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TARGET: MIGRANTS

Hoffa Launches Texas Campaign

SAN ANTONIO

Three of Teamster boss Jimmy Hoffa's field directors were expected to arrive here by the end of the week to lay preliminary plans for a study that may result in the Teamsters' attempting to organize migrant laborers and other Texas workers of sub-standard income.

In a recent visit to San Antonio, Hoffa promised to move into the migrant labor field if his advance men appraised the situation as hopeful.

Hoffa's three agents will look over the labor set-up in Texas for two weeks. At the end of that time, they will weigh the chances for success. Their appraisal will determine whether or not Hoffa will ante up \$350,000 from the Teamster treasury for a three-year pre-organizational program of conditioning the migrants to the thought of union effort, and conditioning the state legislature to the thought of easing up some of the anti-labor restrictions now on the books.

This was the prospect given Wednesday by Henry Munoz, executive secretary of the migrant labor project of the Bishops' Committee for the Spanish Speaking. Munoz was the man who got Hoffa to visit San Antonio recently and also the person who set \$350,000 as the probable cost of the pre-organizational work.

"I said \$350,000," Munoz told the Observer, "and when he didn't jump, I said it might take more. Hoffa doesn't care about the cost. He's interested in success. He said if he lost a strike of even three men, the papers all over the country would jump at the chance to play it up. So he doesn't intend to lose. That's why he's moving carefully."

But he definitely intends to

move into Texas migrant labor as he has in California and elsewhere. "Absolutely," said Munoz.

Munoz said that word of Hoffa's interests has already prompted bitter comments from church and business leaders in San Antonio.

"A banker came to me the other day, complaining about our working with 'this racketeer.' I said I wasn't aware of Hoffa's ever being convicted of racketeering. I told him, 'It's like these migrants are drowning and Hoffa comes along and throws them a tube, and you tell them don't take that tube because it comes from Hoffa. Does that make sense?' I told him if his bank would put up \$350,000 to study ways to improve life for the migrants, I would take it and turn Hoffa down. That quieted him."

When Hoffa arrived at the San Antonio airport, he was met by a delegation of Mexican Americans identified as migrant workers who were carrying placards and chanting, "Help us, Jimmy? Jimmy, help us?" Hoffa was so impressed that he insisted the group be brought along to the \$2.50-a-plate banquet and fed as his guests, Munoz said.

San Antonio Teamsters for a couple of months have been conducting a free truck-driving school for unemployed migrants. Some of the graduates of the school have been placed in jobs paying as much as \$2.59 an hour—a magnificent salary compared to what they have been earning in agricultural and odd jobs.

Cong. Henry Gonzalez, the only state senator to defend Hoffa's piggyback pension assessment, flew back from Washington to speak at the banquet honoring Hoffa.

Electoral Inequities Examined

AUSTIN

Texas cities and metropolitan areas remain seriously underrepresented in the state legislature, vitiating the ability of state government to find solutions to pressing urban problems, a special study of the Institute of Public Affairs at the University of Texas shows.

Writing under the title "Legislative Reapportionment in Texas: Plan for the Sixties," research associate Wendell M. Bedichek discloses that 41 percent of the state's population can elect a majority of the House of Representatives, 31 percent can elect a majority of the Senate, and 38.5 percent can elect a majority of Texas' 22 districted seats to the U.S. Congress.

The 1961 reapportionment act, Bedichek writes, "must be viewed against the economic and sociological changes that have occurred in recent years in Texas. The main features of these changes have been a rapid increase in population, a changing industrial and agricultural economy, and wide variations in the effects of population shifts.

"From 1950 to 1960," he continues, "the population of Texas increased from 7,711,194 to 9,579,677, or an increase of 24.2 per cent. Urban population, however, increased 46.8 percent while rural population declined by 16.7 percent." Some 75 percent of all Texans now live in urban areas. Agriculture and industry are undergoing geographical change. Cotton production is moving west to irrigated land, cattle-raising is shifting from west to east. The Gulf Coast, Dallas-Fort Worth, and other areas are rapidly becoming more industrialized.

