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Job Lie-Detectors Becoming Popular

More Employers Insisting Staff Take Test

AUSTIN
An estimated 5,000 companies in Texas now require their employees to take periodic lie-detector tests, and the technique is steadily becoming more popular with businessmen.

The estimate was made this week by Clayton Evans, co-owner of Employment Advisors, one of the firms that administers the lie-detector tests. Evans' partner, Thomas J. Devine, has predicted that "the day will come when these tests will be as accepted and as widely used as physical examinations."

Evans and Devine boast numerous testimonials from pleased employers, but it may be significant that none of the testimonials on the advertising brochure they distribute is from a worker.



What does the average worker think about being forced to take a lie test to get a job or to keep one? No opinion survey has been made. But Fred Schmidt, secretary-treasurer of the AFL-CIO, whose organization purports to speak for the rank-and-filer, said this week:

"I think these lie-detector tests are a terrible invasion of privacy. They are technological snooping. Why not just drug the workers and comb their subconscious? It is as invidious as wire-tapping."

Schmidt has at hand a number of testimonials of disgust from workers who have been forced to take the tests. One reads:

"The Mathes Manufacturing Company of Athens, Texas, hired the Smith Detective Agency of Dallas to come to their plant and give the test to their employees. Employees were not forced to take the test, but were told if they refused to take it they would be looked on as guilty and could be discharged. The same thing is now in process, and the report is that truck drivers and women are the bait this time. I hope something can be done about such things. Everyone should not have to answer for what two or three have done."

Another letter is from the mother of an 18-year-old boy. Some money was stolen at the company where he worked and everyone was required to take the lie-detector test. The boy became so nervous during the test that it had to be temporarily called off.

The mother wrote: "The men operating the lie-detecting machine reported to his employer that the test was not conclusive and recommended that he be retained. When he went back to work the next day, he was called into the office and told that they

did not want him in there any more—that he was a 'shady customer'.

"I have talked to a lawyer, feeling great damage was done to the boy, but the lawyer said all they had to say was that he was unstable and could legally let him go. . . . My boy was anxious to take another test to clear himself, but the price for an individual is \$25 so that is out."

Evans contends that opposition among workers is exaggerated.

"Since we have been in business, not over eight or ten people have quit rather than take the test, and that would be out of 10,000 or 15,000 workers," he said.

He concedes that his biggest problem is in introducing the machine, "mainly because of the term 'lie-detecting test,'" and for that reason Evans always calls the detecting device by its technical name—a polygraph—and he steadfastly refers to the test itself as "a truth-verifying test."

But no amount of euphemistic treatment can alter the fact that the entire venture is built on employers' suspicion of their hired hands' honesty.

Otis Campbell, who runs a competing lie-detecting agency, **Employe Research Service, in El Paso, said this week: "The annual cost of dishonest employees to American business is \$500 million. Business failures attributable to dishonest employees amounts to more than seven per cent. There are 210 different ways known to law enforcers by which an employee can purloin funds or merchandise."**

As for workers who dislike the idea of being put to the lie test, (Continued on Page 2)

Brown Criticizes Springer Firing, Urges Legislation

AUSTIN

Angered by the firing of Rep. Ted Springer allegedly for voting against the sales tax, Texas AFL-CIO leaders said this week they will urge Gov. Price Daniel to include a "job protection bill" in the special session calendar.

Springer, who normally works as a printer for the Amarillo Globe-Times-News when he is not serving in the legislature, was recently discharged by that newspaper's publisher, multimillionaire S. B. Whittenburg. Springer had worked for the newspaper 16 years. He claims he was fired because of his vote against the sales tax. (Obs., July 1)

Hank Brown, president of the state AFL-CIO group, promised that its executive board, meeting after this issue of the Observer goes to press, will take action on Springer's dismissal.

Most probable action, he said, will be to push the job protection bill introduced by Rep. Dan Struve, Campbellton, in the recent session.

"The discriminatory discharge of Springer is another clear and forceful example of who the 'labor bosses' of Texas really are," said Brown. "For many years bosses like S. B. Whittenburg, publisher of the Amarillo Globe-Times-News, have been screaming about the membership of organized labor being 'boss controlled.'"

Brown said that any thought-control imposed by bosses in Texas comes not from labor bosses but from employers who bully workers who are not protected by union contracts.

"For several years, Mr. Whittenburg has refused to sign a contract with the union printers who work for him," said Brown. "He has taken advantage of the anti-union laws that have been enacted by legislators who have

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Tax Controversy Settles on Austin

Governor's Panel Lodges a Report

AUSTIN

An embattled 57th legislature comes back to town Monday to try to unsnarl the tax deadlocks of the regular session, but at week's end the stauncher pro-sales taxers were still showing no signs of compromise on a tax bill.

Governor Price Daniel's education and welfare committee, a special tax study group composed of his political appointees and heads of various state services, came forth with a cautious and generally non-committal pronouncement Thursday.

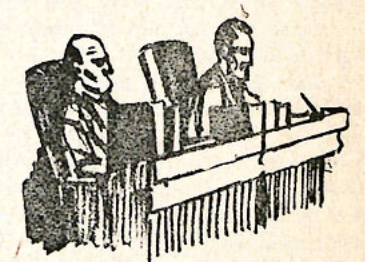
The citizens' panel, which was charged with the responsibility of attempting to chart some middle course, advocated "some form of retail sales taxation, whether it be general, special, limited, or selective," and recommended either the Pennsylvania-style deductible sales tax or the more undiluted sales tax as it was included in the Senate version of HB 334 during the regular session, or "a combination of both." On other taxation, the committee reported straightforwardly that "various forms of natural gas and corporation franchise taxes have been most often suggested" as supplements.

Both sides in the tax battle have been energetically testing public opinion during the five-week interim. The governor's office reports that over 3,000 pieces of mail, overwhelmingly anti-sales tax, have been received after Daniel's statewide television and radio appeals last month. Regional chambers of commerce have probably been the most active of all in encouraging pro-sales tax letters and petitions. State Democratic executive committee chairman J. Ed Connelly's Citizens for

Fair Taxation have put out a public opinion poll, the results of which are presumably to be announced sometime next week.

A gathering of anti-sales taxers from throughout the state will converge on Austin Monday for a capitol demonstration in the afternoon and a rally that night at Woodridge Park. The meeting is being sponsored by the Democratic Women's state committee.

Two crucial issues of the ses-



sion have been raised by Rep. Bob Eckhardt, Houston liberal. His proposed \$15 million a year natural gas pipelines tax, which he has reworked and which the governor will reportedly support, and about which the education and welfare subcommittee on taxes spoke favorably in a preliminary report, could kick off a running battle reminiscent of the severance beneficiary tax fight of the last legislature.

(Continued on Page 2)

AUSTIN

Sam Wood of the Austin American led his story of the Citizens' Tax Committee's recommendations: "The governor's interim committee named to take up where the legislature left off on the puzzling revenue problem, Thursday left off where the legislature took up."

AN EDITORIAL

Tax Showdown: Who Are They For?

In the past several months we have witnessed here in Texas one of the mightiest special interest endeavors in our state's history. For better or for worse, we shall see now the fruits of that work in the next four weeks.

The entire moneyed community has rallied, with all the funds and forums at its disposal, behind the general sales tax. It has armed a plenipotentiary group with thousands of dollars in that effort. It has hired the best lobbyists available and placed them on salaries considerably greater than that of the governor of the state. It has encouraged a phantom "grass-roots" movement presumably composed of plain folks allegedly bristling for a sales tax. Its so-called citizens organization, a half-disguised front for the oil and gas and business interests, has time and again and under persistent questioning refused to reveal the extent and the sources of its funds and has yet to deny, in one instance, that one major oil company

alone contributed \$150,000 to its civic activities.

It takes a moderately conservative governor to tell the story in such a way that it cannot be brushed aside as partisan exaggeration, and he has fully told it—the story of the sad travesty of elective government in a society in which political power emanates from the pocketbook.

The political maneuverings on taxes are beginning now to take place within a ludicrously narrow context. Will the governor accept a sales tax under the name "Pennsylvania plan" if there is some token deductible on clothing? Will the sales-taxing lobbyists and their helpers—Hardeman, Lane, and the rest—be content with the monumental compromise of a \$10 deductible? Will the sales tax crowd, in all their benign concern for the people of Texas, accept as part of a sales tax bill a multi-factor franchise tax aimed at placing a fairer load on the interstate corporations? Will they forego for the nonce the tax

they passed on Texas gas producers and approve a pipelines tax? The Austin debate rages on, and for the vast majority of Texans, we regret to say, it is a debate conceived and waged in a frosty vacuum.

The time has come, as never before, for the legislators of this state to make their choice. They are either for the people or they are not; they are either blindly for the big corporations or they are not; they are either for a sales tax, under whatever name, or they are not.

It is time they faced the living issue: any shape, form, and fashion of a general sales tax hits the people unfairly. The smaller the family income, the greater the comparative burden. The larger the family income, the smaller the burden. There is absolutely no method known to man to make a sales tax non-regressive. You can talk of isolated exemptions as long and as loudly as you choose.

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Lobby Control Law Sought

(Continued from Page 1)

He also proposed this week a "strong state law" to curb the activities of special interest groups, drafted in co-operation with former legislator Maury Maverick Jr. of San Antonio and Fort Worth district attorney Doug Crouch, who have helped author lobby legislation in the past. Eckhardt said he will ask Daniel, who has been increasingly critical of lobbying tactics, to include the bill in his call.

Two other issues have drawn strong support to be included in the special session call, loan shark legislation and final approval of the Padre Island national seashore project. Whether Daniel will bring the two projects into the special session arena will depend entirely on progress made during the four-week period on taxes.

Committee Reports

In its report this week, announced by chairman French Robertson of Abilene at a brief Thursday session, the governor's education and welfare committee recommended that "any revenue measures enacted should produce sufficient funds to retire the deficit and finance an appropriation bill for the biennium adequate to increase the support of state departments and agencies to a level where they can render the service which the people of Texas have requested and expect."

The committee specifically cited the teachers' pay raise, and adequate appropriations for higher education, the hospitals, and aid to the aged.

In advocating some form of sales tax, "whether it be general, special, limited, or selective" as "the most feasible means of providing the main portion of a broad-based tax plan," the committee added that its view was shared by Daniel and most members of the legislature, "with the disagreements based solely upon the nature and extent of this tax and the nature and extent of supplemental taxes which must be added thereto."

"Actually we do not believe," the report continued, "that the advocates of limited or selective

sales taxation and the advocates of the sales tax features of HB 334 are too far apart." Neither could be accurately termed a "general retail sales tax," it argued, since both would include exemptions on food, drugs, farm supplies, and industrially-used gas and electricity. Under the Pennsylvania plan, the committee noted, the other major item omitted would be low-cost clothing.

"It is understandable that those committed against a general sales tax could more readily accept the Pennsylvania plan as a compromise," the report said, "while those favoring a general sales tax could more easily accept the Senate version of HB 334." Either plan, or "a combination of both," since "they are so close together in the final effect and impact . . . would furnish Texas with the basis for a steady and reliable tax which would grow with the state."

Daniel, who returned from the Governor's Conference in Hawaii this week, appeared at the meeting of the committee. "I think the committee has pointed the way to a possible compromise in the tax fight," he said, "and I hope that something more definite in this regard can be worked out before the special session convenes."

Lobby Law?

Eckhardt, who has worked up a new lobby control bill to halt a trend toward what he called "secret, backstage government," said the proposal has been prompted by activities of Tom Sealy's Citizens for a Sales Tax, which he described as "the most powerful and consolidated lobby most legislators ever encountered."

