Court on the 4th day of December, 1956, 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 defendant towards her of such a nature as to render their further living together as husband and wife altogether insupportable; Plaintiff further alleges that two children were born of said union; that they should be awarded to plaintiff and that defendant be required to contribute the sum of \$20.00 per week toward their support; Plaintiff further prays 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 21st day of December, 1956.

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

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with the requirements of Article 1307, Revised Civil Statutes of Texas, that Stoney M. Stubbs and Walter L. Brooks,

comprising the firm of W & B Refrigeration Service Company, Dallas, Dallas County, Texas, intend to incorporate, such firm without a change of the firm name.

Dated at Dallas County, Texas, this 20th day of December, 1956.

W & B REFRIGERATION
SERVICE COMPANY
by STONEY M. STUBBS
WALTER L. BROOKS

NOTICE OF LOST INSURANCE POLICIES

Notice is hereby given that the following numbered blank policies of The American Insurance Company of Newark, New Jersey, furnished Joe Bland Insurance Agency, Agent at Austin, Texas, have been lost, misplaced, destroyed, or stolen, and are hereby declared null and void and of no effect, and should not be accepted in executed form by any person. AC 8529223 through and including AC 8529224
AC 8553750 through and including AC 8553774

Any person having knowledge of the whereabouts of these policies in either blank or executed form, please communicate at once with John T. Dickehut, Special Agent, 915 Maverick Building, San Antonio, Texas.

By M. EPHRAIM, Deputy
CITATION BY PUBLICATION
TO Mary E. Pulatie, 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 18th day of February, 1957, and answer the petition of plaintiff in Cause Number 105377, in which Earl J. Pulatie is Plaintiff and Mary E. Pulatie is defendant, filed in said Court on the 12th day of October, 1956, 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 defendant towards him of such a nature as to render their further living together as husband and wife altogether insupportable; Plaintiff further alleges that no community property has been 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.

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 4th day of January, 1957.

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

CITATION BY PUBLICATION

THE STATE OF TEXAS
TO Andy L. Allen 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 4th day of March, 1957, and answer the First Amended Original petition of plaintiff in Cause Number 105,854, in which Edwena Allen is Plaintiff and Andy L. Allen is defendant, filed in said Court on the 15th day of January, 1957, and the nature of which said suit is as follows:

Being an action and prayer for decree of divorce dissolving the bonds of matrimony heretofore and now existing between said parties; Plaintiff alleges cruel treatment on the part of defendant towards her of such a nature as to render their further living together as husband and wife altogether insupportable; Plaintiff further alleges that community property consists of a 1953 Cadillac automobile, household furniture and effects and cash money on deposit in the East End State Bank of Houston, Texas; Plaintiff prays that the automobile, household furniture and effects be awarded to her and for partition of the cash money; Plaintiff further prays for such other and further relief, in law and in equity, to which she may be entitled;

All of which more fully appears from Plaintiff's First Amended Original Petition on file in this office and to which reference is here made;

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 16th day of January, 1957.

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

CITATION BY PUBLICATION

THE STATE OF TEXAS
To Regoberto M. Herrera, Defendant, in the hereinafter styled and numbered cause:

You are hereby commanded to appear before the 98th 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 4th day of March, 1957, and answer the petition of plaintiff in Cause Number 105,430, in which Central Texas Builders, a corporation, is Plaintiff and Ramon R. Coronado, Minnie Coronado, Elmira H. Saenz, Enrique L. Saenz, Eduardo Herrera and Regoberto M. Herrera are defendants, filed in said Court on the 22nd day of October, 1956, and the nature of which said suit is as follows:

Being an action and prayer for judgment in favor of Plaintiff and against defendants Ramon R. Coronado, and wife, Minnie Coronado, for its debt, including principal, interest, attorney's fee and costs of suit and for judgment against all defendants foreclosing its contractor's, mechanic's and materialman's lien on the hereinafter described land;

Plaintiff alleges that it is the legal owner and holder of a certain promissory note in the principal sum of \$1,520.00 made, executed and delivered by Ramon R. Coronado and wife, Minnie Coronado, payable in monthly installments of \$25.00 to Southwest Builders, Inc.; the payment of

said note being secured by a contractor's, mechanic's and materialman's lien upon all of Lot No. 6 in Block 2 in C. C. Moore addition, Travis County, Texas; Plaintiff further alleges that there is now due on said note the sum of \$361.82, plus \$36.18 attorneys' fee, making a total of \$398.00, which sum the defendants Ramon R. Coronado and wife, Minnie Coronado, have failed and refused to pay and for which Plaintiff prays judgment; Plaintiff further prays for costs of suit and for 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 for all intents and purposes;

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 January, 1957.

