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Conservatives to The Fore

Interpretation of a Sharply-Divided Senate Vote

AUSTIN
With the Senate field of six major candidates divided among two conservatives, two moderates, and two liberals, Goldwater Republican John Tower and Eisenhower - Kennedy Democrat William Blak-

ley emerged with just about fifty percent of the slightly more than one million votes for places in the run-off.

In what must be taken as a fairly accurate gauge of Republican strength in a state now swiftly moving toward the promise of two-party status, Tower polled 31.5 percent, 325,000 votes, to Blakley's 18.3 percent and 189,000. Both ran as passionate foes of the Kennedy program, and for weeks the opposing camps jostled over the claim to "true conservatism."

The two moderates ran third and fourth. Cong. Jim Wright made a surprisingly strong bid, and for a time during election evening was running ahead of Blakley. He received 169,000 votes, 16.4 percent of the total.

Equally astonishing was Atty. Gen. Will Wilson's fourth-place finish. The Dallas politician, who had never lost a statewide campaign and who had been grooming himself for the next likely gubernatorial race, got 11.8 percent and 121,000.

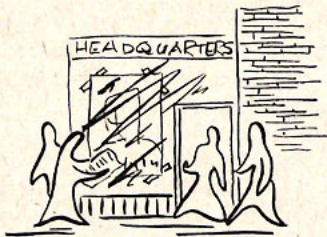
The candidacies of San Antonians Maury Maverick Jr. and Sen. Henry Gonzalez, finishing fifth and sixth, stressed the fact that the solid liberal vote in Texas is not sturdy enough to support two candidates. Maverick polled

105,000 votes for 10.2 percent and Gonzalez 96,000 for 9.3 percent.

What about the run-off?

The prospect of a Tower victory depend on how successful he will be in dividing and taking the moderate and liberal Democratic vote and, conversely, on how successful Blakley will be in gaining the support of the more reluctant brass-collar Democrats.

Blakley will desperately need the endorsement of both Speaker Rayburn and Sen. Yarborough. Rayburn can more reasonably be expected to come to the aid of a beleaguered Democrat, even an Eisenhower Democrat. With Yarborough one cannot be so certain.



Judy Horton

The first post-primary move within the Democratic machinery was made by Byron Skelton, the conservative Democratic national committeeman from Temple, who said, "Sen. Blakley's election is assured because the Democratic majority in this state is not going to support a Republican for this high office."

A substantial number of liberals and moderates will probably sit this one out—and the greater the division among Democrats, the better for Tower.

The dilemma that confronts Blakley now is a classic political dilemma. A rock-ribbed conservative personally, how much can he afford to concede to that great mass of Democrats to his left while retaining his solid conservative support against a vigorous Goldwater Republican?

To Blakley's definite disadvantage in drawing the liberal vote, and to some degree the moderate, are the heated intra-party battles which for years have characterized Texas politics.

And yet, with all these factors working against the Dallas multimillionaire in this curious run-off between two staunch critics of the New Frontier, Tower is the candidate who must fight the uphill battle. Though he led the field in the confusing twin-ideology first primary, he still polled only 31.5 percent of the total vote. That means one thing: he has a long, long way to go.

With Nixon, Goldwater, and other top Republicans barnstorming the state in his behalf, will Tower be able to make a few bare inroads into Blakley's first primary strength? And will the presence of Blakley himself in the run-off dissuade sufficient numbers of the liberal-moderates from turning out at the polls? On these major considerations rest the fate of the election.

The primary was a reasonably reliable test of Texas Republicanism, labor, and the Latin vote. It showed that GOP strength was sharp and well-directed; that la-

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Ralph Keeps Mum On Tower-Blakley

AUSTIN
Sen. Ralph Yarborough, as spirited as ever in meeting a long list of appointments and appearances, came back to the homestate for a few days this week. In an hour-long interview with the Observer he lashed out at opponents of an 88-mile Padre Island national seashore but was cautious and diplomatic on the Senate campaign.

"These efforts to limit the Padre Island project to less than 88 miles are efforts to kill the park entirely," he charged. "Already it's been shortened from 117 miles. The issue is simply whether Texas wants a great national park area there or not.

"It would be tragic," he said, "if this opportunity were lost because of the short-sightedness of a few hard-headed men without vision."

Asked whom he would support in the second primary of the Senate race, Yarborough said: "There wasn't a party primary and there weren't any party conventions. It was purely a personal race. I think a statement now would be premature," he said.

"As I saw it, the two (Tower and Blakley) were in competition as to who could denounce the Democratic administration the hardest."

On the general field, he said he thought "a good many of the candidates shied away from the issues, doubtless thinking they'd be in the run-off and then de-

velop the issues when the field was narrowed.

"All the six candidates got a respectable vote. Nobody collapsed and fell out of it," he said.

On Cong. Jim Wright's strong showing, Yarborough said he "was not as surprised as some people were. He had trains, helicopters, and television. His campaign had many gimmicks in it that attract attention.

"I think Maverick and Gonzalez ran good races considering the amount of money they had," he said. "Will Wilson played it too cautiously. He was waiting for a run-off. His showing was no measure of his competence as a campaigner."

New Frontier

Yarborough believes "a majority of the points in the Kennedy program will eventually be passed. Some of them might be seriously watered down, but the major parts will pass. But this will be the hardest year of the administration. The pattern will have to be laid out."

Some sort of minimum wage bill will pass, he said. The measure is in a Senate committee now, "and it's impossible to tell whether it'll be the House bill or more like the administration's proposal." Medical care for the aged under social security, he predicts, will also be passed in some form.

"This isn't like the 100 Days," he said. "The Senate and the House are having careful hear-

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Four-Hour Session on HB 50

Compromise?

AUSTIN
Representatives of the larger telephone companies in Texas concluded a four-hour long debate with Rep. Dan Struve over House Bill 50 by stating that they would not oppose a regulatory bill if the legislation, instead of aiming only at intrastate long distance service, embraced the entire industry, including phone service within cities.

At present urban rates are set by the various city governments while rural and long-distance rates within the state are not regulated at all. Struve's bill would establish a commission to regulate these latter services.

A state affairs subcommittee chaired by Rep. Joe Cannon met with a dozen telephone industry leaders at dinner in the Driskill Hotel this week and, after refereeing a protracted fight over specific items in Struve's bill, thought they saw a breakthrough with the announcement by Claude Gilmer, lobbyist for Southwestern Bell Telephone Co.:

"No telephone company ever appeared against a bill regulating the entire industry. We do not oppose regulation. We are against this bill. We don't like your singling out the telephone industry for regulation, but if you do, please regulate the entire industry."

This suited Struve fine. He said, "I'll admit this is picking on one segment of the public service industry, but if the people of the 69th legislative district send me back next time, I have in mind

putting other utilities under regulation."

Don Holdridge, council for General Telephone Co., backed Gilmer:

"We have at all times thought the industry and the citizens would be better off with a proper regulatory body."

Rolla Johnson, general manager of Gulf States Telephone Co., told the Observer later that his company would go along.

Small Fears

Southwestern Bell and General Telephone are the two largest companies in Texas. Gulf States, servicing 39 communities, is one of the healthier middle-size companies.

Some of the smaller telephone companies fear the idea of a telephone commission, however. J. B. McDuff, chief executive with telephone companies in Burnet and Crockett, told the Observer after the dinner:

"Right now Southwestern Bell can't hurt me. I'm regulated by city councils and they give me a fair shake. But if the legislature sets up a regulatory commission, the big companies will ship a crew of experts in here, submerge the commission with data and arguments, and be running the show within months. You can say I said so. Southwestern Bell would be running the commission and get me regulated out of business in no time. As it is now, I can hold my own against the big companies."

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In The Legislature:

Conflict on Padre

AUSTIN
The proposition to make Padre Island a national park is being stretched and twisted like salt water taffy these days, and for a while it was intimidated by some legislators that not every hand in the taffy pull was clean.

But that accusation is heard less and less, now that Rep. DeWitt Hale's soothing compromise has been accepted by committee.

For several weeks three bills fought for supremacy, each supposedly trying to transfer Padre Island in such a way as to achieve the greater welfare of the people of Texas. The clash came from the various authors' inability to agree on whether "the people" means all the people or, more strictly, the property owners already lodged on the Gulf island and developing it along the usual lines of tourist free enterprise.

Rep. Maco Stewart of Galveston — as best the Observer can determine in tracking back the evolution of this strange crop of bills — was the first to move with the "Yarborough bill," so called because it followed the wording of a similar bill introduced in the U.S. Senate by Sen. Ralph Yarborough to establish a national park on the island and setting out its dimensions.

But Stewart either didn't move

fast enough or far enough with his bill, because before he got all the signers he wanted on it and dropped it into the hopper, lo, Reps. Ben Glusing, Peter LaValle and George Preston had filed the same bill in the house and Sens. Bob Baker and Bruce Reagan introduced it in the Senate.

Introducing a bill does not mean you favor it. It can mean just the opposite, for as the "author" of the bill you are empowered to rewrite it any way you want, substituting specifications as you choose, gutting it if you choose.

The best Stewart could do under the circumstances was to introduce a bill of his own that was — with the exception of a couple of tacked-on phrases, just enough to allow him to say it was a "new bill" — precisely the same as the bill introduced by the faster Glusing-LaValle-Preston team.

Change Immediately

Signing Stewart's bill with him were Reps. Garrison, Markgaf, Bridges, Mullen, Eckhardt, Struve, Rosas, McGregor of El Paso, Lack, Harrington, Haynes, Wilson of Trinity, Koriath, Kilpatrick, Trevino, Caldwell, Whitfield, Collins, Hale, Smith of Bexar, Cory, Johnson of Bexar, and Alaniz.