"The House has carefully documented information on some of the activities of this lobby," he said. "We know that Tom Sealy . . . received a \$25,000 retainer. His law firm represents a great number of oil and gas interests. Searcy Bracewell was on a \$20,000 retainer. Twelve members of the citizens' committee were registered members of the lobby for Austin business interests. We are reliably informed that one major oil company put \$150,000 into the committee's kitty."

"I am not at all accusing the

lobby or members of the House with the type of corruption that results in a payoff," he said. "But there was no lobby for the people whom these lobbyists were urging should be taxed before any of the special interest groups they represented."

The proposed measure would strengthen present controls on lobbying, provide for committee counsels to give the House "the kind of expertise it now depends on the lobbies for," and require "a greater degree of disclosure of financial support behind outside interest groups."

Sen. Wardlow Lane of Center, the veteran conservative who piloted HB 334 through the Senate, commented, "Let's get the tax bill resolved first. After that, it's all right with me to take up a lobby bill. However, I'm not in favor of running off on tangents."

'Captains of the Cause'

In another article written for United Press International, Gov. Daniel typified his between-sessions position against the sales tax. "The main fight for a general sales tax," he wrote, "is being waged by the lobbyists for special interests and such pressure groups as the Texas Manufacturers' Assn., which find in this tax a means of avoiding further taxation on natural gas pipeline companies, interstate corporations, and alcoholic beverages."

"I concede that many good citizens and legislators favor the general sales tax for entirely different reasons. But every informed person knows that the captains of the fight are the special interests which advocate broad-based taxation only so long as it is not broad enough to cover them . . . The special interests lobbyists will have the power and the pressure to pass their general sales tax unless the people of this state wake up and demand a fairer and more equitable solution at the special session."

The governor then outlined his compromise tax program, which includes a bevy of new and increased selective sales taxes, an escheats bill, a two-factor corporate franchise tax (it "would affect only the 11,660 corporations engaged in interstate business and sales, and would not cost the 33,000 wholly domestic corporations any more than they now pay"), and a natural gas pipelines tax ("the gas pipelines have a great fortune buried away in their low-priced dedicated reserves, and they will either absorb with ease or pass along whatever tax is placed on them").

Speaker Wants Speed

Speaker James Turman, whose last-minute vote against the Senate tax bill created a tie, and thwarted a sales tax in the regular session, said this week he hopes the House can pass a tax measure during the first week of the special session. The revenue and tax committee, he said, will start work the first day "and I would hope they will report out a bill in time for the House to consider it on Friday or at least the first of next week."

"That way," he said, "we can get it over to the Senate and they won't have any excuse for waiting until the last minute as they did in the regular session."

The speaker said that if tax matters can be handled swiftly, "then maybe about the middle of the session we could get the governor to issue a call for consideration of the loan shark problem and other matters."

SUSPICIONS NURSE POLYGRAPH BOOM

(Continued from Page 1)

Campbell, a former career military policeman, replies: "Those who have the most resentment are usually those who have the most to be nervous about." And he was surprised to "run into quite a few executives who are actually afraid to use the system for fear of hurting their workers' feelings."

Evans adds on this point: "The polygraph test has been called a moral vaccination. Before we go into a company, the company has no controls. Without controls, people will take advantage of you."

Employment Advisors offers three services: pre-employment testing, management survey, and specific loss testing.

"The management survey is where we go into an organization and try to determine what problems exist," said Evans. "On this one, we recommend that management doesn't use names. If in being tested, a fellow admits stealing from the company, he gets another chance because we don't release his name to management."

Evans said they had violated the confidence of the worker only once in this regard: when they turned in the name of a drug firm employee who was stealing and selling narcotics, after telling him they wouldn't divulge his name. "We heard some complaints about that," Evans said, "but we thought it was too serious a violation to ignore."

The specific loss test is used when the company wants the staff quizzed about particular pilfering.

Typical questions in all of the tests are: Since you have been employed by this company, have you taken any merchandise without paying for it? Have you ever stolen anything (even a very minor item) from a previous employer? Have you taken any money without authority? Have you cheated a customer? Have you taken merchandise from guest rooms without authority? (This one for hotel workers.) Does drinking interfere with your work? Do you attend church regularly? Is there anything in your personal life that might bring discredit on the company?

Evans said that as far as he knows, nobody has tried to lie about attending church regularly.

"We've got to word these questions just right," he said. "You notice we ask 'have you ever taken money without authority', because most people who steal from a company rationalize that they deserve the money, that the money really belongs to them."

Because Employment Advisors doesn't release the names of thieves uncovered in a "management survey" doesn't mean the workers are free. Thereafter the Employment Advisors go back periodically to the firm and quiz the suspected employees on their latest activities; it is like putting the employees on parole.

"From what I've told you, you may have the idea this service is to browbeat workers and run them down," said Evans. "It is really for their benefit."

He admitted many workers don't look at it that way. He said his files are full of the names of people who, applying for work, were scheduled to come by his office and take the lie test, but didn't show up.

"It seems it is mighty easy to get lost between the employment office and our office," Evans said with a meaningful half-smile.

But couldn't it be that the person looking for a job just rebelled at the idea of taking a lie test?

"Yes," said Evans, "that could be."

And just how reliable are the tests? As Schmidt points out, their evidence is not admissible in court. Is it possible that an innocent man would flunk the test?

"Yes, there is the possibility that the test would make an innocent man look guilty," said Evans, but he added that the chance would be "poor."

How about neurotics and psychotics—might they not pass the test, although "guilty"?

"Yes, they might," said Evans, "especially the psychotics." Delusions can test out as solidly as facts.

Incorrect judgments could also be given to tests of people with guilt complexes, he admitted, the kind of people he described as "feeling they must be guilty for anything that is missing from a company. They feel convicted every time they pass a traffic cop."

Evans, 25, and his partner Devine, 27, are graduates of the University of Texas and they have been operating their business only since August of 1959. Even so, they are, with the exception of the Smith Detective Agency of Dallas, the oldest firm in the business in Texas.

Evidence of the lie-detecting boom is seen in the spread of Employment Advisors offices, in two years, to San Antonio, Waco, Fort Worth, Odessa, El Paso, Houston, Corpus Christi, and to two other states and Canada.

And the profit in tripping employees is such that Employment Advisors has inspired competitive agencies to go into the business in five of the cities.

The boom is based on suspicion. Men in the polygraph profession are quick to point out, as does El Paso operator Otis Campbell, that without a lie test, not even long-time employees can be trusted. He quotes the William J. Burns International Detective Agency: "the average dishonest employee has worked for the same firm nine years, is 35 years old, began stealing after six and a half years of service, was not found out for three years, is trusted and ambitious and above average ability."

B.S.

Labor to Take Action On Ted Springer Case

(Continued from Page 1) been under the control of the big business lobbyists. Through this means he maintains a boss-control over his employees working for his newspapers, radio station, and television station.

Brown said passage of Struve's "Job Protection Act" would give "those Texas citizens who work in the printing and allied trades a better chance to maintain—and in many cases to regain—pride in their work and respect of their employers."

Houston Negroes Arrested in Sit-In

HOUSTON

Some Negroes celebrated the Fourth of July by demonstrating against segregation policies in two movie houses and in the Union train terminal's coffee shop, with two of the protesters being arrested while sitting at the coffee shop counter.

James D. Burleson, who runs the coffee shop, summoned police to arrest the Negro pair, a boy and a girl. On other occasions, several dozen Negroes have been arrested in the terminal cafe.

No arrests were made during the theater picketing.

Governors Back Escheats

AUSTIN

The Governor's Conference in Hawaii gave moral support to Gov. Price Daniel's attempt to get an abandoned properties bill past the Texas legislature by adopting a resolution urging the enactment of such laws as recommended by the Commission on Uniform State Laws and the American Bar Association.

Daniel, who has included escheats legislation in his call for a special session, has sponsored the project for several years with no success. Legislation carried by

Rep. Charles Hughes of Sherman in the regular session was thwarted in the House by ten votes in March.

The governors' resolution called on the federal comptroller or Congress to prohibit national banks from levying service charges on dormant accounts in states where state banks are prohibited from levying these charges.

A bill sponsored by Sen. Ralph Yarborough, now pending in Washington, would make service charges on the dormant accounts in state banks illegal.

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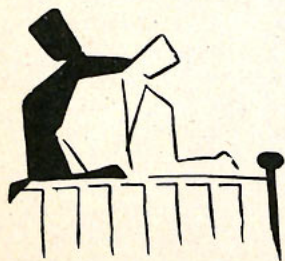
IS A SALES TAX THE ANSWER FOR TEXAS?

TOM SEALY SAYS YES

Today Texans find themselves in a fiscal dilemma. The estimate as of the next biennium, September 1, 1961, finds us \$63 million in the red; right now we're \$73 million in the red.

I think the reason it happened is this: Texas has a hodgepodge tax structure. Initially Texas depended on the property tax or ad valorem tax as the means of raising state moneys. But that scheme was turned over of necessity to local units of government—city, county, and school—who have that as a basis of taxation. Then in the 'thirties it tried selective taxation and placed taxes on corporate interests and business of all kinds.

So that today, for instance, we find that Texas has the second highest tax on oil and gas in the nation. It also has one of the highest franchise taxes in the nation. It also certainly has some of the highest taxes on sales. Following the selective sales tax route, we find that the tax today on a pack of cigarettes is eight cents; that's 53 per cent of the cost of that package of cigarettes.



Now that's not a two per cent broad-based sales tax, but a 53 per cent selective sales tax.

In selecting things you find you have unfair taxes, or taxes that are almost confiscatory, and taxes too that are hidden. You don't realize there's eight cents a pack state tax on cigarettes. So here we are today with a \$63 million deficit. The legislature is scurrying around to try to find new taxes to keep up with the growing needs of our state.

Still, after the biggest increase in taxes in 1959 in history, with \$189 million in new taxes, we find today that the governor says, and most of the legislature agrees, that we still need \$350 million in new taxes to meet the \$63 million deficit, to get the \$800 increase for our school teachers which every person thinks is needed, and to take care of some welfare needs and other needs of the state.

That means, then, that we must have a broad-based tax. That brings us down to this: either you're taxed on what you own, or on what you earn, or on what you spend. Since the property tax is left to the local subdivisions of government, it's going to be an income tax or a broad-based retail sales tax. I say that it ought to be a retail sales tax. Thirty-five states of the fifty have adopted a retail sales tax; every state around the perimeter of Texas—New Mexico, Oklahoma, Arkansas, and Louisiana—has a sales tax. They've had those taxes for some 19 to 28 years.

A sales tax grows with the economy. Some eleven states in the nation in the last ten years with a sales tax have increased their revenue 104 per cent without any necessity of raising the rates, because the tax has grown with the population and with the economy. Under a retail sales tax the transient visitors in your state and mine will pay a share of this tax—about \$5 million a year of that tax. The federal government has recently adopted a schedule—I think for the first time this year—that's based on family in-

come and number of family. It will let you deduct as a matter of course on your federal income tax an allowance for the sales tax. **NOW APPARENTLY** the legislature has just about decided that a sales tax is the fairest and best of these taxes, because each house passed a broad-based sales tax: HB 727 in the House, and the Senate version of HB 334 in the Senate. The Senate then by a majority changed that and put in a little different two per cent broad-based retail sales tax with exemptions on food, drugs, and some other commodities. In the House half of them voted for that in the final motion to concur the last day of the session. And that's where we are today.

I say that it is a fair tax, and an equitable tax, and I do say that it is proportional to income. Out of nine studies conducted in the last 15 years on the impact of the retail sales tax, seven of those nine said it was proportional to income. If you buy a \$25 coat for your wife, you're going to pay a tax of 50 cents; if she talks you into a \$2,500 fur coat you're going to pay \$50. Now certainly Mr. Schmidt would be as interested as anybody in bringing industry to Texas. If industry is going to come to Texas it must have a favorable tax climate. By the same token, Texas must have, under some authoritative statement and data, 120,000 new jobs a year.