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

NOTICE is hereby given that the partnership of J. S. Honigblum, Howard W. Honigblum, James Glasberg and W. H. Gibson, d/b/a Service Master of San Antonio, was dissolved on December 15th, 1955. Notice is also given that J. S. Honigblum, Howard W. Honigblum and James Glasberg, general partners d/b/a Aladdin Carpet Cleaning Company have incorporated such firm, effective January 2, 1957, under the firm name of Aladdin Carpet Cleaning Company.

J. S. HONIGBLUM
HOWARD W. HONIGBLUM
JAMES GLASBERG

NOTICE is given of THE INTENTION TO INCORPORATE under the laws of Texas the undersigned business firm, presently an independent enterprise, with its offices located, 3018 Callie Street, Houston, Texas.

JACKSON NEWS AGENCY
By: JOHN B. JACKSON

NOTICE to Creditors of the Estate of Brice Lynn Dillingham, Deceased.

Notice is hereby given that letters testamentary upon the estate of Brice Lynn Dillingham, deceased, were granted to The Austin National Bank, the undersigned, on the 14th day of January, 1957, by the County Court of Travis County, Texas. All persons having claims are hereby required to present the same to it within the time prescribed by law. The residence of the Austin National Bank is Austin, Texas and its Post Office address is Drawer No. 35, Austin, Texas.

THE AUSTIN NATIONAL BANK OF AUSTIN

By B. C. TURNER, Trust Officer
Independent Executor of the Estate of Brice Lynn Dillingham, Deceased.

NOTICE

Notice is hereby given that the business conducted by R. E. Pratt at Sulphur Springs, Hopkins County, Texas, has been incorporated, and is now and will hereafter be conducted by Pratt Packing Company, Inc., a Texas corporation, and the Post Office address of its initial registered office is Magnolia Street, Sulphur Springs, Texas.

R. E. PRATT, formerly doing business as Pratt Packing Company

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LATIN SEGREGATION LIMITED

(Continued from Page 1)
chez, chairman of the Department of the History and Philosophy of Education at the University of Texas, that the best method is that there be no grouping on account of the language barrier, he accepted at the outset there is nothing unreasonable "about good faith grouping for language deficiencies at least for the first year."

But, said Allred, the pattern of segregating Latins for three or four years in the first two grades "was followed, irrespective of individual progress and abilities... No scientific tests are given to determine aptitude or progress." The judgment of teachers was relied upon instead, practically all of whom "have had their experience and training under the old system... Very few promotions have been made out of the Latin sections and then only to a higher Latin section, not an Anglo or English-speaking section," he said.

In September, 1955, Allred said, the school refused to place in an Anglo section a first-grade Latin child, Linda Perez, who could speak no Spanish. When a lawyer was hired, they let her in. But the instance shows "the line is drawn on a racial rather than a merit basis," Allred said. "In the twelve years that the present superintendent has been at Driscoll this is the only Mexican child who has been placed in the Anglo section and then only after the lawyer's intervention."

(In an interesting footnote, Allred said: "Defendants point out various bits of testimony by some of the minor plaintiffs which allegedly show their inability to speak or understand the English language. As observed by the court... these children appeared to be as bright as Anglo children of the same age; and, I add, their mistakes were no more than those that might have been made by any other child under the excitement or other emotions of a first appearance in court.")

Allred had observed in the trial that it might be an incentive to let apt Latins move into the English-speaking second grade. The defendants replied, somewhat jauntily, that this would "call for a recognition of a difference in descent, and would imply that those who are not of Latin descent are superior..." Allred replied this showed "the present discrimination is based upon race rather than English speaking ability. If indeed the Anglo group were designed for English-speaking students, as defendants contend it is, rather than upon racial origin, as it is, promotion to that group would be a proper incentive, a recognition of individual merit with no racial connotations."

Allred refused to draw a line at the end of the first grade for the end of segregation. He insisted, instead, that such grouping must be based on individual abilities, scientifically tested.

A 'Subterfuge'

SANCHEZ, who was a witness for the plaintiffs in the Driscoll trial, has worked many years for the advancement of Latin-Americans in Texas and the U.S.

At Driscoll, he says, "four years of segregation "eliminated many of the underprivileged students from the schools."

He said the "idea" behind the practice was that by the third grade, "only the cream of the crop gets to the third grade, and they're all right to mix with." He said such practices are only a "subterfuge to keep these 'dirty

little Mexicans' away from the 'lily white' children."

Sanchez is sensible of the importance of the issue for Negro segregation. "All these things (arguments for segregation) will be used against the Negro," he said. "All the gains Mexicans win now are gains for the Negroes, too... The Negroes have 'a language handicap' too, you see," he said.

A case is now pending in Judge Allred's court against the Mathis, Texas, schools. As Sanchez sums it up, Mathis has "a long history of segregation," is "entirely segregating" Latins in an old elementary school. They stay two years in the first grade, take tests in the second grade, and then have "separate sections" in the second, third, fourth, and fifth grades "composed entirely of Mexican-name students."