But apparently Glusing, LaValle, and Preston really weren't too happy with the original wording

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Viewing the Vote

(Continued From Page 1)

bor, which went all out for Maverick, was unable to hold its entire rank-and-file in line under threats mostly from Wright on the right and Gonzalez on the left; and that the Latin vote, without sizeable reinforcements from labor-liberals, was insufficient also to make an impressive showing.

The Negro vote, which will have to be analyzed more closely precinct by precinct, was likewise split between the liberals Maverick and Gonzalez, with Wilson—well known for his "moderate" stance on race—getting a smaller share.

The combined vote for the two staunch conservatives Tower and Blakley on the one hand, and the four moderate-to-liberal Democrats on the other, bear a close similarity to the Nixon - Lodge and Kennedy - Johnson votes last November. The Democrats carried the state in the presidential election by a narrow 50.7 percent to 49.3 percent.

Drawing upon the complete but unofficial totals of the Texas Election Bureau, which may have to be slightly modified by official returns, the Wright-Wilson-Maverick - Gonzalez figure was 47.62 percent and the Tower-Blakley total was 49.85. The other 2.5 percent went to the 65 minor candidates on the ballot, including six who had withdrawn and one who had died.

Tower, whose percentage vote as compared with his November senatorial race against Lyndon Johnson dropped by almost ten percent, with most of the ten percent probably going to Blakley and Wilson, led the slate in 113 of the 254 counties and most metropolitan areas. He was out front in deep West Texas, in the Valley and the Panhandle, and along the Gulf Coast. In Harris County he led second-place Maverick, who finished second, 45.4 to 16.2 percent.

The Republican fairly evenly split the Dallas County vote with hometown Blakley, getting 40,000 to the interim senator's 36,000. Blakley ran uniformly strongest throughout East Texas.

Wright carried 38 counties, centering mostly around his Fort Worth congressional district and territory to the west. In Tarrant County the young congressman polled 35,500 votes to Tower's 19,700. But his campaign suffered a serious jolt in Harris, where he finished sixth.

Wilson led in only 13 counties, including the "boss" domains of Starr and Duval. In county after county the attorney general ran no better than fourth, including Travis, where he was expected to be strongest. He ran there behind Tower, Blakley, and Wright.

Gonzalez took nine counties and generally ran strong in Southwest Texas and along the border. His greatest victory was in Bexar, where he polled 30,000 — Tower getting 20,000 and fellow hometown Maverick 9,000. Maverick carried only two counties, Jefferson and Hardin in strong labor areas. His brightest showing was the second-place in Harris.

The sharply divided liberal vote, which could have been expected to rally behind Maverick or Gonzalez if only one of them had been in the race, also suffered by frequent desertions to Wright and Wilson, whom many argued had better chances of making a run-off.

Both Maverick and Gonzalez were further deprived of a strong hometown advantage in San Antonio. Most of Gonzalez' 30,000 votes there would have gone to Maverick, just as most of Maverick's 9,000 would have gone to Gonzalez. In this instance, both

were hurt in relation to Wright's hometown showing. Wright led Maverick 10-1 and Gonzalez 27-1 in Tarrant County.

In the "boss" counties of South Texas, the Gonzalez candidacy cut somewhat into the bloc strength for Wilson and also excluded Maverick from possible votes.

Wright's strong campaign brings a new personality onto the state political scene. He is already being mentioned as a possibility for the gubernatorial race in 1962. For a while just after the election there were the beginnings of a "Wright-In" campaign in the run-off, but the Fort Worth congressman scotched the move.

It is now apparent that Wright, whose broad-based campaign was well-financed, was able to make full use of television to create a highly favorable TV image. An able campaigner with an impressive personality, he also may have taken some moderate support from Wilson by making a more positive appeal to the middle-road voter. For several weeks the Wright campaign seemed to be sliding seriously, but in the last days he began to gain strength.

For Wilson, it may have been a major blunder of his political career. He had advanced steadily since he entered politics and has been considered the leading candidate for governor when Price Daniel steps aside. His fourth-place finish will no doubt be a damaging blow to his prestige.

Since the election he has taken the position that the results proved the voters wanted him to remain at home "to fight to raise the level of government by law in our state." This may be one of his central themes in a possible gubernatorial bid in '62.

Ironically, despite his fifth-place finish, Maverick's campaign, his first at the state level, may, as Dawson Duncan of the Dallas News interpreted the election, "have sown the seeds of a statewide organization that could be beneficial in a future political race. But Gonzalez and Maverick, and Wright to some degree, must face the political reality that Texas voters, without any tugging of a party label, demonstrated a substantially larger number for the conservatives than for the outright liberals."

W.M.

74-72 on Key Revision

Amended Shark Bill Passes

AUSTIN

The House shored-up its voting record in a two-day debate this week by showing Texans that to a man they are against loan sharks. By a vote of 144-0 they approved an amended version of Rep. Criss Cole's small loan regulatory act.

But the major amendment has Cole confused. He said he hadn't studied the change made by Rep. George Preston of Paris on a tight 74-72 vote, but feared it would allow the loan companies to "continue excessive interest."

Rep. Malcolm McGregor of El Paso was a little more firm in his conviction about the Preston amendment. "If you want to legalize rates in excess of 40 per cent then you can vote for Preston's amendment," he told the House.

The amendment provides for a minimum charge of \$4 a month on all loans no matter the size. Preston said it was the only way that a lender could possibly afford to make a \$10 or \$25 loan and make money.

McGregor said it would permit the loan companies to pyramid interest. "If they can't live on 40 per cent, what can they live on?" he asked.

Preston withdrew his original proposal to change it so that the minimum charge could be made only every three months.

Preston's amendment was believed to be the only significant change in the bill recommended by a subcommittee of the House committee on banks and banking.

The subcommittee version incorporated small loan regulatory ideas put forth in bills by Cole and Reps. Don Kennard of Fort Worth and Tony Koriath of Sherman.

By a vote of 77-59, the House tabled an amendment by Rep. Eligio (Kika) de la Garza of Mission that Kennard said was designed to "do this bill in."

De la Garza prefaced his amendment by saying, "I don't want anyone coming up here and shouting loan shark. This is just a different concept."

His proposal stipulated that on loans of \$1,000 or less there would be a 5 per cent maximum interest, plus \$2 per month per \$100

charge added to the note. It provided that a \$20 loan could be made for only one month, and then graduated the lending time by \$20 brackets up to five months for a loan under \$100.

De la Garza said the system was recommended by the Texas Legislative Council, but after this was denied by House members who worked with the council on the bill, he said he never intended to lead members to believe that his amendment was recommended by the council, only that it includes some of the group's recommendations.

When Kennard asked de la Garza if he knew how much effective interest his amendment would permit, the Mission representative replied he did not.

Kennard then inquired why Rep. DeWitt Hale of Corpus Christi withdrew a proposed amendment in favor of de la Garza's.



Sponsors of the bill had Hale's proposed amendment under attack for more than a week. They charged it would make Texas a "loan shark state" more than in the past.

Kennard said the Hale amendment would have permitted up to 160 per cent interest, and said he was afraid the de la Garza proposal would do the same thing.

Both Hale and de la Garza were attorneys for a number of the small loan companies that Atty. Gen. Will Wilson brought injunction suits against during the last legislature.

De la Garza protested his innocence, saying his amendment was just a "different concept. Reasonable minds may differ," he said, "But to say this is a subterfuge to keep someone charging illegal interest is not true."

De la Garza said "everybody knows" a small loan company can't operate on a per cent business, and that they have to make a service charge. He said set interest rates would kill the small lender in Texas and leave the

business for the big out-of-state loan companies.

Rep. Dick Cory of Victoria then set out to take care of the out-of-state companies. The House approved his amendment to require loan companies to be owned by citizens of Texas or that 51 percent of their stock be owned by Texans.

He said he was offering the amendment "in behalf of the independent small loan companies of Texas."

Cory said the amendment would keep in check the big companies like Household Finance and Beneficial Finance. "This is to protect the small against the giants," he said, warning that if it did not pass the big companies could squeeze the small ones out by taking a loss on the really small loans and by refinancing.

Rep. Franklin Spears of San Antonio tacked on an amendment to further limit the chain loan firms. His alteration limits the number of branch offices to 25.

Two attempts by Reps. Paul Haring of Goliad and J. Collier Adams of Lubbock to limit the bill to loans under \$300 and loans under \$600 failed.

During debate on the bill, Rep. Jake Johnson of San Antonio showed newsmen a telegram he received urging him to oppose the measure. It was signed "Owen W. Kilday."

Johnson said he checked with Kilday, who is sheriff of Bexar County, and learned that he did not send the telegram. He said Western Union told him that the telegram was phoned to San Antonio office with instructions to charge Model Finance Co. of San Antonio with the wire.

Johnson said he would turn this information over to Kilday for any possible action against the loan company. The telegram was sent to all of the San Antonio House members.

Rep. James Cotten of Weatherford tacked on an amendment to prevent small loan companies from using the state regulation as a means of advertising.

He said the companies would use a reference to state supervision "to twist the tail of the debtors."

The House also accepted an amendment by Rep. Marshall O. Bell of San Antonio to provide for legal fees in usury suits.

The House approved the bill on second reading by voice vote and agreed to suspend rules for final passage by a vote of 127-17.

The bill would create a state consumer finance commissioner with power to enforce the legislative-set interest rates, license lenders, and examine the industry. The act applies to all loans under \$3,000, but does not affect bank financing. Penalties for violation of the act would be \$100 to \$1,000 fine and up to six months in jail.