How are we going to get them? Obviously we can't get them out of the oil and gas industry on an eight-day allowable, and beset with other difficulties. If anything, they're terminating their employees instead of taking on more workers. With agriculture becoming more mechanized, there is not any basis there to get the new jobs. So they're going to have to come out of manufacturing, processing, and other forms of industry.

Now when they do that, that means that we must bring industry to Texas—a lot more of it than we have now, if those jobs are to be provided. And to get industry here we must have a favorable tax climate. Not that industry won't pay its fair share. Today in Texas industry and business pay 61 per cent of the cost of state government as reflected by the figures of the state comptroller for the 1960 fiscal year.

What happens is this: business comes to Texas. We don't offer them any land sites; we don't offer them tax exempt periods of ten years on their factories, as so many of the states do who are competing with us. On the contrary, as the present situation exists, if they come down here, they come down to a state with selective taxes, selective sales taxes, yielding 53 per cent of the income of that state's government. The problem with that is—Who's going to be selected next? And when? And for how much? Now they'd rather come to a state that has a broad-based gross tax that will grow with the economy. I don't think they want to come to a state that's going to put on an income tax.

Since 1937, only one state has adopted an income tax as a means of resolving its problems; twelve have adopted a sales tax in the last 15 years. If industry is already taxed to the hilt on the income tax in the federal domain, what incentive is there to industry to come to Texas if we load still another income tax on them? On the contrary, it seems to me that they might very well go somewhere else.

But under HB 334 as revised by the Senate with a broad-based re-

tall sales tax, they'd then have a growth tax that would grow with the economy, and business would pay, according to the comptroller's own estimates, 35 to 38 per cent of that cost. So that even after the passage of that tax there would still be more than 55 per cent of all taxes at the state government level paid by business.

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FRED SCHMIDT SAYS NO

My disagreement with Mr. Sealy is not complete. I agree with him that the state needs this new money. I agree further with his statement that it would be desirable to secure this new money from as broad a base of taxation as possible, so that each of us is making some proportional contribution to the cost of our state government.

But I disagree with Mr. Sealy in his statement that the general retail sales tax presents the fairest and best means of meeting this need for new revenue. I disagree further that the choice before us is one between an income or a broad-based sales tax. In this whole discussion of taxation we frequently get lost in the terms. And so it would seem to me that there is one statement on which all Texans could agree—and this is simply that you don't tax things; you can only tax people.

Any tax, if it's paid at all, can only be paid out of somebody's income. Therefore all taxes, by whatever name you call them, are income taxes. Mr. Sealy is proposing an income tax; he proposes to tax that part of our income which is spent for certain taxable commodities.

The core of our difference rests simply here: in my opinion, the only fair and best means, as Mr. Sealy put it, would be a tax structure that is based squarely on the ability of the taxpayer to pay his tax. Inasmuch as all taxes are income taxes, I argue that taxes should be based on the amount of income and not selected parts of that income.

THIS BEING the case, I've often wondered why so many spokesmen of the Texas business community—the West Texas Chamber of Commerce, the East Texas Chamber of Commerce, the South Texas C. of C., the Texas Manufacturers Association, so many representatives and leaders of Texas industry—have a great meeting of the minds here. They have, to a great unanimity, urged for the first time, a single solution for the Texas tax problem.

This is a unique thing when you think about it—that businessmen who are generally thought of as opposed to new taxation have at least joined in this respect. It would appear to me that the interest that the members of the business community have here—and I attribute no mean motives to them—but in representing their own economic interests, are arguing this: that only by having this recourse to general sales taxation are we going to spare the business community from certain other just and equitable taxes that are in the offing.

It would seem to me that they're saying to us that the retail sales tax is the means by which the long-lined gas transmission companies can avoid additional taxation. They're saying that this is the means by which the truck-

A CRUCIAL DEBATE

Is a general sales tax the solution? Tom Sealy, Midland attorney and president of the "Citizens for a Sales Tax" organization, and Fred Schmidt, secretary-treasurer of the Texas AFL-CIO, confronted one another in an open debate on the central issue of the forthcoming special session in Midland last week. The Observer has transcribed, with only minor editorial changes for the sake of form, a tape-recording of that debate.

Although the two antagonists each spoke twice, with Sealy making a brief closing rebuttal, their remarks are published here continuously and without interruption. This format will explain some of the references Sealy and Schmidt make to one another's arguments.

ing industry can avoid a ton-mile tax. They're saying that this is the means by which Gov. Daniel's proposal for unclaimed corporation dividends or dead or inactive bank accounts to revert to the state would be made unnecessary. They're saying that by this means we can avoid a revision in the gift tax of this state. Mainly it would seem that they're saying by this means we can avoid a corporation profits tax in Texas.

Has it not occurred to you that we here in Texas, ranking about tenth among the leading industrial states of this nation, are among that small minority of states who do not yet have a corporate profits tax? I feel very strongly that if we are to have new taxation and a revision of the Texas tax structure we need to look to some of the disparity that presently exists and try to correct it.

You can take, for instance, the case of a man in Texas who makes \$1.50 an hour, and you can compute to the penny what that man, married and with two children, is having to pay in the form of his state taxes.

We find that this individual today is carrying a tax burden four times heavier than a man, say, making \$10,000 a year. The per-



centage of his total annual income (which goes in taxes) is four times higher than in the case of a man making \$10,000. This simply means that the man earning \$3,000 a year is having to work four times as long to pay his present direct state taxes.

Now, to this structure, it would appear to me, it would be a great inequity and awfully bad economics to add a new form of taxation which is not based on the amount of income. I feel that so many partisans in this tax struggle are really arguing the case that we need to find this alternative of the general sales tax so as to avoid having a new tax bill written that would be based on the amount of income a person has and not just selected parts of that income.

It seems to me that it's not debatable that a general retail sales tax with or without the exemptions for food or clothing, is inevitably going to prove a greater burden on those persons least able to pay it. Inasmuch as the sales tax does not reach all the income of an individual there are many families in this state that are fortunately able to save to invest in stocks and bonds and to speculate in real estate; this part of their income cannot, will not, and is not intended to be touched by the sales tax.

But when you consider that over half the families in the state

of Texas have total annual incomes of less than \$4,000—these people are on a sustenance or below basis. They are spending all that they make, and a sales tax, however written, is going to reach the best part of their income.

I say to you that it is permanently unfair, and again I say it is bad economics to conceive of a tax proposal that has the effect of taxing this act of consumption—the very thing that we are trying most now to encourage in the interests of trying to induce industry to move to our state so that this great Southwestern market might again grow and increase. It's eminently unfair to conceive of a tax that would draw state tax revenues from persons now on a \$67 per month maximum old age assistance check. These are the people whose income will be reached in part by this general retail sales tax, so I argue with Mr. Sealy that it is not, in his phrase, the fairest and best means.

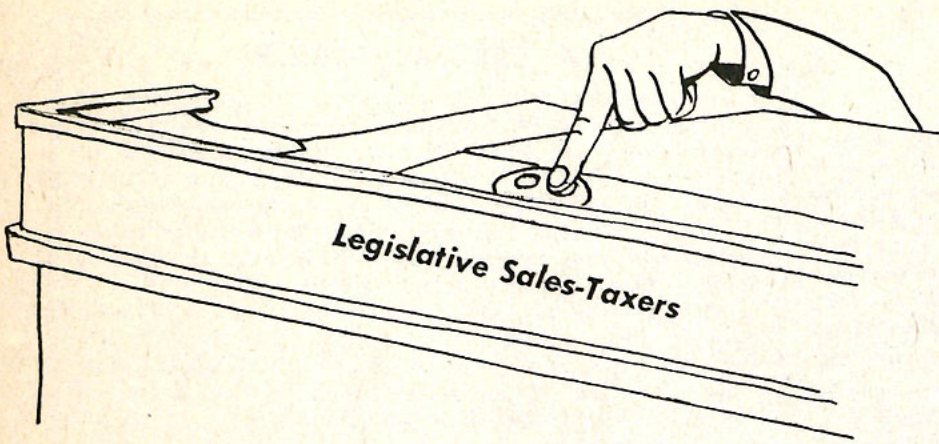
I'D LIKE to take up, Mr. Sealy, two points you made concerning the proportional nature of the sales tax as related to income. I would concede of course that the man of wealth is unquestionably going to spend more on sales than the man of a small income. But this does not remove the point that the person of high income still is having part of his income completely tax free—untaxed because it is unspent. And the proportion or the graduation of this tax as its burden increases with income is nowhere near related to the proportional increase in income itself.

I think if we can agree that the tax, whatever kind it might be, is to be based on ability to pay, then this becomes a rule of thumb that we can figure out with some arithmetical accuracy. In other words, not just simply say that higher incomes pay more than low incomes but relate it directly to the income.

We have proposed that the state of Texas should do as some thirty-five other states have done and have both personal and corporate income taxes. And in the case of a personal income tax, that the tax be based squarely on a fixed percentage of whatever the individual's tax payment to the federal government is.

Now in this fashion only can we conceive of a tax proposal that can make all the allowances necessary for a person's true ability to pay. Consider—the federal income tax says this to each of us: "First, tell us how much you made; second, tell us how many people you are supporting; tell us how much sickness you've had; tell us what disabilities, what disasters have stricken your family. We make allowances for that; take that out of your taxable income."

This, then, becomes a measure of ability to pay, and this is what the state of Texas should do. With these people who say that the federal government has pre-empted (Continued on Page 8)



Return to Fundamentals

(Continued from Page 1)

You can call the creature any name, label, or pseudonym you wish. The result is the same. You have a sales tax, and a sales tax is the worst, the most unfair, and the most discriminatory tax of them all.

Texas is no affluent society. It is a society of minority groups, of underpaid farm workers, of a vast laboring population largely non-unionized and ill-salaried. It is a society of the 50-cent an hour salesgirl, of the 50-cent an hour farm laborer, of the \$25 a week laundress. A federal statistical report dated March 1 shows the hourly prevailing crop wage in farming areas where Mexican nationals also work to be 78 cents, with a range as low as 40 cents, and the average 50 cents. Half the families in the state have yearly incomes of less than \$4,000. One-fourth of all the families in the state exist on annual incomes of less than \$2,500. Migrant laborers, old age pensioners, laborers by the thousands squeeze out a living from week to week, from month to month. Furthermore, under the present tax structure, the individual making \$3,000 a year works, in effect, four times as long as the individual making \$10,000 to pay his state taxes.

It is an affluent society only in myth, and the myth is sustained and garnished by the big- and the middling-wealthy. It is a society of economic extremes.

It is a state rich in natural resources, in oil and gas and sulphur. Imagine, if you can, the character of our prisons and youth correctional homes, our schools, our state parks, our state hospitals, our state university, if the oil industry in its period of greatest affluence from 1946 to 1956 had not pleaded for economy and the Texas legislature had not wilted at its bidding.

And now they would saddle the people with a general sales tax. Pass it this session and you will have it forever. Place exemptions on food and feed and clothing and one or two or three sessions from now those exemptions will be gone. Pass a sales tax now and, in order to forestall a corporate profits tax or a gas pipelines tax or a personal income tax, it will be increased ever so slightly with each passing biennium. Will there be any gain for the greater society in first-class appropriations? Not so long as the captains of the state Senate have their say. Juvenile parole systems will continue to get the knife, the department of public welfare will remain wanting in social workers, the prison system will remain understaffed and the doctors and workers in state institutions grossly undersalaried. The circle will be as vicious as ever.

We have said time and again in the past, and we repeat it now, that the only truly fair tax is a graduated personal income tax. Every legislator with more than an animal understanding of taxes is all too well aware that when it comes to a showdown between a general sales tax, which is the most regressive tax known, and the personal income tax, which is the most progressive, there can be abso-

lutely no reasonable comparison.