"What would have happened to this nation if we had separated students—Germans, Italians, Latinos—by language when they started school?" Sanchez asked in his Austin office. "The unitary school, making no distinction of caste among students, is the genius of American society. The segregation of Negroes is an aberration."

"Within the class, intraclass grouping, is very defensible. But segregation by language is not necessary. Schools that practice integration as a general rule show better results than those that do not."

Sanchez referred to a study which traced proportionally more Spanish-name graduates from Austin High School to integrated rather than non-integrated elementary schools. Again, he said, reading achievement scores of Latin-surname children at Allan Junior High School showed those coming from Metz School, which does not segregate Latins early, were "head and shoulders above

the others that had less integration."

Sanchez says that some educators, "in thorough good faith," do separate Latin-American and Anglo students in the first grade, "and they do a good job."

"If, in good faith, Latin-Americans are segregated the first year, and a majority of them pass into the integrated second grade, then I say okay, even though I don't like it. But the test of a remedial procedure is that it remedies. Holding students two years in a segregated first grade automatically retards a group of children who are going to drop out of school early anyhow. If they are perpetuating segregation beyond the first grade, then I immediately challenge the motives."

"The history of America supports the conclusion that everybody, whether Chinese or Yiddish or what, goes into the school with all the other American children. Segregation does not conform with the principles and value forms that prevail in American education. We don't treat children by caste."

"Second, it has been demonstrated time and again by good school systems that there is no need for segregation of Latins."

"Third, a language is not learned by isolation. These children are put in a separate grade because they don't know English, and they don't learn English because they're in a separate grade. Children don't learn English from a teacher—they learn English from each other."

Key Cases

UNTIL ABOUT 1947, Sanchez recalls, segregation of the Latinos (his affectionate term for Latin-Americans) was widespread throughout the Southwest, and Texas was "the horrible exam-

ple." But then came the Mendez and Delgado cases.

In the Mendez case, tried before Judge Paul J. McCormick in a U. S. District Court in California, parents and guardians of a group of Spanish-name children complained against several school systems that segregated them in separate schools. The court restrained "further discriminatory practices" against the Spanish-name pupils. Judge McCormick said at one point:

"The equal protection of the laws... is not provided by furnishing in separate schools the same technical facilities, text books and courses of instruction to children of Mexican ancestry that are available to the other public school children regardless of their ancestry. A paramount requisite in the American system of public education is social equality." The methods of segregation used "foster antagonisms in the children and suggest inferiority among them where none exists," said the judge.

But the Mendez case did not take up the question of separate classes for Spanish-speaking children in a common building or campus.

In the Delgado case, Mexican-name students from four Central Texas communities alleged deprivation of civil rights by their enforced exclusion from "schools and classes" reserved for "other white children." Judge Ben H. Rice, Jr., concluded in 1948 that the defendant school districts' practices "insofar as they... have segregated pupils of Mexican or other Latin-American descent in separate classes and schools" were "arbitrary and discriminatory," violations of the Fourteenth Amendment, and illegal. Rice enjoined the school boards permanently from segregating Latins "in separate schools or classes,"

He excepted "separate classes, on the same campus in the first grade only and solely for instructional purposes, for pupils in their initial scholastic year" who, according to impartial tests, show they don't know enough English "to understand substantially classroom instruction in first-grade subject matter."

'Free Choice'

AFTER the Delgado decision, Sanchez says, many Texas school districts complied in good faith. Ozona and Sonora schools, which had been operating separate schools for Latins and Anglos through the high school level, ceased doing so. Elgin had required Latins in the segregated elementary school to take any high school they wanted in the elementary school; this stopped, too. But "some school systems became recalcitrant," he said.

The first one was Del Rio. Sanchez says they had two elementary schools in the same block, with a common playground, with Anglos attending one and Latins the other. School Superintendent L. A. Wood ordered their accreditation discontinued in 1949, but they went on with their segregation. However, in September of that year, a large number of Latin children "chose" to enroll in the Anglo school, flooding it with students and thus showing that the Del Rio schools' defense that the students had "free choice" about which school to attend was untenable. Del Rio integrated. The stratagem was applied again in Hondo—only one Mexican child signed up for the Mexican school.

School district gerrymandering and "neighborhood schools" still leave a lot of South and Southwest Texas schools dominantly Latin or Anglo, but it's nothing formal.

"Many of the schools in deep South Texas separate the Latins for two years in the first grade," Sanchez said. "I would say, thinking of the entire Southwest, that most of the do not." R.D.