Small loan companies would have to have at least \$25,000 in assets. The companies would have to pay a \$200 examination fee and a \$200 annual license fee.

Loans could be made at a rate of \$5 per \$100 per year plus one and one-half cents per dollar per month on loans up to \$100 and one-half on each dollar per month for the next \$400.

The sponsors said the rate would be 40 percent effective interest on the real small loans. A \$100 loan would cost \$23 and a \$1,000 loan \$92.

The lender would also be allowed to require additional security for a loan, credit life insurance and credit health and accident insurance. The rate of insurance, however, would have to be approved by the finance commissioner.

W.M.

RALPH ON PADRE, EDUCATION

(Continued From Page 1)

ings, and that means amendments."

Passage of federal aid to education "will be more difficult than medical care to the aged and minimum wage," he said. Under those "you have millions who will benefit directly. With education you have fewer with immediate monetary concern. There's practically no lobby drive back of federal aid to education. But there IS one great unorganized lobby—the growing insistence of the people of this country for adequate educational opportunities for their children."

Yarborough believes there is wide misunderstanding in Texas about the benefits of federal aid to education. "Texas would get more out of it than any other state," he said. "It's not that we have more children. Our need is greater here.

"Our school children don't go to school" as frequently as the national average, he said. "Our teacher shortage is greater than the national average. We have poorer equipment."

Yarborough continues to work

hardest on education measures. He is co-authoring a number of education bills and he has renewed his drive for passage of the "Cold War GI Bill." Some four and one-quarter million veterans would be eligible, he said, and about half that number would be expected to take advantage of the benefits, including over 200,000 Texans.

Yarborough has found President Kennedy "a man of tremendous industry and very keen intellect, with a fabulous grasp of ideas, of facts, and of people" and with "great capability in analyzing motives and touching the springs of action in people."

Prospects of congressional approval of the Padre Island bill "are more favorable than they've ever been," he said. A Senate subcommittee hearing is scheduled for this Tuesday.

"Some of the croakers and promoters are trying to convince the people they can never get it," he said, but they are too late. In 1958, when he introduced the Padre Island bill, "there was no mass support behind it. Only three papers supported it—the Corpus

Christi Caller-Times, the Texas Observer, and the Houston Press." Now a large number of papers are behind it, he said, and most of the general public.

Fred Seaton, the Republican secretary of the interior, said the federal government would be prepared to spend \$8 million in the first five years on Padre Island. Secretary of the Interior Udall "has stated unequivocally he is for the 88-mile version," he said.

"If we don't get the 88 miles it's just not worth it," he said. "The federal government wouldn't have accepted Grand Canyon if they'd put honky-tonks on the north side and allowed the federal government to develop only the south side."

As for "practical considerations," Yarborough cited the decline in tourists to Texas from 10.3 million in 1957 to 8.6 million in 1960. "I think in five years there might be a million visitors a year to Padre Island, and each out-of-state visitor spends an average of \$45 each visit," he said.

W.M.

Padre Island Maneuverings Rate Compromise Possibly in Offing

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of their bill, because when they come to committee they were ready with a sweeping substitute—and the fur began to fly.

Several provisions in the substitute bill (HB 522) were flatly defined by Stewart as "snakes in the grass." Specifically, Stewart did not like the fact that HB 522 made the School Land Board the bargaining agent in ceding the land, that the Board could bargain with the federal government "at its discretion," that the federal government had to pay "a sum of money . . . as determined by the School Land Board," and that the land was left open for the use and development of the oil companies for directional drilling, housing of employees and storage of oil.

Of these provisions, only the directional drilling—in the form of a request, not a demand—was in the original bill introduced by Glusing, LaValle and Preston. Stewart posed the question, "Is there hanky-panky going on?"

The original bill had fixed the governor alone as the bargaining agent. The school land board is composed of the governor, the commissioners of the general land office, and the attorney general. Stewart called this scattering of authority the first "snake."

Rep. Ronald Bridges, Corpus Christi, one of the signers of Stewart's bill, cautiously agreed for the reason that "ever since the land scandals" he hasn't liked to see responsibility for land action scattered too widely.

Stewart felt the bill's particulars were too demanding of the federal government and even hostile to it. Bridges was inclined to agree, but he was more politic about expressing it.

"I don't want to criticize any of my colleagues in this matter," he said. "But I will say I am suspicious of any efforts to make the bill so complex that the federal government might just give up the whole idea. I'm not saying the bill was intentionally written to discourage the federal government. I'm just saying I'm suspicious of it."

Stewart's fears were apparently ill-founded, however, for the Hale amendment, while it retains the School Land Board as bargaining agent and provides for directional oil drilling, does away with most of the other features which Stewart found objectionable—and yet the amendment was readily accepted by the Glusing force.

"We had put in such wording as 'at its discretion' just so the state would be in a better position to retain its mineral rights and that sort of thing," Glusing told the Observer later.

Which leaves the main debate still going over how long the national park should be. The Hale amendment calls for 88 miles. Glusing said that was okay with him, but he indicated it wouldn't disturb him if more land were retained by private owners than this length would allow, because in general he likes the way the owners are developing the land for public use, especially on the south end.

But Yarborough, in Austin over the weekend, said he would positively refuse to cut back the 88-mile provision in his Senate bill, and Bridges said he was in hearty and unbudging agreement. On this point they are bitterly opposed to both U.S. Reps. Joe Kilgore and John Young, who have introduced bills to limit the seashore park to 65 miles, Kilgore's reason being that he wants to leave the land in use for county tax purposes.

Young recently said he didn't really expect the park to be that short, but that after his bill is

compromised with Yarborough's 88-mile bill, he expected the park limit to be set around 75-80 miles—meaning the private owners on the island would gain from eight to 13 miles over what the Yarborough bill would allow.

Such talk of further compromise inflames Bridges:

"We really should have the whole island. But we compromised that request to 100 miles, and then we compromised that to 88 miles. To go further would not be compromise, it would be surrender."

"The 88-mile version leaves nearly 40 miles for private development, and considering how long it has taken to obtain the few miles of private development that we now have, I think it ridiculous to consider cutting the size of the park further."

Over in the Senate, one finds more agreement with the position of Harlingen's Rep. Menton Murray, who said the size of the park isn't nearly so important as is the conditions under which it is established.



Sen. Reagan, one of the sponsors of the Senate bill, told the Observer:

"Have you ever been there? Well, all that sand is the same, and I would not kill the bill in a fight over 15 miles of sand. I'd rather get a park that is 75 miles long than none at all."

On this point, Yarborough has said, "Some people say they want a Miami Beach-like resort down there. Private ownership has enough room to build three Miami Beaches on Parde now. And there will be more chance for a Miami Beach-type resort area if they don't have honky-tonks scattered for 117 miles."

Reagan said he is in no hurry to push his bill and would rather wait until the national congress takes some action to serve as guide.

"I think Yarborough and Young and Kilgore should get together and work out something and get that through. Any plan they send to us will be agreeable, I'm sure."

Reagan said Sen. Hubert Hudson, Brownsville, one of the opponents of the bill in its present

form, would withdraw his opposition if a road were stipulated, and Reagan indicated he agrees with Hudson on this point.

"I was down there at Padre over the weekend and you couldn't drive 10 miles," he said.

Hudson told the Observer he definitely would tack an amendment onto the bill in the Senate to require a road built through the center of the island "and I will tell every member of this house that to permit a national park in that area without a road would be a total waste of money. I know the Interior Department's policy in the past, and I know that if we don't stipulate a road the Interior Department will just let the park sit there. People just won't visit wilderness areas unless they have a road to go on. They won't cut their way through the chapparel. Last year Atascosa Refuge, about 30,000 acres of wilderness in Cameron County, was visited by only 6,200 people because there simply is no decent way to get in and out of the place.

"Personally I think Yarborough is playing politics by not sitting down with us and working out a compromise on this matter. He compromised on the mineral rights, so why not on this?"

Reagan said he had talked to Yarborough recently and had been assured that the senator favors developing the mineral resources.

B.S.

Sales Tax Battle In House Monday

AUSTIN

The stage was set for the biggest tax battle of the session as Rep. John Allen's general sales tax on practically every retail item (HB 803) was reported out by the House tax committee and placed at the top of the Monday calendar.

Tax committee chairman Charles Ballman and vice-chairman George Hinson said they asked for favorable committee action to give the House "a free run" on all tax measures. The committee, controlled by liberals, had previously agreed it would send to the floor measures embracing all philosophies of taxation.

Allen's tax would raise \$158 million a year. The only exemptions would be on items now carrying selective taxes.

The UH Problem

AUSTIN

The bill to make the University of Houston a part of the state system is far from dead in the Senate, but the best chance for its passage seemingly rests with the old Senate formula for beating the odds: a good turnout of supporters, an encouraging absence of opponents—and a sympathetic man in the speaker's chair, if one can be found.

One day this week backers of the UH bill lacked only the last element in the formula. Sen. Dorsey Hardeman, San Angelo's gift to the thrifty brotherhood and one of the most dedicated foes of an expanded college system in Texas, was in the chair substituting for Lt. Gov. Ben Ramsey and he would not allow the UH bill to be brought up. At that moment the bill's backers were in the majority.

Two weeks ago Sen. Robert Baker, sponsor of the UH bill, fell seven short of the necessary 21 votes to get the Senate rules sus-

pending for consideration of the bill.

A sample poll of the senators by the Observer this week indicated that most of them favor state support of UH in principle. Those who oppose bringing it into the state system apparently do so solely for economic reasons.

At present the University of Houston is so hard-pressed that it charges a whopping \$600 yearly tuition, one of the highest in the South. But if the school were added to the state system, it would nearly double the state budget for state colleges and universities.