As a flat percentage of the federal tax, a state personal income tax is by all odds the easier to administer; the state is not making tax collectors of every retail businessman. There can be no evasion such as the estimated \$15 million annually in some sales-tax states, for evasion against the state would be evasion against the federal government. The state income tax can be treated as a tax payment credit on the federal tax. Taxation would be soundly rooted in the American principle of ability-to-pay.

A frontrunning sales-taxer commented the other day, when confronted with the preposterous idea that under a state income tax persons would be taxed indiscriminately on the basis of *all* their income, not just part of it, "But I don't want to be taxed on all my income." This, perhaps, is a fairly reliable insight into the psychology of the sales tax movement. Under a sales tax, people in the lower income brackets, who spend almost all they earn, will indeed be taxed on *all* their income. Fairness might just as well go out the window.

Governor Daniel, who has relentlessly revealed the Austin lobby in its truest colors, has nonetheless moved so far since the regular session to placate the business community that he now finds himself in the sad position of having no room left to compromise. The sales taxers, on the other hand, have not budged an inch, just as the Senate majority refused to make any concessions whatever on their version of HB 334, which was one of the most monstrous tax bills this state has ever seen. The controversy now, we regret to say, is apparently raging about the simple \$10 deductible on clothing.

Only a forthright and unequivocal stand by the governor on business taxation—and he should dramatize the gas pipelines tax for all it is worth—will save him from final failure. The House, in the meantime, should pass the pipelines tax and send it to the Senate at the earliest possible moment. Let the Senate chop it down, as they may well dare to do. Let the voters learn the identity of those erstwhile senators who could unflinchingly approve a two per cent sales tax and refuse to vote for a \$15 million a year tax on the interstate pipeline companies. There is a sweepstakes election in 1962, and that well-known joint stock company, the Texas Senate, may be in for its share of richly deserved misery.

There will be great political debts to be paid in both houses next year if a sales tax becomes law. There is no honor in staking a position and then proclaiming *we told you so* when the time is propitious, but we can not be a party to any tax arrangement that saddles the people of this state with such an enormous and unfor-givable tax inequity. The people, it is often said, are without a lobby; let those legislators with the courage of their convictions and a sense of the true character of their greater constituency stand now four-square behind the income tax, and draw the tax issue in the clearest and most unequivocal terms.

Observer Notebook

Dallas News, Patrioteers, Walter P. Webb

THE PINE BLUFF Commercial over in Arkansas, which has one of the liveliest editorial pages in the Deep South, has been reprinting this paper's excerpts of Dr. Paul Boller's article, "The Dallas News and Communist Russia" from the Southwestern Social Science Quarterly. "The matter would not be important," the Commercial editorialized, "if the conspiratorial theory of history were not a prime source of American self-suspicion and mutual mistrust. The News has, of course, the prerogative of changing its mind. What it does not have, in our view, is the right to impute sinister motives to those who shared its own convictions of the '30's." Boller's article has been circulated far and wide, but judging from the monumental silence which continues to engulf the gentlemen of the News on the subject, they have either not read this testimony to shared guilts and foibles, or they have decided, as a matter of practical editorial policy, that the 'thirties existed for Roosevelt and the labor-liberals exclusively.

REP. MYRA BANFIELD of Rosenberg, a kind of Maurine Neuberger in reverse in the Texas House and winner of the Observer's highly coveted DAR Revolutionary of the Year Award, issued a statement that she is opposed to a state income tax because it would fall with intense severity on Lone Star women. A number of people in her district, she said, have spoken to her of late in favor of an income tax, but Mrs. Myra has remained adamant. When a wife woman works to help out the family income, she said, she pays a higher percentage of the federal income tax, and the same would be true of a state income tax, she said. So she has come out full bent for the Senate version of HB 334, which taxes, as we all know, the people, the domestic business, and the domestic gas producer. This sudden announcement is quite as surprising to capitol observers as Richard Nixon's anguished decision last summer to accept the Republican nomination after he had been nominated by the convention.

THE LORE of the Houston patrioteers, who have got those fine people over there in such a froth that even the prospect of a general retail sales tax with a \$10 deductible on clothing fails to assuage their brooding melancholy, is rich with some of the most delectable tales now in circulation. When a local radio station, for instance, initiated a daily program called "Expressions," in which listeners' telephone comments are broadcast live, the Birchers and their less august compadres moved in like a battalion of mounted artillery. The Birch sagem in the city hastily sent out a top-level directive to all members suggesting that the program be used "to pass on your knowledge of and insight into the communist menace. By creating more understanding you can help prepare the way for *more growth which is our greatest need* . . . Suggested topics are as follows: Connally Amendment, HUAC, Castro and State Department, Panama Canal, follies of welfare statism, disarmament, foreign aid, UN, summit conference, cultural exchanges, articles and thoughts printed in American Opinion, Human Events, Dan Smoot Report, and National Re-

view — recommending these publications at every opportunity: discussing facts revealed by any of the books on our approved list . . ." His charges faithfully went to work and fairly well succeeded in monopolizing the whole enterprise. When, at the beginning of one evening's program, it was announced that the topic under discussion would be problems of city sewage, one frequent female contributor phoned in and asked, "What's sewage got to do with the communist conspiracy?"

MUCH ALONG those lines, we have just been privileged to hear a tape-recorded interview between Saul Freedman, an ace Houston Chronicle writer, and one of the more vociferous Houston patrioteers who has modestly acclaimed himself one of the nation's "experts" on bolshevism, both inner and outer. After some lengthy and entirely fruitless efforts to pin the man down on what authorities he has read in the course of his studies, the writer subtly inquired in what year *Das Kapital* was written. To which the scholar replied, "It was written prior to Marx's death."

DON'T MISS Walter Prescott Webb's article in the July issue of Harper's, which is the story of the historian's quest for information about William E. Hinds, an unknown benefactor from New York whom he had never met and who sent him books and helped finance his education. Lon Tinkle, book critic for the Dallas News, wrote this week that "two great autobiographies are rumored to be in the making in Texas, capstones to the two most notable careers in Texas letters." One is J. Frank Dobie's, the other is Webb's, and Tinkle speculates that the Harper's piece surely must be a chapter in the Webb autobiography. When Webb was given the award for the best Texas book of the year in 1953 for his *The Great Frontier*, he read the essay now published in Harper's at the Texas Institute of Letters banquet. "No one there has ever forgotten it," Tinkle wrote. "No other talk in the Institute's 25 years has had such a response. Now Webb has committed it to print. We suspect this is the beginning of something mighty."

THE INCREASING USE of the lie-detector by suspicious employers is a hopeful sign, and we hope its purifying influence spreads. For instance, it might not be a bad idea for the state to require that all sweethearts, before being granted marriage licenses, be forced to submit to a lie-detector test over their past love life. Suspicions about virginity have wrecked many a marriage. As for ministers of the Gospel who are constantly harping about other people's sins, we must all admit to a mean suspicion of their own purity; and since religion suffers from this suspicion, it would be well for them to take a lie test over their pre-ministerial activities. It is high time we got rid of the old-fashioned idea that every man has the right to sweep his errors under the rug of regret and start afresh. Next stop en route to perfection: sodium pentothal, and our subconscious will lie naked and shimmering under the incandescence of curiosity, to satisfy the voyeurism of The Employer.

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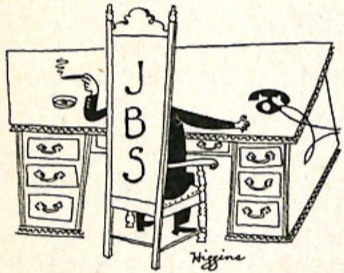
New Society Goes to Work In CenTex

WASHINGTON, AUSTIN

The Washington Post this week reported the organization of a second, separate John Birch Society calling for the abolition of the socialistic Post Office Department and cola beverages. In Austin, a University student has taken up the clarion and says he will found a CenTex branch to take direct orders from the national headquarters in Baltimore.

The Baltimore Birch Society is making quite a display of its secret meetings, secret passwords, secret handshakes, badges, and buttons.

The new organization, whose full name is the John Birch Chowder and Marching Society, is directed by attorney Leonard Kerpelman, 36, and a Johns Hopkins graduate student named Gerald Q. Hurwitz, whose age, the Post reported, is one of the Society's many secrets. "Gerald prefers it that way," Kerpelman said in an exclusive tape-recorded interview.



The new Society was named after John Z. Birch, the original brewer of Birch beer. "Birch" is normally spelt with a small "b" because it has passed into the language as a household word, Kerpelman said, and not—as the dictionary contends—because birch beer is made from a birch tree extract.

Primary aim of the Society is "to memorialize John Z. Birch and the beer he lived for" and wage opposition to the Post Office Department. "By socialistically delivering people's messages for them," the leader said, "the Post Office Department makes people weak, dependent, and without moral fiber, instead of leaving them to deliver their own messages, which would make them strong, independent, and morally fibrous."

Kerpelman described his Society as an ancient one, driven underground by Prohibition. "We regard the more recent John Birch Society, the one that hogged all the publicity, as a very late starter. Our Society is better fit to deal with world problems today, because we have been underground for so long, we are more completely uncontaminated by any ideas of the last millennium."

In Austin, University student Keith Stanford is organizing the CenTex chapter of the John Z. Birch Chowder and Marching Society with a sunrise rally at Wooldridge Park later this month. "The Post Office was America's first and most fatal mistake," he said. Demonstrations against federal mail boxes and postmen will be the CenTex chapter's first project. A number of University students who prefer the Middle Ages to the Twentieth Century will constitute the intellectual elite of the new chapter, he said. A regional convention will be held on Ground Hog Day.

Stanford said he is getting in touch with the Baltimore headquarters for copies of their super-secret directive, the Green Book, and a manual of salutes, passwords, and genuflections. The motto of the Cen-Tex cell, he said, will be "America is neither a democracy nor a republic."

The CenTex co-ordinator, in an exclusive interview before a galaxy of twelve tape-recorders, said the John Z. Birchers are not a secret organization, "but it's nobody's business who belongs but mine and the Baltimore Anti-Subversion Sub-Cell." He charged that between 60 and 70 percent of the manufacturers of cola beverages are consympers and ten percent are dormant.

REPORT FROM MISSISSIPPI

GREENVILLE, Miss.

Say, yun huhd the lates'? Ross Bahnett, the govuhnuh, uh couse, uh Mihsipi, has offuhed Presdent Kendy a hunnert twenny one Freedom Riders fo' two fahm tractuhs. Thass raht!

The belly thwomping from this, the hot folk-lore of the moment in the South, is spreading like Johnson grass. It's the kind of joke that spoofs everybody—the Freedom Riders, the government, Castro, and the Southerners themselves.

The comparison between Barnett and Castro, both standing four-circle against the federal government, is probably a subconscious part of the witticism. Mihsipi is as embattled by CORE as Cuba was by the CIA; the Freedom Riders have been only somewhat more effective than the agents of the CIA, and both Castro and Barnett have turned to communism for help, Castro for technicians and Barnett for scapegoats.

A GOOD FOLK JOKE can relieve a lot of tension. When Earl Long was having his trouble in Louisiana, remember, there was a story making the rounds that he asked Leander Somebody, boss of a big parish and an arch-segregationist, "Leandah, whad yuh gonna do now—da feds got da bomb!"

But there are always the helmeted crusaders who refuse to be amused; usually they hold high office. In Mihsipi a Colonel T. B. Birdsong, the state's public commissioner, announced that a part of the state highway patrol, the Mihsipi Bureau of Investigation, would ferret out communists and subversives.