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PRICE EDGES YARBOROUGH

Latin Group Split On Endorsement

SAN ANTONIO

Gov. Price Daniel got a surprise boost in his bid for re-election Sunday by winning the formal endorsement of PASO, the political arm of Texas Latin-Americans. After a bitter floor fight Daniel edged Houston liberal Don Yarbrough, 51½ to 41½. The close decision presaged a likely split in Latin votes next May.

Yarbrough and former Navy Secretary John Connally had been considered the two principal contenders, but Connally's efforts for support faltered early in the convention. Other PASO endorsements went to Sen. Jarrard Secrest of Temple for lieutenant governor, Tom Reavley of Austin for attorney general, and County Judge Woodrow Wilson Bean of El Paso for congressman-at-large. Some 200 delegates from 30 counties were present.

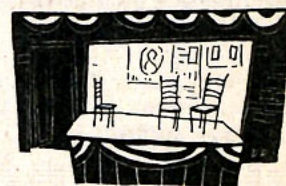
Although most of the delegates have been active statewide in the Viva Kennedy Clubs, this was the first time PASO had flexed its muscles on the state level. It was an impressive performance, clearly a historic step for a minority group coming into its own. Speaker James Turman, who lost the endorsement for lieutenant governor to Secrest, called the meeting the beginning of "a new political era in Texas." Although most of the 24 Democratic and GOP candidates were not as frank as attorney general hopeful Les Procter—"I am here with my hat in my hand, asking your backing"—his attitude was indicative that Texas Latins have begun to wield unprecedented organized power in state politics.

A number of important factors must be kept in mind:

1. Despite the gubernatorial endorsement and the theoretical ar-

rangement binding some 200,000 votes, the Latin vote is clearly going to be split between Daniel and Yarbrough, just as the Latin leadership was severely divided in the convention. Dr. George I. Sanchez' walk-out before the final vote and his repudiation of the Daniel endorsement was symbolic of the division.

2. "Yarbrough has the troops," as one insider said, and the principal way to reduce his strength



was to offer something quickly and concretely to a Latin community disgruntled over jobs and patronage. This Daniel could do. Connally could not.

3. Of utmost significance, a central thread connecting an unusual set of events, was the sense of estrangement ranking Latin leaders feel toward Texas liberals and labor. (Said state president Albert Pena: "Too long have Mexican Americans voted blindly for candidates—Democrats for the most part—who have then taken them for granted.") They feel, quite simply, that liberals and labor have ignored the burgeoning Latin political force, that they have been patronized, and that an aggressive show of discontent would dramatize their grievances within the historic liberal coalition. The DOT endorsement of Sen. Yarbrough in 1958 without a corresponding endorsement of Cong. Henry Gonzalez, the choice of la-

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Coldblooded Wardens, Homemade Knives

HUNTSVILLE

Pete McKenzie is 59 years old, but he looks 75. He is a hard man, but life has been harder. McKenzie has spent about 33 years in prison, most of that at one stretch. He has more one-stretch time to his credit than any other inmate of the Texas state prison at Huntsville, and, with the exception of a sex criminal known fraternally as Old Trusty Dutch, McKenzie has lived the longest life behind "The Walls." Old Trusty Dutch has spent 48 years there, punctuated by three clemency releases from his original 99-year sentence. McKenzie has been out only once—legally—since he went to Huntsville 38 years ago, come this March 7.

For 21 of those years his home was Cell 13, Row 243. That portion of the prison has since been torn down, but McKenzie has kept the key to Cell 13 for a moment.

McKenzie—everybody in Huntsville prison from the warden down calls him Pete, but any man whose

career has been such a violent phenomenon probably deserves more formal address—has three killings to his credit: two lawmen by gun, a fellow convict by makeshift knife. He admits only the last slaying.

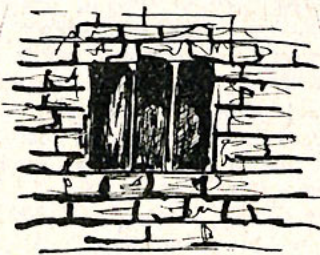
For the second slaying he was sentenced to the chair, and lived under threat of that penalty for 12 years, 13 months of it on death row. McKenzie will tell you that technically he is still living under threat of the death penalty because he was sentenced to die as John Daniel Aaron McKenzie (the court misunderstood him), and the sentence was commuted for John Daniel Marion McKenzie, his real name.