To lessen the size of this pill and make it easier for economy-minded legislators to swallow, Rep. Maco Stewart, Galveston, has proposed that half the cost of operating UH be borne by the state, the other half by Harris County.

This is a new proposal and he hasn't had time to get a wide sampling of reaction to it.

Rate Compromise Possibly in Offing

(Continued From Page 1)

But the willingness of the big companies to support the idea of a commission did not mean they weren't full of fight on specific items in Struve's bill, and so adamant was their opposition to some points that Rep. Cannon predicted sweeping alterations in the measure before it comes back to the full committee next week.

Bitterest opposition was to the rate basis in Struve's bill. Struve asked that the rate of return be based on the telephone company's original investment, minus depreciation. One and all, the representatives of the phone companies demanded that the rate of return continue to be based on what they called the "fair evaluation," that is, present worth—not, as Struve suggests, original worth.

'Hocus-Pocus'

Rupert Loper, rates and revenue requirements supervisor for Southwestern Bell, said: "If a person paid \$8,000 for a home 20 years ago, it would probably take \$20,000 to replace it today. A fair evaluation of that house on the contemporary market would be something less than \$20,000, but it would certainly be far more than \$8,000. When the house was built, it might have rented for \$80 a month. But what should it bring now? Maybe \$150 a month.

"We collect our revenue in today's dollars and pay our expenses in today's dollars. If we fixed our rate base on another day's dollar value, it wouldn't be realistic."

But Struve countered by calling the "fair value" criterion "a lot of hocus-pocus to let the court set any rate it wants. The formula isn't fixed. It's called the 'fair value' formula because it sounds sweet."

Bryan Sloan, Abilene accountant and Struve's principal witness, added:

"To the extent that you consider present replacement value rather than historical cost for the purpose of setting rates, you are forcing the public to furnish the companies with a replacement fund. But replacement costs should be up to the companies. That's why they're making a profit."

Struve slammed at the replacement value of equipment as a basis for rate-making with the argument:

"Southwestern Bell can and does buy equipment from Western Electric. Southwestern Bell, as a public service, is supervised by the FCC. But Western Electric isn't. And both are owned by American Tel & Tel. All right, so Southwestern Bell buys a \$10 telephone from Western Electric for \$20, then it cries about the cost of equipment going up and asks for a rate increase based on present high prices set by Western Electric. Southwestern gets its higher rates, Western Electric makes a big profit, and AT&T pockets it all."

After the session ended, Cannon predicted Struve would have to forget the rate basis reform if he wanted to win his larger goal, a commission, without having to fight every phone company, big and little, in the state.

The telephone executives also hotly opposed the "substantial evidence" clause in his bill, which would prohibit the companies from introducing new evidence in appeals to the court from a judgment by the commission. In other words, the appellate court would only have to decide whether or not the commission had had sufficient evidence on which to base its decision. If it did have, that would be that; no new evidence

would be considered by the court. This, in general, is the system used by federal courts in appeals from federal commissions.

Traditionally in Texas such appeals have been handled in trial de novo fashion, that is, the appellant can start all over and present his case, plus any new evidence, again. The phone companies want to perpetuate this tradition. Gulf State's Johnson was candid as to the reason: "It gives us two chances to win our case instead of one."

But since venue in de novo appeals is traditionally in one county, Travis, for the entire state, Rep. Neil Caldwell said he was afraid that removing the "substantial evidence" provision would allow the companies to load the court docket and fight a delaying battle that would unjustly favor their side.

2-Way Profit

Until the point in the debate at which the phone executives conceded their general willingness to accept regulation, most of the Struve-side testimony was aimed at showing the companies' arbitrariness in setting rates.

Sloan gave this example: The federal government used to tax intrastate telephone calls 25 percent. "Then the government decided to cut the tax rate back to 10 percent. On a \$1 call, that would have meant the total charge would have been cut back from \$1.25 to \$1.10. But just before the reduction went into effect, Southwestern Bell announced a 10 percent increase in rates. That means that the \$1 call is now \$1.10, plus 11 cents tax, bringing the old \$1.25 call to \$1.21. Of the 25 cent tax reduction, the company benefitted by 10 cents. Only a four cent reduction was passed on to the Texas customer."

None of the telephone executives argued the point.

W. F. Ayres, president of the Municipal Pipe and Fabricating Company of Houston, testified that his plant is located just two miles outside the city limits but that his bill is \$97.35 a month per telephone line, whereas a cafe just inside the city limits has to pay only the usual \$16.50 a month price, because the latter is regulated by the city of Houston and Ayres' phone is not regulated at all.

He said he used to be charged only \$74.25 a line, but that on Nov. 15, 1960, the phone company informed him it was increasing the rates "because they could; if I did not like it, they would be glad to discontinue the service."

Ayres called the telephone industry "virtually a monopoly" and he complained that the customer "has no place to appeal."

John Barnhart, Corpus Christi attorney and former member of the House who unsuccessfully introduced a bill similar to Struve's in 1951, sent a message to the subcommittee saying that Bell Telephone has "the unchecked power of a monarch to impose its rates at will upon the people of Texas."

Struve said he was afraid the League of Municipalities might object to a state commission's usurping their power to set rates, but Cannon doubted it. "Setting rates is like setting taxes," he said. "Both are unpleasant business. Nobody would make me mad if they usurped my chore of helping to set taxes, and I think the cities would be happy to pass on the rate-setting chore to somebody else."

B.S.

Grandiose Folly

If this week's gory nightmare of a Senate race proved anything for Texas liberals, it proved that Texas liberals can be their own worst enemies. The presence of two liberal candidates on the same ballot was the kind of grandiose folly that should haunt our better judgment for the next fifty years.

To say that the outcome was a genuine test of liberal strength in Texas is, of course, not true; it is a myth which the dailies will sow and spread with relish and abandon. The true strength, as any straightforward analyst of our state's politics will concede, would approximate a rough total of the Maverick and Gonzalez votes, minus that portion of the Latin vote which only Gonzalez could draw, plus those several thousand "pragmatic" dissidents who went for Wright or Wilson out of the sheer trauma of seeing two liberal brethren mutilating one another. And that figure would have been good enough for the run-off.

It was lack of communication within the liberal community that told the tale. And so we are now witnessing the ultimate debacle: Tower vs. Blakley for the United States Senate. How did it come about? What are we going to do about it?

The roots of the trouble go back to last year, when Lyndon Johnson dealt the death blow to the DOT and the lines of communication among the various segments of the liberal coalition came tumbling down.

Texas liberalism is, and it always has been, a community of various

groupings and interests. It includes labor, and the Latins, and the independent liberals, and the Negroes, and the brass-collar Democrats with old affections for Truman and Roosevelt and the free-wheeling Democratic tradition. If this week's fiasco carries any lesson, it has taught us that we will never win a statewide election without a functioning and friendly coalition. Otherwise our strength will be dissipated into cruel and petty clashes of personality which can only bring disaster.

Are we going to use the same tactics in the governor's race in 1962? Just for the general hell of it, are we going to send another of our number into the Senate campaign against Ralph Yarborough in 1964? If this is the senseless logic that propels us, why not go one step further and sally forth in the very next statewide race of any importance with Bob Eckhardt, Henry Gonzalez, Maury Maverick, Archer Fullingim, Franklin Spears, Malcolm McGregor, Don Kennard, Bill Patman, H. A. Baggerly, Jim Sewell, and every other liberal who might deserve a place on the ballot?

What is needed, and needed desperately, is some continuing forum of Texas liberalism, no matter how informally organized, where spokesmen representing all segments of the liberal community can meet and consider problems and disagreements similar to the one we have just witnessed. In nine cases out of ten they can be headed off before they happen—in a spirit of friendship and common purpose.

In Defense

Our friend Franklin Jones, in firing off one of his frequent letters to that great forum, the Marshall News Messenger, expressed our feelings perfectly:

"

It is tempting to pass off the charges of communism against General Eisenhower and Mr. Nixon by saying that some chickens of the 1952 campaign have come home to roost. To say that when they insinuated a charge of treason against the Democratic party, they should have been thinking parallel to John Donne's poem: Ask not for whom the Witch Hunters hunt; they hunt for thee. But the present wave of Neo-Nazism unloosed by the HUAC gives pause to such utterances.

The John Birch Society should not be hailed before the Un-American Activities Committee. If its actions are violative of law, the Justice Department should handle them, and if they are not, the Society should have its God-given right to think and say what it pleases; to act as it pleases within the law.

If its membership wants to believe the charges it makes against Milton and General Eisenhower, it may do so, subject to the laws of libel. The belief that they are communists is no more absurd than the belief that anyone who disagrees with the activities of our self-proclaimed and star-spangled super patriots are dupes, agitators, or fit any of the other loose descriptions from billingsgate that

make up the entire vocabulary of the anointed. Again, the belief is no sillier than the remark of a candidate for the Senate that Texas liberals are socialists.

The point is that it is not Un-American to disagree, and only on the day when we can't stand toe to toe and bargain ideas freely, without charges of treason against those who dissent, will we lose our freedom. So, my defense for the John Birch Society against the charge of Un-Americanism. It is as American as blueberry pie, the White Citizens' Council, and the Ku Klux Klan.

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MALICE IN WONDERLAND

The Felt Truths

AUSTIN

The real world is too much for ideals, it overwhelms them with situations, but the idealist who is overwhelmed cannot believe himself fit for life. The persisting idealist gets his prides and satisfactions from continuing to put reality under a pressure toward the better by holding toward the best, even though he never knows, of course, where he is going or whether he is going anywhere at all.