Birdsong called a press conference in Jackson and said, "We expect to expose some communists in Mihsipi." A patrol inspector backed up his boss, saying, "There are some communists in Mihsipi, right here under our noses." A patrol public relations man (Mihsipi has too learned something from New Yawk) added that the Freedom Riders' campaign was "planned and directed by the communists," and CORE is a communist organization. The Justice Dept. does not list it as communist, but, said the Mihsipi Highway Patrol, "There's a lot the Justice Department doesn't know."

The report said the singled-out rider and one other one went to Cuba last winter to hear lectures on bettering U. S.-Cuban relations at which they received instructions from Soviet officials for carrying out the freedom rides.

Gov. Bahnett had the last word on the Freedom Riders as penitentiary field hands—"If we gave them a hoe, they might chop down cotton instead of weeds." In Mihsipi, this is equivalent to saying a man is no good for nothin nohow. If he can't sing happily while he chops weeds, he might as well go back to Cuba where he come from.

Doubtless we'll be hearing a good deal from the MBI; but there are even in Mihsipi, some people who don't like Col. Birdsong's program for knowing and then proving integrationists are communists. Hodding Carter's Delta Democrat-Times editorialized that the state's present police powers are adequate. "About the last thing we need right now are any additions to the present motley collection of paid informers and pseudo sleuths the state has on its payroll in the State Sovereignty Cmsm.," the paper said.

Heaping contempt on state officials who called the riders communists without offering proof, the Greenville paper asked:

"What is accomplished by the kind of show which was put on in Jackson, when so many of the allegations are so easily disproved and the method of attack is so shabby? It wins no converts outside of the South, particularly since no proof was forthcoming. All that it really succeeds in doing is giving outsiders the impression that they are watching a

unique circus . . . some sort of throw-back to another era."

Over in Jackson, however, the papers don't take just this tack. The Clarion-Ledger, on its front page, announced that a Negro is still trying to get admitted to the University of Mihsipi with the headline, "Ole Miss Mix Case Renewed," and did not quite conceal its satisfaction that the released Mihsipi-born communist, Henry Winston, is blind by headlining that story, "Mississippi Born Red Free But Blind."

The Jackson Daily News carried an editorial cartoon showing a Freedom Riders' bus with a hammer and sickle for a wheel and the caption, ". . . Now arriving from Havana." It featured a letter from a Jackson lady telling President Kennedy "God segregated the races, not us," chastising him for trying to "force Christians to deny their God," and vowing, "Christian people will die first." In its news columns, the Daily News headlines wire service stories about the Freedom Riders "Friction Riders," reports ("Special" from Washington) that the two accused riders "may face severe federal action if they made an illegal trip to Havana," and, in a page-one editorial column, exults, "Now that a link has been established between the 'riders' and Communists in Cuba . . ."

IN ROUND LAKE, Mihsipi, in a country store at the highway, the soft talking white proprietor turned from us to hear a Negro man tell of some trouble he was having and snapped at him, "What you want

me to do about it?" Then he turned back to us and asked gently, "Anythin' else?"

Walking into Chatham past the unpainted grey wood shacks of backwoods Mihsipi, we came to a shack with four or five Negro children and their young father peering at us from the porch. A toddler of two or so dressed in a flour sack absently brushed the insects off her face. We asked for water from their pump: "Sho, hep yoself," the man said. It was an old iron pump with a small iron chute for the water. A little boy of five or six came out and said, "Ah prime it fo yo." He kept his eyes down. The work lifted him from his feet; they made sippy dents in the wettened mud of the flood plain. He had on a checkered red and beige sports shirt and jeans and his bare feet were deformed, there was only one big toe. He primed and primed, and a sucking and gurgling sound came from the pump, the clear cool water flowed for us, and we drank and went on.

In Greenville at the bus station two Negro women were buying tickets to Chicago, Ill. The ticket lady told them, "Now yall be back hyeah in time ta get yo' baggage, yall hyeah?" She used the same imperative tone of the store clerk in Round Lake.

There was a carnival on the levee in Greenville and groups of white youths and groups of Negro youths rode the merry go round and the roller coaster, their laughs and screams intermingling, drifting together across the old bend of the big river. R. D.

Springer Defended

Excerpts from a column by H. M. Baggerly in the *Tulia Herald* on the Ted Springer case (Obs., July 1).

TULIA

Ted Springer grew up at Happy, Texas, where his father was a night watchman. Ted worked at the newspaper office there after school and on Saturdays. He also had a paper route during those years. He had to work to stay in school. After the war he went to work for the Amarillo paper as a linotype operator. He was active in the Baptist Church in Happy and later in the First Baptist Church in Amarillo. We mention these things to indicate that he was—and is—just an ordinary-type person such as we find in small Panhandle communities.

Ted became interested in politics several years ago and decided to run for the state legislature. Although he had some stiff opposition, he won. Two years later he ran for re-election and won.

The powers-that-be in Amarillo pulled out all the stops to defeat him. The Amarillo papers blasted him. Such persons as General Jerry Lee, who had just retired as commander of Amarillo Air Force Base, ran against him. J. Evetts Haley Jr. of Canyon was also in the race. Although forced into a run-off, Ted was victorious.

WHAT WAS so objectionable about this young man?

He was and is a working man. His interests were with those who earn their living by the sweat of their brow, on jobs in the cities and farms of this area. The silk-stocking district in Amarillo, the country club and Amarillo club boys, the oil and cattle millionaires, already had one of their own in the legislature—and they wanted another of their own for the second post to which Amarillo was entitled because of increased population.

But the people spoke. They wanted Ted in the legislature instead of General Lee, now a co-ordinator for the John Birch Society, or Evetts Haley Jr., who is just as bad. The extremists in Amarillo were unable to defeat Ted by vilifying him editorially through the columns of the Amarillo paper or by running powerful, well-

financed men against him. So, as might be expected, the next pressure has been economic.

Ted was called into the office of the publisher of the Amarillo paper on June 6 and told that he either must resign his job as linotype operator or as state legislator.

By editorial, by column, by letters to the editor, and by slanted news stories the Amarillo newspapers are dedicated to winning West Texas for the John Birch Society philosophy and for other way-out brands of ultra-conservatism. Yet the paper won't permit a linotype operator to serve in the legislature. Is it that they are bringing economic pressure against Springer to force him out of the legislature since he doesn't vote as the Globe-News would like?

MUCH AS ONE might disagree with the Globe-News for adopting such a policy, still we recognize its right to make any policy it chooses—but there are certain principles of fairness that should be observed.

Ted spent lots of money in winning this new term against the forces of ultra-conservatism in Amarillo. He just began his new term last January. If the Globe-News decided to make such a policy, wouldn't it have been a little fairer to have called Ted in, to have explained the policy, and to have told him it would become effective for him at the end of his current term? Is it fair to let him pay the cost of winning an election, then ask him to resign after serving only five months—or be fired from his regular job?

The timing of the firing is also significant. He was told that the new policy was made last March, but he wasn't ordered to resign from the legislature until June, right after he had voted against a general sales tax. In fact, he received his ultimatum one week to the day after his sales tax vote.

The legislature is locked in controversy over a new tax law. Is this the time to ask a legislator to resign from the legislature—or lose his job?

Thoughts on an Institution

The writer is an honor graduate of the University of Texas who goes to France in the fall on a Fulbright.

HOUSTON

The barbershop in the little South Texas town is a one-room cinder block structure, apparently built by a contractor whose main concern was speed.

I walked in the door, and a sign perched in the barber chair said "Call the barber over the intercom." An arrow pointed to a two-way speaker on the wall. I called for service, and shortly the barber appeared, a man in his thirties, a Latin, jovially apologizing for having been caught eating grapefruit during working hours.

In a matter of minutes he had run the gamut of local scandal, love affairs, and business transactions, and then he turned to a topic which, by the sudden wrinkle on his forehead, I interpreted to be more serious than ordinary barber gossip.

He was concerned with the local school system.

"It's just like Soviet Russia over there. You know it?" he said bitterly. "That school board runs the schools like a prison. The teachers are scared to do anything. Why, last year we had the best principal down here the town's ever had. He really knew how to run a school. So what happens? Some of the school board members come to find out he voted against 'em, and they fired him."

Was that the only reason he was fired?

"The only reason any of the townspeople know of. The principal we got now isn't bad, understand. But he's afraid to say a word. He does what he thinks the board wants, and that's that."

"In fact, he was in here this morning. I ask him why he doesn't back the teachers up when they get into a squabble with some parent over a rowdy kid. 'Well,' he says, 'you know the board—they don't like to have any trouble. If I spoke out against 'em, I'd be fired in a minute.'"

"And that's how it is. Who's on the board? Rich ranchers. Oil men. Businessmen. Any of 'em ever taught school? Nope. Some of 'em probably never even went. What do they know about how to run a school?"

It was a good question. What do ranchers, undertakers, junior executives, and drilling contractors know about the education process? Of course, thanks to the liberal sprinkling of "education" courses in our colleges and universities, and the present Texas teacher certification laws which perpetuate these courses, many teachers are probably almost as uniquely unqualified as laymen in administering public education.

But the school boards are primarily to blame. Their antics in small Texas communities—and cities as well—are legend.

THE PROFESSION of the average school board member is seldom conducive to intelligent educational policy. Businessmen will naturally be interested in avoiding deficits. This is fine.

But they tend to equate "the school business" with the hardware business or the oil business. They too often fail to realize that the goal of a school system is not primarily to stay out of the red, but to produce educated citizens.

Faced with the choice of producing an impressive financial report, or of barely keeping out of the red while instituting an experimental and perhaps costly educational program, the businessman usually chooses the former.

It simply is not true that, granted doctors should comprise hospital boards, bankers should comprise banking boards, and merchants, trade boards, anybody who has ever set foot in a little red school house is competent to sit on a school board.



Teaching, although the average American won't admit it, is ideally a specialized field, and the layman in many cases is incompetent to solved pedagogical problems. While it is unnecessary that educators should exclusively comprise a school board, it is folly to exclude the teaching profession from membership, as is often done.

School board positions are political posts. In small towns, where no real political machinery exists, the job (or sinecure, as the case may be) falls on prestige, to the leaders of the Rotary Club and the B&PW groups. A teacher, member of the lower middle class, is usually considered presumptuous to run for such an office. And he runs the risk, by doing so, of having his contract mysteriously expire at the end of the school year.

In a city where machine politics exists, the teacher faces even stiffer competition in a school board election. Only a teacher with a large following who promises some much-needed reform is likely to get elected. And if he does beat the machine, the chances are that he will be completely outnumbered by the rest of the board, which will be hostile to a political parvenu.

The school board is a power group, and it is often a handy tool for furthering the ambitions—political, economic, ideological—of the members.

Too, as spectacularly demonstrated of late by the Houston board, the "careful" selection of textbooks and the instituting of propaganda courses are very real means of insuring that the school children are properly brainwashed with the particular ideas of certain members of the board.

WITH FEW EXCEPTIONS, Texas as primary and secondary education is not increasing in quality. The teacher shortage remains. A large percentage of those who teach are not qualified. Despite the blossoming of modern schoolhouses—many complete with indoor swimming pool, expensive drama apparatus, TV, recording, and movie equipment—the high school senior is shoved out into the world without enough education to qualify him to vote intelligently.

Go to any Texas high school and ask the principal where appropriations go. He will tell you: the football team (over \$100 per man), the basketball and baseball teams; the yearbook; the senior

trip; the twenty or thirty "clubs"; the marching band (uniforms and instruments mounting into the thousands); pep squad uniforms; school sweaters for "lettermen"; the "Spring Festival"; the junior and senior proms.

Such expenditures are, of course, controlled by the school board, most of whom are "boosters." You will see them at the games, and you will hear them brag when the team "goes to state." You will hear them grumble threats about getting a new coach when the team fares badly.

You will also hear them hit the ceiling when a teacher's wage boost is proposed.