"They pardoned the wrong man," McKenzie told us with a wry smile and with the hint of secrecy, though this bizarre touch to his career is probably one of the bright spots of his life and he has undoubtedly told it dozens of times.

We went over to Huntsville to find out about the evolution of penal philosophy in Texas, and

the officials of the prison agreed that it just wouldn't do to leave without talking to McKenzie, who had lived through all the changes.

Warden Moore personally escorted McKenzie down from the old folks ward of the prison hospital to his own office and left us alone to talk. Moore has been



a prison official for 30 years, and there is obviously a comradely bond between the two men. Coming down in the elevator, Warden Moore told about how he had been forced to manhandle a recalcitrant convict out of the bullpen and, when it looked like the convict (a big man; Moore is small, but no smaller than McKenzie) might want to fight back, "Pete stepped between us and told the

other guy he'd better forget about it." As for McKenzie's feelings about Moore, he confided privately that the convicts call Moore "Owlhead" because "he cocks his head to the side, and he knows everything that goes on. He's square. He could lie down in the prison yard and go to sleep, and nobody would harm him."

McKenzie, an emancipated welterweight with an expansive forehead and intense blue-gray eyes, is hard-pressed by asthma. He gulps for air and frequently resorts to his medicinal atomizer. Several guards accosted him with the joke, "Hey, Pete, carrying your Luger?" and McKenzie pulled the atomizer from his pocket and waved it at them, explaining in a smiling aside, as a good craftsman speaks of his tools: "I always liked a Luger. I could use it best."

A merchant policeman, investigating a burglary, was shot and killed in El Paso in 1923. McKenzie, then 19 years old, was convicted of it and sentenced to five years to life.

"The judge told me, you go down there to prison and be a good boy for five years and they'll let you out," McKenzie recalled. "Well, I was a good boy, though it was mighty hard to be a good boy in prison in those days, but at the end of the five years they didn't let me out. So I appealed to Governor Bush and he gave me a brush pardon."

This, in prison patois, means McKenzie took to the high timber; escaped.

It was simple. McKenzie, an employee of the dining room on the Eastham prison farm, slipped out the door when the guard was not looking and walked off across the watermelon patch, leaning down to thump about every fifth melon, as though he were hunting a ripe one for the officer's mess; then jumped into a ravine, high-tailing it.

"It was comparatively easy to do in those days," he said. "If you got a few minutes start, you were all right. That's all over. You

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Close PASO Vote Promises Split

Clayton Proposes Exchange

AROUND TEXAS

In Waco, delegates to the annual meeting of the Episcopal Diocese of Texas ordered the board of trustees of Saint Luke's Hospital, Houston, to desegregate its admittance policy within one year. The order was made over protests from some Houston delegates that desegregation at this time might hurt a fund-raising program.

But another Houston delegate, Gould Beech of Saint Alban's Church, argued that the present policy is illogical in that "an agnostic can be admitted to our hospital, but a dark-skinned Christian cannot."

In Austin, the bizarre legislative textbook hearings came to an end and the investigating legislators prepared to take their show on the road, with the first stop being in Amarillo.

The final Austin session found Rev. Brandoch Lovely leading several members of the Austin chapter of the American Civil Liberties Union into the chaos to plead for more scholarship and less consorship.

The ideological tug-o-war followed the same pattern set when the committee first met five weeks ago. One of the anti-textbook witnesses asked that mention of the "Abominable Snowman" should be taken out of encyclopedias used in schools because it might be accepted as some sort of evolutionary "missing link," and this in turn would aid "militant atheism."

In Dallas, the Morning News presented the built-in conflict of News' book critic Lon Tinkle writing up the textbook hearings as a seedy spectacle, while a News editorial writer defended the anti-textbook group.