East Texas almost overwhelms me. It almost overwhelms all of us: that we live in a state that is part deep South, part of an infected system of human exploitation and the moral humiliation of the exploiters, seems to call for action from day to day, and make unjustified a rest or pride.

YET THERE IT IS, the real world, good men and selfish, wise men and stupid, brave men and timid, and nothing is enough, an action like a breath blown into wind, and even a little too much, an affront to the grandeur of the seasons. So we do a little, and do find times for the blue sunlights and the yellow beaches, for love and intelligence.

One night this week, for example, I became, for ten or fifteen minutes, bitter, and being in the course of answering some letters on Observer matters, found that I had written to

a minister alarmed about the bill to require teachers to believe in God, "I wonder what becomes of democracy, where friends of the people are so well hidden from them, and legislators so value their roles they run from the cause of free thought."

But the better course usually has more to do with love than bitterness. Lately I have realized, in the way emotions convince us of what before we merely knew, that every rule, every formulation explodes under the pressures of a situation, under the weights of the real, the felt truths among us now. Nothing is more suspect among a group of friends or lovers than the rule one of them will never break. The other evening I spoke two hours with an overformulated mind, and as I would suggest this or that, the other's mind like a medieval rack clamped down and crushed it to fit another shape, crushed it to the uses of a disposition inflexible and compulsive.

How arid, how dead to meet a mind made up! Perhaps the best that we should mean by liberalism is a generosity of mind, a tolerance, a hearing of the other, a respect for the true situation, a greater love to the real world than to the maxims and axioms, propositions and formulations our minds contrive to weave chaotic flows of chance. R.D.

'Instead of Death'

ROBERT W. AKERS, editor of the Beaumont Enterprise, wrote recently in his personal column:

I used to be a strong advocate of the death penalty, but now I'm not so sure.

Suppose, for example, YOU were sitting in the Legislature and had to vote on whether to continue capital punishment in Texas or to substitute life imprisonment with safeguards against early release.

I have the feeling that in such a spot I'd probably go with life instead of death.

Maybe that's because I've just finished a learnedly prepared paper on the subject by Dr. John R. Silber of Austin, president of the Texas So-

ciety to Abolish Capital Punishment.

Dr. Silber has done a lot of research and he writes persuasively—not emotionally, understand—but persuasively in a reasoned way . . .

As one who no longer looks with favor on the state taking lives, I note with approval that the proposed law would enable juries to specify how long a convicted person must serve before being eligible for a parole.

This is, of course, calculated to reassure doubters who foresee murderers getting out after a brief period in the penitentiary. Probably penologists would protest the provision, arguing that you can't tell how soon a man deserves freedom until he has been imprisoned awhile, but the idea does promise certain separation of a killer from the rest of the society for a specified period.

Historical View:

Handicaps of Texas Labor

AUSTIN

Conclusion

Looking at labor's present situation in Texas, it is hard to realize that at one time this state was a hard core of labor-liberalism.

After World War I, for example, just at the end of the Democratic - Socialist movement, 30 states passed anti-syndicalism laws, but the Texas legislature, heavily influenced by the agrarian socialists, the populists, refused to pass such a law.

Milestones in the national labor movement have been passed in Texas. For example, in 1886, in the wake of the Great Southwest Strike against the railroads, history's first congressional investigating committee in the field of industrial-labor relations met in Waco, Dallas and Marshall, and wound up by recommending that the government support the workers' right to bargain collectively.

Organizing has had better days in Texas, too. In the early 1900s, this state had the largest local of mine workers in the country. That was in the lignite mines, which the oil industry put out of business.

The Texas legislature voted an unemployment compensation system into being even before the national Congress took this step.

But, say some students of labor, the very influence that made conditions better in the first part of the century, now frequently do harm.

Gone Sour

The alliance of farm and labor gave strength when the state was predominantly rural. But now, when the state is predominantly urban and organized labor is trying to get the state oriented to urbanization (and thereby unionization), labor's old ally, the county populist, holds back.

As one of the University of Texas' leading labor authorities put it: "To thrive, unions must have both industrialization and urbanization."

This dictum would probably withstand argument, but Fred Schmidt, secretary-treasurer of the state AFL-CIO, gave one notable exception: "Look at Lone Star Steel. There's no more rural area in Texas, surrounded by those piney hills. But there's also no more militant a union. They've held out three years without a contract."

As another exception he cited Sugarland, a company town through and through, in a rural atmosphere. Only recently were the workers allowed to buy their own homes. Even the United States postoffice is rented from the company. And yet, says Schmidt, Sugarland is one of the strongholds of unionism in Texas.

But the rule is borne out in the lumber and oil industries. Refinery workers—urban—are heavily organized. In fact, they are the largest union in the Texas AFL-CIO. But the oil field workers are a different matter. There have been two major efforts to dent the oil fields with organizational drives, and both efforts have failed almost completely.

As for the lumber industry, labor has never had a look-in there despite the terrible salaries that one might think would drive the lumbermen into unions—some lumber mill communities with median incomes of less than \$1,000 a year, and 70 percent of the mill community people with incomes of less than \$2,000 a year.

Sink Back

But the one great organizational drive, by the Brotherhood of Timber Workers, was broken in the

Sabine area in 1912; the then militant International Workers of the World tried to take over the dying organization without luck, and lumbermen sank back with a historic sigh into lives of illiteracy and poverty.

In recent years the International Woodworkers have sent organizational task forces into the East Texas lumber mills, and filed a number of petitions for membership elections but, as Schmidt put it, "these petitions all died on the National Labor Relations Board drying rack."



"The combination of NLRB technicalities plus the hardship of winning an economic strike in this state has finally taken its toll in the lumber industry," Schmidt said.

The new industrial look—which is to say industrial-urban—promises a brighter future for Texas labor, for the industries that are coming in, such as chemical industry, are those in which manpower is a relatively small part of the cost. The capital investment represented by machinery is the big thing.

Where the capital investment per worker is great, the worker himself can get more money—in other words, can organize and bargain more successfully—because management will take great pains to avoid idling their machinery. Where strikes mean idle men, idle wages, the men are the great losers. Where strikes mean idle machinery, idle capital, management is the big loser.

Company Unions

This is why oil refineries have sought stability through the highest industrial wages—higher than steel, higher than the oil fields—and elaborate pension and hospitalization plans. Since World War II, the refineries have really been organized in a powerful fashion, as compared to, say, 1928, when the industry was in its infancy and there were only 400 refinery union members in Texas, with all union records housed in a garage in Fort Worth.

But to say that refinery workers are union is not to say that they are AFL-CIO. Many are not. Magnolia, for instance, has a company union, the Associated Petroleum Employees, representing 4,000 workers, the largest independent union in Texas.

Not all company unions are rubber stamp unions. The AFL-CIO treats the APE seriously and has well-founded hopes that eventually the latter will affiliate with the state labor organization, especially since the APE has benefited so regularly by wage increases gained elsewhere by the AFL-CIO.

In one of the major coups of labor organizing in Texas, three years ago Humble Oil Refinery was torn away from the company union ranks and linked with the AFL-CIO.

This was the first hunk of Standard Oil to be gained by the AFL-CIO, though the fight for inroads went back to 1936 and beyond—the date 1936 standing out because that was the year the company put up machine gun nests and erected a high fence (still called the "Oliver fence" in memory of Bob Oliver, CIO organizer) to keep out labor organizers.

Labor's luck with Humble was based on a complex foundation, but probably the biggest stone in the foundation was the employees' growing feeling of insecurity arising from increased automation.

Still, the old company union, Baytown Employees Federation, is alive and ready to move back in at the first weakening of the AFL-CIO hold.

Reason's Shaky

Labor's often shaky grip on its membership at Humble, as in many areas of industry, is blamed on a variety of factors:

● There is a crack in labor over the racial question, although on this issue the state AFL-CIO has held honorably firm. When workers at General Tire went out on strike because a Negro employee demanded the promotion he merited by seniority, the state labor group told the men they could stay out for as long as they wanted to—but when they came back, the Negro would have his promotion.

The biggest local in the state, the Oil, Chemical and Atomic Workers Union (7,500) of Beaumont and Port Arthur is Jim Crow.

On the positive side, many Texans have dealt equally with a Negro for the first time at a union meeting, and unions achieved the first integrated hotel conventions in the state.

● The labor movement also remains relatively weak because union people are prone to real unity only on such matters as wages (higher) and working conditions (better). On peripheral matters there is great diversity of opinion, which is why labor leaders can seldom deliver the vote.

All Optimists

● Union organizers have only intangibles to offer in competition with what the workers know as certainties. Working conditions never have been that good, wages never have been that high—how do we know the organizer knows what he's talking about? Enforcing that attitude is the traditional conservatism of the region.

● Even on such matters as safety legislation, union people have a hard time mustering unified pressure. As one labor scholar put it, "Everyone is an optimist. I won't get my hand cut off by the machine."

● Unions are just now getting over the communist schism that shook their membership in the 1930s and 1940s.

● The AFL and CIO split, though outwardly mended, still exists in some areas within the ranks.

● Provincialism, with which Texas is sometimes said to be afflicted, is against centralization of any kind. Citizens of the piney woods, or people who only recently left the piney woods, are not used to giving up their rights for the welfare of the group. This is why some unions have a hard time getting their members to vote a dues increase, to raise money for pushing pro-union legislation.

● Because of Texas' one-party position, party responsibility is, at best, blurred. The politician sells himself, not his party, and therefore union people often don't know what they are buying with their votes—and it is of course impossible to work one party against the other for the union vote.