The problem is one of finding a school board member who perceives the folly of overspending on non-essentials, and who has the courage to advocate the re-channelling of finances. The businessman or professional—especially in a small town—is least likely to fulfill this role, because he above all others is subject to economic reprisal by irate citizens.

WHAT IS the solution? There are several alternatives. It would be well for incumbent school board members to consider at least three rather carefully:

1) Government control of academic curricula. This is not as far-fetched as it may seem. Many European countries have long had federally administered curricula with good results. And despite the belief of states' righters that the American public would never consent to such an "infringement," it seems obvious that if overall education in the U.S. continues to be one of the main causes of our inability to meet the Russian technological advance, the federal government will intervene.

2) Unionization of school teachers. This idea, of course, is blasphemous in Texas. But the prospect in the not-too-distant future is not unthinkable. There is no one group which is more subject to receiving low wages for long and trying hours.

Teachers' unions could be born in Texas, I feel, without too great difficulty. A few teachers with courage, intelligence, and solidarity could work together in forcing a school board into either firing the entire faculty, or none at all; in a case, for instance, where a "trouble making" teacher had his colleagues' approval.

3) The entry into school board politics by citizens—especially teachers—and other college graduates—interested in educational reforms. In small towns a group of twenty or thirty persons could agree upon a reform ticket which was popular enough to succeed, select a person qualified to help administer an education system, and wage an intensive campaign against board members who have slid into office merely on social prestige.

WHATEVER the course of action, it seems certain that some action must be taken before long. As a friend of mine said last year, as he was packing up to leave Texas after 12 years of teaching:

"It's not simply a matter of loving your profession enough to make sacrifices. It's a matter of being willing to work for peanuts, to be the town's errand boy, and to be willing to take any kind of punishment the school board decides to dish out. It just ain't worth it to me."

And he is not alone, by a long shot.

CHANDLER DAVIDSON.

THE TEXAS OBSERVER
Page 6 July 8, 1961

Tormented Houston

On Sidelines, Cheering Them On

Third in a Series

HOUSTON

"This is the last stronghold and concentrated seat of rugged individualism," the director of Houston's city planning has observed, and he goes back to the early ranch economy of the area to help explain it. On this rugged tradition has been super-imposed the sometimes rather frenetic gloss of first- and second-generation wealth.

The clarion Abolish the Income Tax is a long and sturdy thread that helps, like the race issue, to tie the Houston patrioteers together. As a prominent real estate man likes to say in describing one of the inveterate local contributors to some of the heartier extremist movements, "He'd rather get a part of the income tax abolished than be visited every night of the year by six 16-year-old virgins."

WHEN H. L. HUNT, the Dallas billionaire, decided last spring to break a long public silence and come to Houston for some pre-announced speechmaking, it was like the entry of a saintly old warrior knight into a camp of fledgling medieval princelings. "The country is so far gone," said the man who subsidizes more political pap in an average year than the Rockefellers, Goulds, and Morgans combined in the last century, "that I am willing to do anything I can to dispel the apathy of the people." He said, among other things: Calvin Coolidge was the last president he approved; two percent of the American people are Reds, two percent active patriots, 18 percent Red sympathizers or dupes, and the remaining 78 percent "dormant"; the \$11 billion a year which business spends on advertising should be used to promote patriotic themes. At a press conference, his daughters sang new words to songs which expressed their father's views, such as this stanza to the tune of School Days:

"Listen to what our Popsy says,
"Don't give an inch to any Red . . ."

Although there are notable exceptions, rare is the Houston magnate of first- or second-generation money who would not stand squarely with Hunt and Cal Coolidge in the political spectrum, several shades to the right of the late Robert A. Taft. So much of the big Houston money has either been passed on from quick-rich fathers to sons without serious injury or come by overnight by the rather mundane process of digging a hole in the ground that, as one Houstonian explains it, "They've suddenly come into a lot of money, and they're afraid the government's going to take it away from them."

It would not be fair to say that most of Houston's temperamental wealth has actively fostered the current renaissance of the patrioteers; it would equally be wide of the mark to say it has stood aloof. "It hasn't been strict economic interest in most cases," a young professor commented, "but a lot of the money has been on the sidelines cheering them on." The fact remains that Houston has become the American mecca for the ultra-rightist soothsayers looking for appropriations.

Four years or so ago, when the liberal movement in Texas began to get off the ground in earnest, a number of the Houston oil, gas, insurance, and utilities companies—usually the home-based ones—began importing firebrand speakers of the George Roberts type. Seminars for company employees and junior executives on political action became a standard practice. Freedom-In-Action, brainchild of Houston's Elwood Fouts, became

more active and more effective. It was in 1957 that FIA produced and circulated its famous "scare movie": a politically apathetic doctor falls asleep and has a nightmare, doctors are socialized, farmers await production orders from Washington, gasoline is rationed, the government takes over the schools. The doctor wakes up, FIA goes to work on him, and he wins his precinct convention from the Communists. It was a Houston story if there ever was one.

Houston is a city of newcomers, and the newcomers are on the make: young men and women from East Texas who are turning the old swamps into vast new suburbs, a growing class of professionals and technicians and industrial managers all too ready to take the political nostrums of their superiors as their own.

For very practical and very cynical reasons, many of the city's conservative business interests helped ripen the field for the more vociferous patrioteers. "If they've unleashed this monster of their own making," an "old wealthy" political leader in the city says, "it's no one's fault but their own." With loud and enthusiastic and spellbinding voices being raised with increasing fervor against the welfare-staters, against Red "dupes" and graduated taxes, urban renewal and medical care to the aged, the more retiring of the city's *nouveaux* may believe the job is being done too flamboyantly and with an excess of blood-and-thunder for their tastes—but it is being done nonetheless.

The good ladies of leisure have likewise contributed a mighty part in the present rise of the Houston rightists, the housewives in Tanglewood and Memorial Drive and the newer and slightly less elite suburbs. "Their husbands are on the way up," one matron observes, "and they suddenly become aware of this income tax business." Hearing the same thing as their husbands do at the civic club luncheons, at Jaycee meetings, at church, they are usually more vocal and more active in letter-writing and the more general forms of nagging agitation than the patrioteer male of the species. The Houston Minute-women, who left an indelible mark on the 'fifties until a devastating series by Ralph O'Leary of the Houston Post in 1953 sent them momentarily scurrying for cover, are now as active as ever as John Birchers and participants in the Christian Anti-Communism Crusade and satellite movements.

THE HOUSTON Junior Chamber of Commerce, which likes to call itself the largest Jaycee organization in the world, has been a central forum of the city's rightists, and as an important adjunct of Houston's organized business has served as a fairly reliable gauge of the raging ultra-conservatism among the younger business set.

A recent president, William Hollis, is a full-time, salaried organizer for the politically-oriented rightist movement, Freedom-In-Action. Jaycee banquets have been amply stocked with keynote speakers like W. B. Strube Jr. of the Christian Anti-Communism Crusade, Fulton Lewis Jr., and Elwood Fouts. The organization has just seen fit to give one of its "Americanism" awards to Fouts, the FIA founder, which is at least tantamount to tacit approval of the man's zealous opposition to social security, unemployment compensation, foreign aid, the United Nations, and all the other bugaboos in the patrioteers' lexicon. W.M.

To Be Continued

MARTIN ELFANT

Sun Life of Canada

Houston, Texas

CA 4-0686

THE STUMP

'Man Succeeds'

Sirs: "We Are the Murderers" run in your June 10th issue is a profoundly arousing and powerful indictment. I wish it could be read by every man and woman in what we like to call the civilized world.

Mankind moves toward more humane attitudes and actions at a heartbreaking snail's pace, but it does move. It moves because some people are born with one skin too few, the sensitive ones, the Elizabeth Barrett Brownings, the Gandhis, the Albert Schweitzers, and the gallant non-conformists who are not afraid to cry in the wilderness of false and shabby values.

We have a long, long way to go, if we don't write the final chapter of human history in the ashes of a nuclear catastrophe. However, looking over the centuries, many will agree, I believe, with the historian who maintained that humanity takes two steps forward and one step back and with Ralph Cheney who declared "Men fail, Man succeeds."

Lucia Trent, San Antonio.

Suppress It

Sirs: In case you missed the following in the Washington Post Outlook:

"Senator Gale W. McGee, D. Wyo., one of the Senate's most persistent critics of the right-wing John Birch Society, asked and got permission to insert a letter in the Congressional Record the other day.

"It was a letter to the editor clipped from a recent issue of the Sacramento, Calif., Bee, and it read:

"Sir: I recently came upon the Congressional Record, which I understand is an official Government publication. In that publication was a vicious article attacking the John Birch Society. When a magazine can attack a patriotic organization like the John Birch Society, that is carrying freedom of the press too far. I think the Congressional Record should be investigated and if it is found to be un-American it should be suppressed."

Georgia Earnest Klipple, 1142 York, Corpus Christi.

Jobs for Africans

Sirs: This summer we in Texas have a great opportunity to take an active part in helping some African students help themselves. About 1,600 African students are studying in the United States and need summer jobs in order to return to school in the fall. The National Christian Student Federation is trying to find them jobs so that they can be self-supporting for the summer. Like American students, they have a variety of skills and talents which they can put to use.

The Communist bloc has offered the young African nations large numbers of full scholarships, providing for tuition, room, board, books, transportation to and from their homes, paid vacations, and pocket money. African students in the United States often have tuition scholarships, oc-

asionally have their room and board paid, but are almost always on their own in a strange country during the vacations. As a result the Communist invitations can look very attractive.

If you want simultaneously to combat Communism in a critical area, hire a willing worker, do a young person a favor, and improve your own country's foreign relations, you should hire one of these students. If you would consider hiring one or more such students, write me at 5452 Willis Avenue, Dallas 6. If you live in Dallas, you can call me at TA 7-0079 or contact the Presbyterian Christian Fellowship at SMU, EM 3-2411, ext. 504.

Elwood Hain, 5452 Willis, Dallas.

Non-U

Sirs: Re: Political Intelligence item about Dugger floating down Mississippi River in canoe:

Canoes may be OK for Walden Pond, but if Ronnie had read Mark Twain, too, he would know the proper vehicle is a raft.

It's a shame the U-boat plan fell in. It has certain advantages, as well as considerable symbolic significance.

David Doan, 2505 Rio Grande, Austin.

Confessions

Sirs: Gorman Livett's letter to The Stump last week is an excellent example of the confusion of many extremists in their search for a rational ideology. Mr. Livett is correct in rejecting Christianity as incompatible with his position. He is wrong in eulogizing the John Birch Society as the answer to Communism. Hitler had the answer: national socialism, but Hitler perverted what was essentially a sound theory into an insane effort to conquer the world and eliminate the Jews.

Since the horrible example of Hitler's misdirected efforts, no one seems to have examined the positive implications of national

socialism. A constructive national socialist government would be infinitely superior to either capitalism or communism. Capitalism has demonstrated its inability to cope with the demands of modern conditions. It is a form of economic anarchy injurious even to the interests of its purported beneficiaries. Only a system that marshals its resources on the basis of national and individual needs rather than for profits can cope effectively with existing conditions or future contingencies.

Organized endeavor by this nation could transfer us from a fast slipping poor second in the cold war to an undisputed first in anything we undertook to accomplish. Americans are vastly superior to Russians and Chinese. This is not a racist doctrine but a factual condition brought about by numerous advantages. Despite these advantages we cannot win if we, like Eisenhower, attempt to pass the buck to the Almighty and flounder around with archaic systems of government and economics.

Gregory Thomas, Allendale Station, Austin.

A closer reading of Mr. Livett's letter will indicate, we vouchsafe, that he was not being completely serious with his subject.—Ed.

Strategy Will Backfire

Sirs: One essential aspect of the current campaign to finance adequate state appropriations with equitable taxes may need to take for its slogan: "Get tough with the teachers!"