Editorially the News chimed in: "When a history text teaches that the TVA experiment begun in 1933 brought cheaper electricity rates to farmers, that is the truth. But when the text neglects to say that rates are cheaper because the taxpayer is footing the bill, then it is guilty of distortion. It is propagandizing by the art of omission. It has told the truth, but only half the truth."

In Houston, Will Clayton proposed an "Atlantic Plan for Youth and Education," in which stress would be placed on overcoming the language barriers that presently block the free-flow of knowledge between nations. Details of the Atlantic Plan are still to come. Clayton was undersecretary of state under President Truman and assistant secretary of commerce under President Roosevelt.

Clayton, who recently returned from the Atlantic Convention of NATO in Paris, where he was co-chairman of the U.S. delegation, said there is "nothing Utopian" about developing a literal unity of allied nations into an Atlantic community.

Howard Stickney, 23, received his 14th reprieve this week as Gov. Price Daniel set his execution date off to April 20.

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bor and most liberals of Maverick over Gonzalez in 1961, patronage disagreements with Sen. Yarborough all figure prominently. Endorsement of a Daniel or a Connally over a Don Yarborough, many Latins reasoned, would teach a lesson where the lesson hurt most.

4. For weeks Connally seemed to have a superb chance for official endorsement. He did not come through. His appearance before the PASO screening committee Friday night made a generally poor impression. "It was the talk of the whole convention," one delegate said. The final vote was between Daniel and Yarborough.

5. Daniel, on the other hand, was at his political best, every inch the old pro. His record on matters concerning the Latins was considered vulnerable; the questions directed to him were tough ones. His response: he "did not know these things existed," he had been "sleeping," and on appointments and state patronage: "How many people in this room have applied for jobs?"

6. More important, as governor he could fulfill a good horse-trade without much delay. He offered positive action in the future. A district judgeship in Bexar County, positions in the state highway patrol, other openings for Latins were part of the pledge. Yarborough promised more, and was the only bidder who unequivocally upheld the New Frontier. But he was not governor of Texas.

7. Negro criticism of Speaker Turman's segregationist background carried the endorsement

for Secrest, who, though generally conservative, supported Gonzalez in the dramatic state Senate fight against the segregation bills of 1957, in the lieutenant governor's race. G. J. Sutton, influential Negro leader, led the fight against Turman. The importance of the Negroes in the Bexar coalition was a decisive factor.

8. With Daniel and Yarborough due to share the Latin votes in the primary, the real loser in San Antonio was Connally. He can count on very few votes from the Latin community.

Sanchez Protests

The most conspicuous leaders on Daniel's behalf were Dr. Hector Garcia, Ed Idar, and Gilbert Garcia. The most active Yarborough supporters included Bob Sanchez, Idar's law partner in McAllen; Lalo Solis, Dr. George Sanchez, and Paul Montemayor. The Bexar County delegation, under the unit rule, cast its votes for Yarborough.

Dr. George Sanchez, University of Texas professor and long-time Latin leader, walked out before the vote was taken. "I am terribly disappointed at the endorsement of candidates who have done nothing for our people," he said. "We need the kind of governor who will work to put bread in the bellies of our children." Endorsement of Daniel, Sanchez said, was "a complete violation of the principles under which PASO was established. The vast majority of the Latin-American people in Texas are not in agreement with it."

In a later statement released by Yarborough headquarters, San-

chez, who authored the "declaration of principles" of PASO when it was organized, said he would support Yarborough. He said he had nothing against Daniel. "I feel sorrier for my people than I do for the governor. The mediocrity and indifference of the past five years do not permit me to go along with this frankly expedient endorsement. Principles rather than petty patronage must dictate our political choices." Similar discontent was voiced by other PASO delegates.

At one point in the fight a pro-Yarborough delegate called Daniel a "revolving hypocrite." And a pro-Daniel delegate said: "What did Yarborough promise us? All he did was waive his hands and say he was with us."

Former House Speaker Waggoner Carr, of Lubbock, a leading candidate for attorney general, had privately made Latin leaders some impressive patronage offers. A high Yarborough aide was approached by Carr's forces and offered a state "ticket" that included Yarborough, Turman, Carr, and Bean. They were turned down. A Latin from Bexar County (not Cmsr. Albert Pena) offered a ticket of Yarborough, Secrest, Carr, and Bean. When this was refused, he commented: "You want to keep your cake and eat it too."