What do these handicaps mean to Texas' labor? The answer can best be given with a comparison. Indiana has about the same amount of industrialization as Texas. Indiana, like Texas, even has a right to work law, the only industrial state outside the South

Burden of Proof

This is the last in a series of four articles by Dr. John Silber, associate professor of philosophy at The University of Texas and president of The Texas Society to Abolish Capital Punishment.

AUSTIN

The alternative to capital punishment is life imprisonment with strict limitations upon the eligibility of the criminal for parole. House Bill 67 provides that those convicted of capital crimes must serve a minimum of 15 years before they are eligible for parole. Juries can recommend that a longer minimum be given and the courts have the authority to carry out the jury's recommendation.

Studies in Delaware, California, New Jersey, Oregon, and other states indicate that murderers make the best prisoners and parolees. In California, for example, parole records show that between 1946 and 1949 only 2.5 percent of those convicted for homicide returned for violations, while 20.8 percent of the robbery parolees returned, burglary 25.6, forgery 30.6, and auto theft 31.1.

There is no clear evidence in the figures which we have examined that the abolition of capital punishment has led to an increase in the homicide rate, or that its reintroduction has led to a fall.

The study of capital punishment by the American Academy of Political and Social Science concludes: "Statistical findings and case studies converge to disprove the claim that the death penalty has any special deterrent value. The belief in the death penalty as a deterrent is repudiated by statistical studies, since they consistently demonstrate that differences in homicide rates are in no way correlated with differences in the use of the death penalty. Case studies consistently reveal that the murderer seldom considers the consequences of his actions; and if he does, he evidently is not deterred by the death penalty. The fact that men continue to argue in favor of the death penalty on deterrence grounds may only demonstrate man's ability to confuse tradition with proof, and his related ability to justify his established way of behaving."

ONE LOOKS in vain to find eminent sociologists, criminologists, penologists, and psychologists who support capital punishment. Dr. Sheldon Glueck, professor of criminology at Harvard University Law School, perhaps the foremost criminologist in the United States has said:

"The presence of the death penalty as the keystone of our penal system bedevils the administration of criminal justice all the way down the line and is the stumbling block in the path of general reform in the treatment of crime and criminals."

And Dr. Karl Menninger, head of the Menninger Clinic:

"Terrible threats of retaliation do not deter commission of acts . . . Abolish the stupid, medieval custom of capital punishment, and you will begin to get scientists interested in fighting crime. Capital punishment must be abolished to help mentally ill, charged with crime."

To the testimony of these men can be added the testimony of Sir Ernest Gowers, chairman of the Royal Commission on Capital Punishment, 1949-53, Justice Felix Frankfurter, and hundreds of other knowledgeable men and women.

So far as the public is concerned, the polls speak for themselves. Elmo Roper polled the citizens of the United States on the issue in 1958. He found that 50 percent were opposed to capital punishment; 42 percent favored it, and 8 percent had no opinion. A Belden poll taken in Texas in 1941 showed that 50.5 percent favored the abolition of capital punishment while 49.5 percent

with such a law. But because Indiana labor has shed itself of many other, frequently self-imposed, handicaps which still exist in Texas, Indiana's labor force is 40 percent organized while Texas' labor is only 18 percent organized.

Public sentiment seems to have moved substantially in favor of abolition since that poll was taken.

THE MASSACHUSETTS Commission to Study Capital Punishment was of this opinion:

"The only moral ground on which the state could conceivably possess the right to destroy human life would be if this were indispensable for the protection or preservation of other lives. This places the burden of proof on those who believe that capital punishment exercises a deterrent effect on the potential criminal. Unless they can establish that the death penalty does, in fact, protect other lives at the expense of one, there is no moral justification for the state to 'take life'."

I think the Massachusetts Commission places the burden of proof correctly: it is upon those who claim the right on the part of the state to take life; those who favor the death penalty must be able to show that it is indispensable for the protection and preservation of other lives. The facts simply will support this contention. In implementation of the evidence gathered here, we may note the conditions reached by some of the previous commissions that have studied this issue. Great Britain's Royal Commission on Capital Punishment, 1949-53, concluded:

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IN THIS STUDY I have tried to keep to a minimum the discussion of the moral and religious values at stake here, although most theologians, ministers, and philosophers are opposed to capital punishment. When I advocate the abolition of capital punishment, I do so armed with statistical and clinical evidence, and with the Uniform Crime Reports and the basic studies of the Royal Commissions and the American Academy of Political and Social Science. My commitment to the abolition of capital punishment has followed from my study of the issue and facts relating to it.

I hope that all who vote or express themselves on this issue will likewise be guided by the facts and not by an emotional tie to tradition. The purpose of our legal institutions should be the rehabilitation, not the extinction, of criminals. There is no place in civilized and informed penology for the execution chamber. This is the uncommon sense about capital punishment.

JOHN SILBER

Politics, Its Responsibility and Thrall

"The Gay Place," by William Brammer; Houghton Mifflin; 576 pages; \$4.95.

AUSTIN

While two astute Texans preside over the upper and lower houses of national political life, and while *The New Yorker* concludes its weak-kneed series of articles on the "wheeler-dealer" culture of Texas, a Boston publishing firm has given its annual Literary Fellowship Award to a Texas novelist and released his book with the customary fanfare of advance copies and supercharged advertising.

William Brammer's *The Gay Place* is transparently a Texas novel, an Austin novel for anyone who wants to look, and (for present company) in its small way an Observer novel. Many Texan readers will spend hours picking the locks of this three-story work, believing that it will be a roman à clef. I wish them well and wish them that every character looks to me like so composed a figure as to make the game Identification-Friend-or-Foe a point. What counts is that Brammer is endowed with a nose and an eye; what is more, he has clear evidence of having a brain and a heart.

I shall have some serious things to say about this book. Yet there is no doubt in my mind that Mr. Brammer has crashed the literary world with a first novel

Roger Shattuck

worthy of careful criticism, wide readership, and even kudos from Boston. Texas, of course, has already folded him to its broad bosom.

First of all, let's get over the sticky business of whether there is any reason to call this a "Texas" novel. Up in Fort Worth they turn out standardized ready-to-wear Fords, and when they're all assembled, somebody pastes the familiar sticker in the rear window. Them is Texas Fords, suh, made in Texas by reuhl Texans. Despite some time spent along the way in the never-never land of Washington, Mr. Brammer carries better credentials than the Fords. The book he has written does not rely on hunting or fishing, feuding or ranching for its Texas flavor. Granted, one sequence takes place in a private airplane, and the party scenes develop remarkable dimensions of duration in time and plurality of guests. But we are a long way from the flossiness of *Giant* and from the small town glories of *Sironia, Texas*, (winner of the same Houghton Mifflin Award seven years ago).

The action takes place in and around a state capital and university town. No Texas western compulsion interferes with the strong sense of locale, of how people work, talk, play, lobby, and love in a modern city paved with automobiles and politicians and ex-student presidents. That is, if you wish, a Texas novel. Now let's forget the fact and look at how it's told and what's at stake.

THE GAY PLACE concerns politics and personal life. At their most commanding moments these two elements are arrayed as politics versus personal life. Mr. Brammer offers us three short novels in one, each a little dangling and open ended, with enough overlapping in character and situation to lead us to expect more. What holds them together beyond the setting and the recognizable

hangouts to which everyone gravitates sooner or later, is the single figure of Governor Arthur Fenstermaker. He transfixes the three chunks of fiction like the spit through the kebab; everything turns with him.

"The Flea Circus" focuses on a liberal state legislator, Roy Sherwood, a moody, able "road-show Rasputin" with a good heart. Wealth and office have come to him by right of birth. His slack political career is suddenly pulled taut in a furor of activity involving piloting a school bill through the House for the Governor, an intense dalliance with the wife of a good friend and ex-legislator attempting a comeback, and an explosive bribery case. (This last is unearthed by Willie England, editor of the liberal weekly that keeps the capital on its toes.) Roy's success in all his ventures leaves him approximately where he started however, single, uncommitted, and unfulfilled.

intermittent moments when they can recapture a genuine sentiment toward another person untainted by political preoccupations, or when they can focus their attention on a legislative maneuver without the distraction of a thousand personal worries. They must fight for survival in the midst of a great green blur, where a sense of reality is retained by a desperate juggling game on the threshold of schizophrenia.



Bill Brammer

is a native Texan, a graduate of North Texas, a converted sportswriter, and a former assistant to Vice President Lyndon Johnson. As associate editor of the *Observer* in 1955-56, he was known for his gentle satires and his uproarious burlesques. He shares his time between Austin and the East. Right now he is living in Washington, D.C.



It is worth illustrating the point. Roy Sherwood is sitting on the floor of the House studying the presentation he will make of the Governor's school bill. A page boy brings a phone to his desk, and over the connection Ouida, the woman with whom he is miserably and deeply in love, asks him to come out that very afternoon to her ranch where they can be alone for a day and a night before the others arrive for a weekend party. He has to refuse, and she will not accept his explanations about his responsibility in getting the bill passed. After a short exchange, she hangs up on him:

"He put the receiver down and sat there holding onto it, wondering if he should call her back and attempt once again to explain the curious, the very trying circumstances. Look, he would say to her, I don't know why I'm here about to make a speech. I never in my life thought I'd be. Or that I'd get a phone call from a lovely married lady with girl-sized bosoms and hair the color of maple syrup and just about the most desirable shin-bones I ever in my life saw. Calling to argue that I ought to be out in the country to watch her walking bare-foot, wearing cotton under-pants, all around a ranch house that's having its . . .

About The Reviewer

Roger Shattuck, author of the widely-praised book *The Banquet Years*, is professor of Romance Languages at the University of Texas. A member of the select Harvard Society of Fellows, he received his BA at Yale and taught at Harvard before coming to Austin in 1956. He has also edited the *Selected Writings of Guillaume Apollinaire*.

its tennis courts rolled. I don't know why, lady. I'm not now and never have been a well man. . ."