For many years educational appropriations have been so niggardly that more money for the schools and higher salaries for the teachers were found near the top of every list of proposals for better state government. In recent years, however, some of the most urgent needs of the educational system have been met, and the salaries of elementary and

high school teachers have been supplemented by substantial—and needed—increases.

The many progressive citizens whose joint efforts have brought about these improvements have reason to be grateful for the skill and resourcefulness with which teachers have pleaded their own cause in the legislature. If, however, the lobbying techniques they have learned are to be used for the sole purpose of putting more dollars in teachers' pockets, without regard to who carries the added tax burden, we may need to re-examine our almost automatic response to every call from organized teachers to lobby with out state representatives.

Better teachers' salaries are important to everybody because these professional people perform two invaluable functions: They help prepare our children for happy, useful living in an increasingly complex society; and they transmit the basic values of our democratic culture to the young, guiding each oncoming generation in its efforts to apply these principles to the changing conditions of our common life.

Teachers are entitled to our cooperation to the extent that they perform this dual professional function, by precept and example. Members of any profession assume obligations that cannot be measured in cash. Teachers are public officials in positions of public trust, with the most demanding obligations to the democratic society they serve.

One of the basic assumptions of a democratic society is that there are no unimportant people. The children must be told that this is true and be treated as if it were true. The taxpayers also must be told that this is true and be treated by the teachers and their legislative spokesmen as if it were true. About half of the taxpayers of Texas must live on family incomes of less than \$4,000 a year. The other half have more than this amount, with only one-fifth of the total number enjoying incomes of more than \$7,000 a year. This means that the incomes of Texas teachers now approach, or equal, or surpass the median income of the families that support them with tax payments.

Teachers cannot responsibly approach average taxpayers asking for an increase of more than \$800 a year in their salaries unless they make it clear that they are unwilling to have any part of this increase come from the meager resources of those whose entire annual income does not exceed \$800 a year.

Teachers cannot ask us in good conscience to take a sales tax from the poor in order to give them better than average incomes. They should not ask us to slow the growth rate of the economy by transferring purchasing power from the pockets of those who spend immediately for their needs to the accounts of those whose income circulates more slowly.

They may call the strategy of supporting a regressive tax "as a last resort" tough-mindedness, or smart politics; they may use among themselves and to the public the "easy speeches that comfort cruel men". But this strategy will backfire, by dwarfing their professional stature and diminishing the likelihood of cooperative response from parents and other citizens without which their employment of the most skilled lobbyists will avail them nothing.

Margaret B. Carter, 2816 Sixth, Fort Worth.

Quantrill Remembered

Sirs: We are organizing "Quantrill's Guerillas" and wish to reach descendants of Guerillas and others who might be interested. We will be organized into Honorary Members (descendants of guerillas); Regular Members (Missouri residents only); and Corresponding Members (unlimited).

Brice J. Mansfield, Quantrill's Guerillas, 803 W. 39th, Kansas City 11, Mo.

CLASSIFIED

WOMAN WHO CAN DRIVE . . .

If you would enjoy working 3 or 4 hours a day calling regularly each month on a group of Studio Girl Cosmetic clients on a route to be established in and around Austin, and are willing to make light deliveries, etc., write to STUDIO GIRL COSMETICS, Dept. JW-42, Glendale, California. Route will pay up to \$5.00 per hour.

LEGALS

CITATION BY PUBLICATION THE STATE OF TEXAS

TO C. (Charles) E. Weed and wife, Velma C. Weed, if living, and if dead, the legal representatives of each of said named Defendants, and the unknown heirs of each of said named Defendants; the legal representatives of the unknown heirs of each of said named Defendants, if the unknown heirs of said named Defendants are dead; the unknown heirs of the unknown heirs of said named Defendants, if the unknown heirs of the unknown heirs of said named Defendants are dead; defendants, in the hereinafter styled and numbered cause:

You (and each of you) are hereby commanded to appear before the 126th District Court of Travis County, Texas, to be held at the courthouse of said county in the City of Austin, Travis County, Texas, at or before 10 o'clock A.M. of the first Monday after the expiration of 42 days from the date of issuance hereof; that is to say, at or before, 10 o'clock A.M. of Monday the 31st day of July, 1961, and answer the petition of plaintiff in Cause Number 122,549, in which Herbert J. Konze and wife, Alma Konze, are Plaintiffs and the hereinabove named defendants are Defendants, filed in said Court on the 16th day of June, 1961, and the nature of which said suit is as follows:

Being an action and prayer for judgment in favor of Plaintiffs and against Defendants for title to and possession of the following described lands and for damages: Parcel of land 50 feet by 150 feet of Lots Nos. Two (2) and Three (3) in the partition of 4.42 acres of land part of the Henry P. Hill League, in Travis County, Texas, according to map or plat recorded in Vol. 197, pp. 425-428, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake which is North 30 deg. 11 min. E. 88.89 feet and S 59 deg. 49 min. E. 48.89 feet distance from the original Southwest corner of that 4.42 acre tract of land which was conveyed to Elijah Morris by N. G. Shelley, as recorded in Book 59, Page 400, Travis County Deed Records;

THENCE 48.89 feet distance from and parallel to the West line of the aforesaid 4.42 acre tract of land, North 30 deg. 11 min. E. 150 ft. to an iron stake;

THENCE South 59 deg. 49 min. E. 50 ft. to an iron stake;

THENCE South 30 deg. 11 min. W. 150 ft. to an iron stake on the S. line of partition Lot No. Two (2);

THENCE with the S. line of

Partition Lot No. Two (2), N. 59 deg. 49 min. W. 50 ft. to the place of beginning, and being the same property conveyed to the grantors herein by warranty deed of Louise Shepherd, a feme sole, dated April 20, 1946, recorded in Vol. 793, pp. 46-48, Travis County Deed Records.

Plaintiffs allege that on the 15th day of November, 1960, they were and still are the owners in fee simple of said land; that on said date defendants unlawfully entered upon and dispossessed plaintiffs of such premises, and withholds from them possession thereof, to which possession they were and are legally entitled. Plaintiffs further allege that by virtue of defendants wrongs they have been damaged in the sum of Two Hundred Dollars. Plaintiff further prays for damages, costs of suit, and for relief legal or equitable, general or special.

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 16th day of June, 1961.

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

By O. T. MARTIN, JR.

CITATION BY PUBLICATION THE STATE OF TEXAS

TO Edward James Brown Defendant, in the hereinafter styled and numbered cause:

You are hereby commanded to appear before the 98th District Court of Travis County, Texas, to be held at the courthouse of said county in the City of Austin, Travis County, Texas, at or before 10 o'clock A.M. of the first Monday after the expiration of 42 days from the date of issuance hereof; that is to say, at or before 10 o'clock A.M. of Monday the 17th day of July, 1961, and answer the petition of plaintiff in Cause Number 122,360, in which Marmeen Anne Brown is Plaintiff and Edward James Brown is defendant, filed in said Court on the 31st day of May, 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 she married defendant in Nuevo Laredo, Mexico, and that immediately thereafter defendant commenced a course of cruel treatment; plaintiff alleges that defendant was guilty of excesses, cruel treat-

ment and outrages toward plaintiff of such a nature as to render their further living together insupportable; Plaintiff alleges that she is expecting a child in October, 1961, and that she has not seen or communicated with defendant since April, 1961; plaintiff alleges that she would be the fit person to have custody of the unborn child; Plaintiff further alleges that her surname was Dinsmore, and that she has a child bearing such name, and plaintiff asks the court to restore her surname, Dinsmore to her; Plaintiff prays for judgment of divorce from defendant, that plaintiff be awarded the exclusive care, custody and education of said unborn child when it is born, that her former surname, Dinsmore, be restored to her and further and other relief as the Court shall deem proper to grant, either at law or in equity, with costs of suit;

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 31st day of May, 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 Amanda A. Hall, Defendant, in the hereinafter styled and numbered cause:

You are hereby commanded to appear before the 98th District Court of Travis County, Texas, to be held at the courthouse of said county in the City of Austin, Travis County, Texas, at or before 10 o'clock A.M. of the first Monday after the expiration of 42 days from the date of issuance hereof; that is to say, at or before, 10 o'clock A.M. of Monday the 24th day of July, 1961, and answer the petition of plaintiff in Cause Number 122,454, in which Manuel M. Hall is Plaintiff and Amanda A. Hall is defendant, filed in said Court on the 8th day of June, 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 and harsh treatment toward plaintiff; plaintiff alleges that defendant was guilty of excesses, cruel treatment and outrages toward plaintiff of such a nature as to render their further living together insupportable; plaintiff further alleges that no children were born of this marriage and no community property was acquired; plaintiff prays for judgment against defendant for divorce and for relief, 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 8th day of June, 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 Mildred Barr, if living and if dead, the legal representatives of said named defendant, and the unknown heirs of said named defendant; the legal representatives of the unknown heirs of said named defendant, if the unknown heirs of said named defendant are dead; the unknown heirs of the unknown heirs of said named defendant, if the unknown heirs of the unknown heirs of said named defendant are dead; and the unknown owners or owners of the property hereinafter described or any interest therein; and any and all other persons, including adverse claimants, owing or having or claiming any legal or equitable interest in or lien upon the property hereinafter described; Defendants, in the hereinafter styled and numbered cause:

You (and each of you) are hereby commanded to appear before the 126th Judicial 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 14th day of August, 1961, and answer the petition of plaintiff in Cause Number 122,615, in which J. J. Goode, Lloyd Carter, Floyd Carter, Thomas Ellison, Sr., Wesley Ellison, Willie James Reed, William J. Pearson, Alonzo Black

and William Carter, Trustees of Zion Hill Baptist Church are Plaintiffs and the hereinabove named defendants are Defendants, filed in said Court on the 23rd day of June, 1961, and the nature of which said suit is as follows:

Being an action and prayer by Plaintiffs and against Defendants for title to and possession of the following described land, to-wit:

All of Lot No. Eight (8), Block No. Five (5), and addition in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision or addition of record in Book 2, Page 154 of the map or plat records of Travis County, Texas, reference to which said map or plat and the record thereof is hereby made for all necessary and pertinent purposes.

Plaintiffs alleged that they are the fee simple owners and entitled to possession of said land. That on May 12, 1961, defendants unlawfully entered and dispossessed plaintiffs and withhold from them possession thereof. Plaintiff prays for other and further relief, legal or equitable, general or special, to which they might be entitled.

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 27th day of June, 1961.

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

By O. T. MARTIN, JR.

NOTICE OF INTENTION TO INCORPORATE WITHOUT CHANGE OF NAME

Notice is hereby given that W. E. Sheppard, doing business as W. E. Sheppard Company, located at 112 Cornell, San Antonio, Texas, intends to incorporate without change of name.

W. E. SHEPPARD dba W. E. Sheppard Company Dated at San Antonio, Texas, June 7, 1961.

NOTICE OF INTENTION TO INCORPORATE

Notice is hereby given that J. J. Lamplis and G. C. Sarris doing business as Christie's, 3031 Broadway, San Antonio, Texas, intends to incorporate under the name of Christie's, Inc., on July 1, 1961.

Dated at Austin, Texas, June 1, 1961.

Owners
J. J. LAMPLIS
G. C. SARRIS

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

Ratliff Feted

AUSTIN
Prematurely white-haired Sen. David W. Ratliff of Stamford, whose only headline-making job in the regular session was to push through a resolution commending Gen. E. A. Walker, served as "governor for a day" last week.

This is a role that is periodically awarded senators in good standing with the majority of the Senate. At the banquet given Ratliff, Sen. Wardlow Lane of Center, the Senate's bellwether in the sales tax fight, praised Ratliff by saying, "Once you have him on your team, you don't go around and pat him on his back and doctor him every day to keep him in line. That's a wonderful trait."