Workmen's Comp Hike Proposed

AUSTIN

An increase of the workmen's compensation maximum of \$25 a week is likely this session. Governor Daniel advocated it Thursday, and at week's end three bills were introduced in the House. One, by Bill Elliott, Pasadena, would raise the payment scale to from \$15 to \$45; another, by DeWitt Hale, Corpus Christi, would raise it to from \$13 to \$35.

A third bill was introduced by Reps. Wade Spilman, McAllen, and Don Kennard, Fort Worth, and is probably the compromise industry and labor have been working on. It raises the scale to from \$9 to \$40, and rescinds some present limitations on medical benefits for injured workers.

Rep. James Turman, Gober, and 57 other members introduced the teachers' requested pay raise bill (\$399 minimum raise a year). Rep. Ben Glusing, Kingsville, and others introduced a bill (HB3) establishing a code of ethics with eleven standards for state officials and employees. Rep. E. E. Shackelford, Kirbyville, proposed a minimum old age assistance pension of \$50 a month and was joined by 23 other members in the plan. He also introduced a bill to remove the constitutional limitation on how much may be spent on the aged, blind, and dependent children. Rep. Amos Martin, Paris, introduced Daniel's plan to increase the old age pension maximum from \$58 to \$60 a month.

Rep. Obie Jones, Austin, and 27 others introduced a bill to raise

state workers' pay 25 percent on salary up to \$2,400. Reps. Charles Sandahl and Wilson Foreman, both Austin, proposed a pay raise of 12.5 percent on state workers' salary up to \$3,000.

Annual Sessions

Rep. Truett Latimer, Abilene, would have annual sessions and an annual salary of \$7,500 for legislators. Rep. Herman Yezak, Bremond, wants to cut the House membership from 150 to 100. Rep. Dixon Holman, Fort Worth, proposes two terms of four years each, and no more, for governors. Rep. Tony Koriath, Sherman, and others, want to abolish the poll tax. Rep. B. H. Dewey, Bryan, proposes abolition of absentee voting.

Rep. Jack Bryan, Buffalo, proposes letting the state finance Texas advertising, as does Governor Daniel.

Rep. Charles Hughes, Sherman, introduced an occupational safety bill to create a division in the Bureau of Labor Statistics, require employers to maintain safe working conditions and abide by safety rules of the division, and make it a misdemeanor for them to fail to do so.

Reps. Robert Jackson, Corsicana, and Kennard introduced the urban renewal bill to permit cities to provide for slum clearance in contracts with the federal government for slum clearance and private construction in the cleared areas. No property acquired under the act could be used for public housing.

Of special interest is H. B. 1 by

Rep. Joe Pool, Dallas, to license and regulate ophthalmic dispensers and to require that their training "must be acceptable to the Texas Medical Association." Rep. Jack Bryan, Buffalo, drew the right to introduce H. B. 1 but yielded to Pool.

Regulation

Rep. Reuben Talasek, Temple, introduced several bills of interest: authorizing and regulating "cooperative action among (casualty) insurers in rate making and other matters"; prohibiting merchandise sales with a limit on quantities; and regulating car junkers and rebuilders.

Sen. Doyle Willis, Fort Worth, introduced a bill to allow cities to boost longevity pay for firemen and policemen from \$2 to \$4 per month for each year of service up to 25 years.

Rep. Ben Ferrell, Tyler, is sponsoring a bill aimed at keeping minorities from electing local school board members. The bill provides election of school board members by places instead of naming the three strongest-finishing candidates for office. Ferrell pointed out that the present election procedure might make it possible for a Negro candidate to be elected over several white men whose votes were split.

Rep. Jack Welch, Marlin, filed a bill calling for a maximum sentence of life imprisonment for dope peddlers caught dealing with minors and the death penalty for the second such offense.

Sen. A. M. Aikin, Jr., Paris, and Rep. Robert M. Baker, Houston,

have introduced measures expanding the hot check law to cover employers who deliberately write worthless checks to pay weekly wages to their workers.

Rep. Gordon B. Forsyth, Corpus Christi, filed a bill not calculated to get the youngsters' approval. It prohibits the sale of fireworks in the state except for those to be used in public celebrations and they would be obtained from local fire departments.

Many of the 16 bills sponsored by the Texas Press Association have been introduced by various legislators.

Pollution Control

Other proposals in a flood of 300 bills and constitutional amendments in the House: to penalize officials for refusing to correct the word "Mexican" on birth certificates as the "color" of Latin-American whites (Maud Isaacs, El Paso);

To make it a felony to give the Insurance Board false information and to require insurance firms to publish biannual financial condition statements (Jack Welch, Marlin); to give the Railroad Commission rate-making authority over phone rates in rural areas excepting incorporated towns (Welch); to classify jobs of state employees (Hale);

To increase salaries of firemen and policemen (Hughes); to cut firemen's hours from 72 to 60 hours (Kennard),