Politics, its responsibility and its thrall, is really the antagonist of this novel, otherwise without villains. Not because politics is evil; on the contrary, a sense of political efficacy and morality runs very strong through these pages. It is because politics destroys persons, individuals trying to stay alive. There, in the alluring green interzone of "conflict of interest," any decent reflective mind is driven to sham and shame and dream and drink. Neil sinks into the same feeling of unreality as Roy when he reads in the papers about the vicious attacks on him by a rival candidate. "I don't feel much of anything about Edwards. It's like he's been talking about someone else all this time." So Roy and Neil uneasily confront themselves as someone else, unrecognizable and a little distasteful, in the arena of public life. They are not well men.

ONLY ONE MAN thrives in this limbo and evades the incipient schizophrenia that afflicts all the others and that gives the narrative its most characteristic tone. That is the Governor himself, the old wizard and impresario. Or at least so it appears. The difficulty is that we never finally know, for Mr. Brammer does not admit us into the Governor's mind as he does into everyone else's. Fenstermaker is praised as a "real man" with the power to make up his mind and act when others hesitate and temporize. Yet of all the characters, though the most omnipresent, he represents the most perfect optical illusion. He eludes everyone, including the reader. He alone knows that in the precariousness of political life threatened by publicity and scandal, it is useless to look for reality; you must invent it as you go along with assurance and brio. Of course the Governor tells no one the secret and even puts Sarah Lehman on a false scent when she asks him if there will ever be a beauty and ease and grace in this world:

"My dear, he began, and hesitated, and she half expected some dumb German farmer lecture on sweat and toil and sorrow. Sweetheart, he began, and hesitated, moving toward his window, looking out, his back to her, over the darkened Capitol grounds. You have to look for it, he said finally, you have to look for it. Look out there, he said, pointing toward the trees and beneath them, an old Negro woman bent in ancient pain, standing alone and calling to the birds. . ."

But it's a ruse. Fenstermaker never takes the time to look for anything. He creates what he wants by appointing people to office and throwing parties and surrounding himself with attractive young assistants and riding out into the desert in an old Dusenbergs with a movie star to sell Texas back to the Mexicans. For him political rule amounts to "some great vague private joke." These are the closing words of the book and they belong.

FENSTERMAKER could and should bind these three novels together but he doesn't. The last of the three stories, which might have shed light on the previous narratives, leaves us instead uncertain of just what leads to the Governor's downfall. Is it Sarah looking for a way out of her psychological frigidity? Is it fear of political catastrophe when he can-

not call off the segregationists marching on his Capitol? One accepts the blur in the earlier parts because it seems to be gathered up into the development of a larger action. But the larger action remains just out of reach. The magnetic and enigmatic personality of Fenstermaker allows Mr. Brammer to practice on us the politics of fascination. But the illusion of a man shatters at the end into a handful of questions. It amounts to a serious flaw in characterization and construction.

Except for the ritual opening pages on landscape ("The country is most barbarously large and final. . ."), Mr. Brammer writes in a brittle, occasionally slick descriptive style that changes off with uneven dialogue and generally successful interior monologue. This combination of manners functions best when the characters are under inner stress. In "Room Enough to Caper," for instance, we can really feel the desperation, aborted affection, numbness, and impatience that overwhelm Neil when he comes home from Washington for Easter. Communications break down between him and his wife and his children and he spends all his time on the telephone, hating himself.

But other times Mr. Brammer lets himself fall into a facility and a flipness that begins to sound like a guidebook on how to live in an economy of abundance. Cars, telephones, and phonographs are as much obstacles to life as its vehicles. Nothing lies further from literature than brand names. True, we fill vast portions of our lives with cigarettes and liquor and the eternally playing TV or jukebox. Yet in a work of fiction, smoking or taking another drink (particularly when accompanied by elaborate instructions on how to mix it) or tuning the radio quickly reveal themselves as narrative fill masquerading as vivid detail. This kind of writing should go.

ANOTHER PLACE where I find Mr. Brammer unconvincing is in his love duets in the first two-thirds of the book or so. The people contrive to be a little more than clever even when we sense that real feelings are at stake. But by the end of the novel the words used to convey personal emotions have become less artificial, possibly because the characters have been brought to life. In fact the strong compelling relationship between Sarah Lehman and Jay McGown distracts attention from the Governor's fate at the moment we should be watching him.

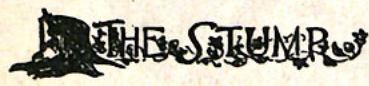
After these strictures, I'll say without hesitation that *The Gay Place* is far better written and more deeply felt than *Advise and Consent*; its politics spring from a keener sense of men and machines than anything in *The Last Hurrah*. I wonder if the structural weakness could be due to the possibility that Mr. Brammer may not have finished with these characters. Whether or not my hunch is correct, I know every reader of the *Observer* will want to spend a few spring evenings visiting *The Gay Place*. Just listen to the opening epigraph from the old master, Ford Maddox Ford: "Is there then any terrestrial paradise where, amidst the whispering of the olive leaves, people can be with whom they like and have what they like and take their ease in shadows and coolness?"

FROM A DISTANCE, in the right light, and on a gentle slope, the Texas live oak can look mighty like an olive tree.

Comments on the Senate Race, Communists

Avid Reader

Sirs: I am an avid reader of your newspaper. Because of your recent plea for subscriptions, I wish to affirm my support of your publication by subscribing. Michael Karchmer, 6602 Tierwester, Houston 21.



Right to Exist

Sirs: We finally have a home-grown fascist organization of sufficient size and notoriety to draw the fire of those whose positions demand they take stands on current issues.

Denouncing the John Birch Society is all the rage these days, just as reputation-destroying tirades against "pinks" and "fellow travelers" in the days of McCarthy were popular. It took courage to oppose the McCarthyism insanity (and it still does in some parts of the country). And it will separate the men from the boys among the non-Birchers when they are called on to defend JBS's right to exist and be heard.

It is fortunate the leader of the Birch aberration was stupid enough to call Eisenhower a conscious agent of the Communists. Ex-candy-maker Welch dropped this bit of poison into his wares in 1958 when he labored and brought forth his American "Mein Kampf."

Thus the seed of death was interred in the heart of his movement at the moment of its birth. As fast as it becomes known across the country, just as quickly it is rendered ineffective by the quoting of the attack on our great do-nothing former president.

Eisenhower may have been an inarticulate, idealess middle-of-the-road idealist, but anybody not made blind with rage over having to pay what he can afford in income taxes knows Ike was no agent of the Kremlin or Peiping.

There is no reason to get upset about the Birchers. That organization is dead; its members just don't know it. But think of the fun we liberals can have usurping the role of the professional patriots by writing a whole new series of best sellers. The opportunity is there for liberals of all stripes.

For the heroes who infiltrate reactionary organizations, the following titles may be appropriate:

"I Was a Birch Blueblood for the ACLU"

"I Was a DAR for the DOT"

"I Was a NAM Knave for the Liberal Party"

Jim Tucker
Insurance Agency
Home . . . Business
6511 South Park Blvd.
Houston, Texas
Phone MI 4-1641

MARTIN ELFANT
Sun Life of Canada
Houston, Texas
CA 4-0686

"I Was a Lifeline Monitor for the Observer"

"I Was an AMA Guinea Pig for the Humanists"

"I Was a Dan Smoot Snob for the Fabians"

"I was a Hunt Henchman for Democracy"

"I Was a 1961 Christian for Christ."

Robert Heard, 2668 East 220th Place, Long Beach 10, Calif.

Poet of The People

Sirs: The Poetry Society of Texas is offering a cash prize for the best poem in free verse on the timely and challenging theme of the United Nations, now in such a critical phase of its history.

The prize is in memory of "the poet of the people," Ralph Cheyney, who is buried in San Antonio's Mission Park. I should be grateful if you'd let your readers know of this award. Details of the contest may be had by writing to Box 2032, San Antonio 6, Texas.

Lucia Trent, San Antonio.

Last Frontier

Sirs: We would like to present a few facts which your letter ('An Open Letter,' Obs., Mar. 18) of a recent issue failed to do. An A&M professor who signed the letter in question said it was the student's position he was interested in. If this was their purpose, they did a poor job in expressing themselves. We ask the public to reread their letter and see for themselves that no facts are presented but that they strongly oppose the HUAC and also the film. We feel that the student is possibly being used as a scapegoat.

We quote from our column: "A free society is characterized by the existence of individuals who publicly take positions on issues of the day — including unpopular, minority positions."

If this is an admission of representing a minority group, we are not questioning the point.

However, the letter and its theme must be questioned. The fact that this and thousands of other articles can appear in the newspapers of this free land indicates that this is still America. Should we be labeled a Communist State because there is a complete unanimity (with few exceptions) of opinion?

On the contrary, this opinion, which is the opposition against those who would subvert our very beliefs, is extremely detrimental to the Communist goal. We are thankful that the people of these United States are unanimous in their hatred for the "Red" movement. If "Operation Abolition" is not authentic, (documented evidence asserting otherwise), it has stimulated the minds of many Americans and agitated those in opposition.

The film "Operation Abolition" is not a controversial film at all. It is truth, it happened and can only be termed controversial by those who oppose it.

This group of professors also rest their case on a foundation of newspapers and publications which are without a doubt communist or leftist. We also realize that hundreds of professors in California, religious groups, and various labor groups opposed the film.