Pledges Made

Daniel told the convention he learned in the last week that no Latins are in the highway patrol. A Latin was currently enrolled in a cadet course, however, and would be sent to the drivers' li-

cense division when he graduated, the governor said. He stressed his work with Good Neighbor Commission and his efforts as attorney general to open jobs for Latins in the attorney general's office. He said he issued opinions as attorney general holding segregation of Latins to be illegal.

Connally said if he became governor "I will know how many Latin Americans are on the various state boards, are members of the board of regents and are in the Department of Public Safety . . . I won't be running for any fourth term when you tell me." He pledged to work for education in the conviction that "education and economic opportunity go hand in hand." Latin-Americans, he said, "are not set apart in my heart. I don't see Latin-Americans—I see Americans and I see Texans."

Yarborough, promising Latin representation in government and consultation with PASO on appointments, said: "We have a great opportunity to win with real Democrats and we don't have to compromise to do it." The poll tax, he said, must be abolished; when it is "we are going to move." He said he would help find solutions to problems for bracero workers, migrant laborers, and other low-income groups and that he supported Kennedy's programs, especially medical care to the aged.

Wilson promised to end discrimination in state employment and appointments, urged expansion of vocational, language, and adult-training programs for Latins, and said equal opportunity in jobs and education is "by far the greatest need in Texas today." Texans, he said, "cannot preach freedom, justice, and equality without practicing it."

Another Surprise

Cong. Henry Gonzalez of San Antonio did not attend the convention, saying he was too busy in Washington.

One of the interesting sidelights of the convention was the occasional difficulty some candidates had on pronunciations. A number of them said Gan-SAIL-ez for Gonzalez, Mar-ti-NEZ for Martinez, and Daniel referred to Pena as "Pina," which is the Spanish work for pineapple.

Except for the Daniel endorsement, one of the biggest surprises was the speech made by Harry Republican Diehl, a GOP candidate for governor. Describing himself as a Catholic with a French-Spanish wife, he presented his program as "a progressive Republican" who urged a \$1 minimum wage law for everyone in the state "bar none." He called himself a new symbol of the Republican Party.

He spoke strongly for organized labor and predicted it would only be "a matter of time" before Texans became a closed-shop state. He said he opposed the labor policies of John Tower and made a bid for run-off support "if your candidate loses in the first Democratic primary." He favored bars remaining open until 2 a.m. on week nights and 3 a.m. on Sundays.

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An Experiment in Housing

SAN ANTONIO

The Federal Housing and Home Financing Agency is now considering the proposal of Allison B. Peery, San Antonio architect, for constructing a "planned community for migratory farm workers" somewhere in the Southwest portion of Bexar County.

If the HHFA approves Peery's request for a new method of financing, the community—with low-cost houses, space for job training classes, schools, health facilities, and the usual community shops—will be built as a model to be followed in other areas which the migrants call home base. In Texas this means especially Hidalgo, Webb, Cameron, and Nueces counties, besides Bexar.

Peery considers Bexar the logical place for a pilot project of this kind for two reasons: (1) "Bexar County is home-base for most of the crew leaders, and most of the South Texas migrants come through Bexar County as they enter the migrant stream;" (2) "housing conditions in this tentative site area are known to be among the worst in the nation." In other words, besides setting up an exemplary project that would make passing migrants want to become stationary home owners, he would be getting rid of some of San Antonio's abundant slum area.

Peery's theory—which he readily concedes is not original with him—is that if migrant laborers, most of whom are Latin Americans, are ever to be helped, they must be kept in one place long enough to be available for training and assignment to permanent or semi-permanent work in the home-base community.

He quotes the 1951 report of the President's Committee on Migratory Labor: "We received strik-

ing testimony on the settling effect of decent though insufficient housing. Housing, when it consisted of nothing more than a single room in a labor camp, was found to be a significant factor in the reduction of migrancy. Housing above the camp level was found to be a stronger deterrent to rootlessness."