Ratliff voted for Lane's sales tax program.

Those who serve as governor for a day are always rewarded with costly gifts. Ratliff received a silver service with matching candelabras, a gift certificate for \$200 worth of luggage, an electric wrist watch, solid gold cuff links, two gift certificates for his wife,

and color portraits of himself and his wife.

Most of the gifts were marked as coming from "the people of Stamford" or "the people of the 24th senatorial district."

Tom Eplen, Abilene attorney who also spoke in praise of Ratliff at the banquet, said the West Texas senator belonged to a group of statemen who ask "what can I do to improve from a situation, rather than what can I profit from it."

As governor, Ratliff issued proclamations for Petroleum Resources Day, Texas Cowboy Reunion Day, and in praise of Colorado City as "The Tumbleweed Capital of the World" and Abilene as "The Educational Center of West Texas."

Dr. Don H. Morris, president of Abilene Christian College, said he thinks Ratliff, 49, "should become a governor for every day."

In that vein, Lane added cheerfully, "I'd be happy to support him for any office that I think he'd make an effort to seek."

EDUCATIONISTS BOW

AUSTIN
State Education Commissioner J. W. Edgar, in announcing a reduction in the number of required education courses for teacher certification this week, denied that the state school board made the cut as a result of pressure from the legislature.

Rep. Henry Grover of Houston and Sen. Hubert Hudson of Brownsville introduced bills in the recent session that would have cut in half—or reduced to 12—the number of hours required for obtaining a high school teacher's credential.

The ruling of the state board

drops the number to 18 from the present 24 hours, with six of the 18 hours to be practice teaching.

Elementary teachers would be required to take 30 hours in education department courses instead of the present 42, Edgar said.

The Grover and Hudson bills were not approved by the legislature, but they stirred widespread attention and much editorial support in Texas newspapers. The Texas State Teachers Association, lobby arm of the teaching profession and especially of school administrators, bitterly opposed the bills.

TOM SEALY

(Continued from Page 3)
IT SEEMS TO ME that a simple answer to Mr. Schmidt's contention that the income tax is the fairest and best tax is this: under his proposal as I understand it, you would be assessed an income tax in Texas of five per cent of the payment you made on your federal income tax. Now that means that the federal government would write the exemptions, it would write the rates, and in effect it would collect it because your tax in Texas would be five per cent of whatever they saw fit to inflict upon you.

Now I'd a whole lot rather have a tax, if we're going to say all of this is income—and as far as I'm concerned you're taxed either on what you own or what you earn or what you pay—not on all that I earn but on just a part of what I earn. And that means a tax only on, not what I make, but what I spend.

And let me say this to you: this is not a burdensome tax. For instance, under the **HB 334** as passed by the Senate, a widow earning \$1,900 in Texas would pay \$5.80 a year in sales tax. A family of four with an earning of \$3,000 a year would pay \$19 a year—

about a nickel a day. A family of four earning \$5,000 would pay about \$32—that's just a little more than the tax they pay today if they smoke a package of cigarettes a day, because that's \$29.20 a year. And a family of four earning \$10,000 would pay about \$68 a year.

This is not an unfair tax. This bill not only exempted housing (this is rentals and mortgage payments on your home) it exempted prescription drugs, gasoline, and cigarettes because they're already taxed. You wouldn't pay a tax on any of those, or on hairstuff, or your beauty parlor, doctor or dentist bills, cleaning and laundry, babysitters, yardmen. All of those would be exempt; there wouldn't be a tax on that part of your income.

I think most Texans today, with the small impact of the sales tax, would prefer that to any other tax. All the polls say so. And I believe most Texans will pay a little bit of this kind of money just to see that Texas stays in the forefront of progress, that it takes care of its own in the way of educational and welfare needs.

Dealey 'Hopping Mad'

LONDON
Dallas News publisher E. M. Dealey this week attacked the British Broadcasting Corp. for showing a CBS documentary on the recent Birmingham riots which he called one-sided and inflammatory.

In London on a business and pleasure trip, Dealey said he saw the film "and it does not reflect

a true picture of the situation in Birmingham. I was doubly shocked when I learned this was an American-made film and I am ashamed of CBS.

Dealey said he telephoned Clarence Hanson Jr., publisher of the Birmingham Post-Herald News. "I was hopping mad at what I'd seen," he said, "and after I talked to Hanson about it he felt the same way."

Railroad Commission Speculation

Harris Demos Set Date

How they voted in Congress: On passage of compromise \$5.6 billion housing bill in the Senate, Yarborough for, Tower against. (Passed by a vote of 53-38.)

On passage of bill to increase national debt limit by \$13 billion in the House (passed by 231-148): For—Beckworth, Brooks, Burleson, Ikard, Kilday, Mahon, Patman, Poage, Thomas, Thompson, Thornberry, Young. Against—Alger, Casey, Dowdy, Fisher, Kilgore, Rogers, Rutherford, Teague, Wright.

On passage of compromise \$5.6 billion housing bill in the House

Political Intelligence

(passed by 229-176): For—Beckworth, Brooks, Ikard, Kilday, Patman, Poage, Rutherford, Thomas, Thompson, Thornberry, Wright, Young. Against—Alger, Burleson, Casey, Dowdy, Fisher, Kilgore, Mahon, Rogers, Teague.

Rep. W. S. Heatly of Paducah, speaking at an Old Settlers' Reunion at Clarendon, said a penny a bottle tax on beer would raise \$15 million for the state. He challenged Gov. Daniel to designate him as leader in the fight for such a tax.

Rep. Tony Koriath of Sherman is considering sponsoring a personal income tax in the regular session.

Rep. Tommy Shannon of Fort Worth said he does not want a free speech committee such as Rep. Bob Eckhardt of Houston has proposed to investigate, among other things, Shannon's ouster from his church three months ago for voting for the Carling's brewery bill. He said Eckhardt's intentions are good, "but if such a resolution is introduced, I'll fight it with all the influence I have." The Houston legislator cited the Shannon case, the Springer firing, the Bleil case in Houston, and others as examples of infringements on free speech in the state.

South Texan, official organ for the South Texas Chamber of Commerce, again came out for a sales tax, commenting: "Both the governor and the legislature will bow to the will of the majority."

Lt. Gov. Ben Ramsey is remaining quiet about speculation he would like to be the new Railroad Commissioner, succeeding the late Olin Culberson. "I'm not a candidate for any position," he told Bo Myers of the Houston Chronicle, adding that he had not talked with the governor about the job. . . . Austin observers say Daniel will keep the vacancy to the powerful agency unfilled throughout the regular session to enhance his bargaining power on taxes.

Rep. Tom James of Dallas, who is expected to toss his hat in the ring for attorney-general imminently, expressed hope the special session will consider more effective ways for communities to fight organized crime. He specifically cited two measures, both of which died in committee during the regular session: to make personal misconduct grounds for removal of a county judge or county official and to permit district judges to empanel special grand juries to deal with local vice conditions and to continue in office for a six-month term with an option on two three-month extensions.

Rev. Baxton Bryant of Dallas, frequently mentioned

as the Democratic opponent to Cong. Bruce Alger in the '62 elections, has been named deputy state director for 27 counties in the U. S. Savings Bond division of the Treasury Dept. He has taken a leave of absence from his Methodist church.

Harris County Democrats will meet September 23 to select a successor to chairman Woodrow Seals, new federal DA. That date is acceptable to both liberals and conservatives. Seals has appointed John Crossland, a liberal, and Walter Sterling, a conservative, to name a temporary chairman at the September meeting. The two disagree on whether the "fair play rules," which provide for a vacancy to be filled by a person of the same political complexion as the retiring member, should apply in the election. . . . Houston Press reported that attorney Cyril J. Smith, generally considered a liberal, might be a possible compromise candidate.

James D. Gordon, a researcher at the UT Bureau of Business Research, warned in an article in the Texas Business Review that farmers should pay more attention to goings-on in the state legislature. "The redistricting of the House will transfer 13 votes from rural areas to urban ones," he wrote.

Nancy Phillips, writing in La Prensa, quotes Wade Cameron, political organizer for the Blakley forces in Bexar County, as saying that the conservatives in Bexar County will not stand by and see voters forced to choose between Sen. Henry Gonzalez and a Republican for the congressional seat to be vacated by Cong. Paul Kilday. "We will definitely field a candidate if a strong conservative can be persuaded to run," he said. He suggested Hubert Green Jr. as a possibility. Other conservative Democrats being mentioned include Frates Seeligson and Jack Onion.

Allen Duckworth, political editor of the Dallas News and a reliable bellwether of state conservative opinion, said Navy Secretary John Connally of Fort Worth may be a candidate for governor in '62 or an opponent to Sen. Ralph Yarborough in '64. "He would have Johnson's full support in any political campaign," he wrote. . . . "This isn't necessarily a 24-carat Goldwater conservative

year for Texas," Duckworth wrote. Describing Gonzalez as the favorite in the San Antonio congressional race, he said "liberals may well have their day of joy."

Texas Businessman, weekly advisory for business, said the "most critical decision of Daniel administration" for business will be the appointment to the Railroad Commission vacancy. "The problem," it reported, will be "finding an appointee able to hold onto the seat. That means winning two statewide elections within next three years. . . . No single post in state government would mean more to labor-liberals in building power." Jim Taylor, Joe Kilgore, Everett Hutchinson, and French Robertson, it said, are the best possibilities at present.

Udall Rebukes Hudson On Padre Statements

WASHINGTON
Secretary of the Interior Stewart Udall this week criticized state Sen. Hubert Hudson of Brownsville for what he said was "an attempt to distort my position" on federal road-building on the proposed Padre Island national seashore.

In a letter to Hudson, Udall took exception to statements by Hudson that he, Udall, had made contradictory statements about a Padre Island road. "I must protest against this attempt to distort my position," he said, "and I reiterate that this department approaches the road question with an open mind."

Proposals have been made for a road running the entire length of the island. Some supporters of the bill have said this would be impracticable because of tides, and that access roads to the mainland would be necessary.

Udall said that any specific directive would deprive the Interior Department of the prerogative to make an open-minded analysis of the road problem.

Austin realtor and former state Democratic chairman George Sandlin heads a corporation which last week purchased almost 24,000 acres on the south end of Padre Island for a price of over \$5 million. Part of the tract would be within the 88-mile strip now under consideration in Congress.

FRED SCHMIDT

(Continued from Page 3)
ed this field from the state I cannot agree. Thirty-five states say it has not pre-empted it. The federal tax laws are so written as to encourage states to enter this field of taxation, allowing, as in the case of a corporation profits tax, whereby the federal government pays 52 cents on every dollar of tax paid to the state under a corporation profits tax.

So it seems to me that the people who argue that the federal income tax has pre-empted income taxation are simply saying to us that we want to reverse the very progressive thinking that the federal income tax law now has.

It should be obvious on the face of things that under the sales tax proposal of Mr. Sealy's, any way you cut it the more kids you've got, the more taxes you're going to pay, because the more you're going to spend. The more sickness you have, the more medicine you buy, the more you're going to pay. The more disasters you've had, the more you're going to pay. This is true of the sales

tax; it is not true of the income tax.

No questions were asked me when I bought this pack of cigarettes; I paid my 8 cents sales tax, and nothing was inquired about my ability to pay. Now I submit that this again is bad economics, because it taxes the process of consumption that we need to encourage.

Mr. Sealy has pointed out that we need a growth tax, we need a tax that will not discourage the entry of industry into the state. I would call his and your attention to the fact that the Bureau of Business Research at the University of Texas studied this problem under Allan Shivers' administration and came up with the conclusion that the overriding reason industries have built plants in our state is to gain access to the great Southwestern market, which means the consuming public.

Let us not now then place a tax on the act of consumption, which would discourage industry more than any other one single thing.