Hoover said in "Communist Target—Youth," that as early as 1959 these various groups were planning opposition to the hearings. We would like to point out that the San Jose Club of the Santa Clara County Communist Party and the Oakland Communist Party were not idle prior to the hearings. Top communists in the persons of Mickey Lima, Merle Brodsky, and Archie Brown were doing their share in preparation for the demonstrations.

We are entering "the last frontier," the victor capitalism or socialism. We must be dedicated to conquer such liberal, socialistic thinking as expressed by many today.

We encourage you to wake up

as we are entering this last frontier. Don't be fooled by the past. We have started on a strong front with "Operation Abolition."

J. Lyman Taylor, A&M '59; James W. Bridges, Jr., A&M '59, College Station.

Not 'Swisser Swatter'

Sirs: It occurs to me that what Bob Sherrill wanted in reviewing The Texas Quarterly was Al Swindborn's "Tweedle dee dee is tweedle dee dum"—not Aubrey's "Swisser swatter swisser swatter." If I remember correctly, the Aubrey is about Sir Walter Raleigh putting the boards to a young court virgin (he has her pinned against a tree, I think). After much ambiguous protesting (something about "Oh, Sir Walter, would you undoe me!") the tobacco monarch of Oriel College gets the better of her. Her protests grow more like Joyce's: Yes, yes, yes, and the maiden, all undone, purrs ("cryed in the extasey, Swisser Swatter Swisser Swatter.")

But this is real extasey and the line still works. Swisser Swatter Swisser Swatter is what comes out when young maids, full of the first joy, try to say: Sweet Sir Walter. Sweet Sir Walter.

Your editorial, "Tower's Chances," was beautifully written.

M. P. Hammond, Oriel College, Oxford, England.

Sad Choice

Sirs: Maverick's statement acknowledging his loss of the election was beautifully phrased and encouraging. He acknowledged only temporary defeat of the liberal cause, implying that we will again have the pleasure of supporting his candidacy.

And now we have more urgent business at hand. To send to Washington John Tower would be a belligerent denunciation of Kennedy's program and would give a strong impetus to the Barry Goldwaters and John Birchers and other irresponsible reactionaries.

Kennedy's foreign policy seems vastly more important than his domestic policy—if we are forced

to make a choice. Blakley does support part of Kennedy's foreign policy; Tower flagrantly opposes all of Kennedy's program.

Our choice now is a sad one but extremely serious. I think we should support Blakley.

Don Alford, 1505 Cloverleaf, Austin 2.

Open Letter

Open Letter to Henry Gonzalez and Maury Maverick:

According to final returns of the Texas Election Bureau, Maury Maverick received 104,499 and Henry Gonzalez received 96,477 votes for a total of 210,976.

Bill Blakley received 118,809 votes.

If one of you gentlemen had withdrawn we would now have a liberal in the runoff.

Ruthe Winegarten, 3009 Merrell, Dallas.

THE TEXAS OBSERVER
Page 7 April 8, 1961

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LEGALS

CITATION BY PUBLICATION THE STATE OF TEXAS

TO Thomas Henry Hoover 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 15th day of May, 1961, and answer the petition of plaintiff in Cause Number 121,454, in which Beatrice Speer Hoover is Plaintiff and Thomas Henry Hoover is defendant, filed in said Court on the 24th day of March, 1961, 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 that defendant began a course of unkind and cruel treatment and that defendant was guilty of excesses, cruel treatment and outrages toward plaintiff; plaintiff alleges that defendant wrote checks that were not cashable due to no funds in bank, would not work, and that defendant showed complete disregard for his financial responsibilities; plaintiff alleges that no children were born of this marriage, and no community property was acquired; plaintiff further alleges that her name prior to marriage to defendant was Beatrice Speer; Plaintiff prays for judgment of divorce from defendant, for the restoration of her former name, Beatrice Speer, and for such other and further relief as the Court shall deem proper to grant, either at law or in equity.

All of which more fully appears from Plaintiff's Original Petition on file in this office, and 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 30th day of March, 1961.

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

By A. E. Jones, Deputy.

CITATION BY PUBLICATION THE STATE OF TEXAS

TO Ernest Rodriguez 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 1st day of May, 1961, and answer the petition of plaintiff in Cause Number 121,337, in which Angelina Rodriguez is Plaintiff and Ernest Rodriguez is defendant, filed in said Court on the 14th day of March, 1961, 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 that defendant commenced a course of unkind, harsh and tyrannical conduct toward plaintiff and that defendant was guilty of excesses, cruel treatment and outrages toward plaintiff; plaintiff alleges that she did nothing to bring about this treatment; plaintiff alleges that no children were born of this marriage, none adopted, and that no community property was acquired; plaintiff prays for judgment of divorce from defendant, restoration of her maiden name, Angelina Torres, and for such other and further relief, in law and in equity, general and special;

All of which more fully appears from Plaintiff's Original Petition on file in this office, and 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 March, 1961.

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

By A. E. JONES, Deputy.

TO WHOM IT MAY CONCERN: Notice is hereby given that H. H. Weaver, Sr. and H. H. Weaver, Jr., doing business as a partnership known as Weaver Construction Company, have dissolved the same and formed a corporation under the name of Weaver Construction

Company, 1225 Union Bower Road, Irving, Texas.

EXECUTED this the 24th day of March, 1961.

(Signed)
H. H. WEAVER, Sr.
H. H. WEAVER, Jr.

CITATION BY PUBLICATION THE STATE OF TEXAS

TO Robert Bouma, 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 8th day of May, 1961, and answer the petition of plaintiff in Cause Number 121,404, in which Emma Guerrero Bouma is Plaintiff and Robert Bouma is Defendant, filed in said Court on the 20th day of March, 1961, 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 that defendant commenced a course of unkind, harsh and tyrannical conduct toward plaintiff until Sept. 1952; Plaintiff alleges that defendant was guilty of excesses, cruel treatment and outrages toward plaintiff of such nature as to render their further living together insupportable; plaintiff alleges that one child was born of this marriage, to-wit: Henry Bouma, and that defendant has said minor child at this time and plaintiff asks that Court for control and custody of said minor child and a reasonable attorney's fees to prosecute this suit; plaintiff alleges that no community property was acquired during this marriage and that her maiden name was Emma Guerrero; plaintiff prays for judgment of divorce from defendant, care, custody and control of the forementioned minor child, attorney's fee, restoration of her maiden name, Emma Guerrero, and any and all relief, general and special that she may be entitled;

All of which more fully appears from Plaintiff's Original Petition on file in this office, and 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

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 20th day of March, 1961.

(Signed)
O. T. Martin, Jr.
Clerk of the District Courts, Travis County, Texas.

By A. E. Jones, Deputy.

CITATION BY PUBLICATION THE STATE OF TEXAS

TO Maria Van Heerbeek McKinney, Defendant, in the hereinafter styled and numbered cause:

You are hereby commanded to appear before the 53rd 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 15th day of May, 1961, and answer the petition of plaintiff in Cause Number 121,241, in which W. N. McKinney, Jr. is Plaintiff and Maria Van Heerbeek McKinney is Defendant, filed in said Court on the 8th day of March, 1961, 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 that defendant left him one hour after his discharge from a hospital in El Paso, Texas; Plaintiff alleges that marriage was performed while plaintiff was in said hospital but upon his release from said hospital, defendant left for Oklahoma on July 12, 1960, and plaintiff has not seen defendant since that date; plaintiff alleges that this treatment is cruelty; plaintiff alleges that no children were born of this marriage and no community property was acquired; plaintiff prays for judgment of divorce from defendant and for such other and further relief, in law and in equity, to which plaintiff may be entitled;

All of which more fully appears from Plaintiff's Original Petition on file in this office, and 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 27th day of March, 1961.

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

By A. E. Jones, Deputy.

CITATION BY PUBLICATION THE STATE OF TEXAS

TO Jeanie Karon Franklin, 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 8th day of May, 1961, and answer the petition of plaintiff in Cause Number 121,413, in which Billy R. Franklin is Plaintiff and Jeanie Karon Franklin, Defendant, filed in said Court on the 21st day of March, 1961, 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 that defendant left him one hour after his discharge from a hospital in El Paso, Texas; Plaintiff alleges that marriage was performed while plaintiff was in said hospital but upon his release from said hospital, defendant left for Oklahoma on July 12, 1960, and plaintiff has not seen defendant since that date; plaintiff alleges that this treatment is cruelty; plaintiff alleges that no children were born of this marriage and no community property was acquired; plaintiff prays for judgment of divorce from defendant and for such other and further relief, in law and in equity, to which plaintiff may be entitled;

All of which more fully appears from Plaintiff's Original Petition on file in this office, and 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 20th day of March, 1961.

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

By A. E. Jones, Deputy.

Will You Help Us To . . . ROPE SOMEBODY IN On April 17



Dear Reader: On April 17 you will receive two copies of the Observer through the regular mails. In an effort to double our circulation overnight, and hence place our newspaper on a paying basis, we are asking you to use your extra copy of the April 15 Observer to find us one additional subscriber. Do you know some friend, relative, or associate who would care to subscribe, someone in your precinct, union local, or bridge club? You have one week to think of ONE person who might subscribe to our paper. We ask your help and co-operation.

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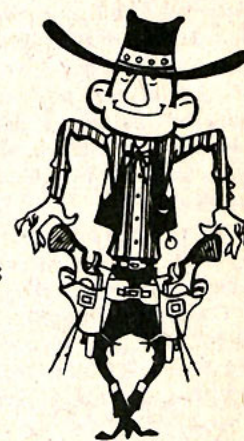
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★ Glimpses into the political culture: Recent articles have covered the Christian Anti-Communism Crusade, Freedom - in - Action, the John Birch Society, the Bureau of Economic Understanding, and others