Peery intends for his community to be both decent and sufficient. He points out that it will defer from most so-called low-cost housing plans in that it will include shops and schools and other facilities "central to the idea of stabilization."

\$8,000 Maximum

The pilot community would be developed around housing for 120 families. Peery says he has been assured by officials of both the Bishops' Committee on Migrant Labor and of the Texas Employment Commission that jobs paying at least 75 cents an hour can be found at once for the heads of these families, and that within five years the minimum guaranteed would be \$1.29 an hour—which he considers the minimum income necessary for buying his homes. Peery says the homes will cost "at most" \$8,000.

"Middle income, semi-luxury, air-conditioned apartments in the San Antonio area are built year after year at a per unit cost ranging from \$4,000 to \$6,000," he said. "It is apparent that many of these units are built with borderline quality materials, no architectural design, and well below minimum prevailing wages. Inasmuch as these devices, which admittedly cut costs, have no place in this project," the per unit cost will probably be higher than \$6,000, but not a great deal. He said he would use only union labor.

He pointed out that many workers are being squeezed from the

migrant stream, whether they want to quit or not, because of the recent influx of farm machinery. In the Valley, the percentage of cotton picked by machines has increased in the last couple of years from six percent to 75 percent. Six thousand giant pickers have recently been put in use by Valley farmers. On the Panhandle, where an estimated 30,000 stripping machines are now used in the cotton fields, there is a comparable rise in machine dominance.

Solid Backing

Machines are also taking over in the beet and snapbean fields of the northern states. As one official of the Commission on Migrant Labor recently expressed it, "Our Texas migrants are having to go farther and farther away for less and less work."

Many of the migrants displaced by machines are moving to Texas cities, swelling the slums. Especially has this been noticed in San Antonio.

As for the new financing wrinkle, Peery asks that two sections of the National Housing Act be linked and that the sponsor of the planned community (which is the Bishops' Committee for the Spanish Speaking) be allowed to "borrow the replacement cost of the project at 3 and 1/8 percent interest for a 40-year term . . . and sell the dwelling units, without profit, to the migrant family at 5 and 1/4 percent interest for a 40-year term."

The planned community project has the support of county commissioner Albert Pena, state Sen. Franklin Spears, Richard Jones, executive director of the Housing Authority of San Antonio, Reps. Jake Johnson and John Alaniz, and Dr. William R. Elizondo, president of the League of United Latin American Citizens.

MARTIN ELFANT

Sun Life of Canada

Houston, Texas

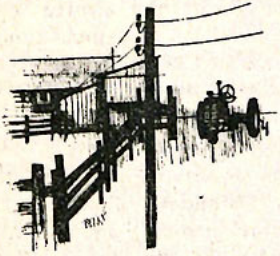
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City and Country Senate Control Challenged

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The new apportionment plan adopted by the 1961 legislature, Bedichek writes, slightly improved urban underrepresentation in the House. But that electoral inequality was "accentuated" as a result of redistricting in the state Senate and for the national Congress.

The state constitution provides that no single county may have more than one senator. This limitation results in the extreme inequality of Harris County (Houston) having one senator to represent almost 1.3 million people and District 16 in West Central Texas having one senator to represent 147,500 people.



The 16 Texas counties with populations over 100,000, Bedichek writes, account for 57.8 percent of the state's total population, but have only 33.2 percent representation in the Senate. Further illustration of the rural-urban imbalance, he writes, is seen in the cases of the four largest districts of the Senate. Harris County has 13 percent of the state's population and only 3.2 percent of the Senate representation; Dallas County has 9.9 percent, Bexar County (San Antonio) 7.2 percent, and Tarrant County (Fort Worth) 5.6 percent, and each has 3.2 percent of the representation.

Constitutional limitations have restricted the percentage of Senate seats held by these four largest counties to 12.9 percent, "while the percentage these counties make up of the state's entire population has increased from 29.6 to 35.7 since the 1950 census. In other words, more than one out of three Texans live in these four counties, but together the counties account for only one out of eight seats in the Senate."

Bedichek employs an index figure of 100 to represent the number of population in a particular district which has the same representation (one place) as one hundred population in the average district. A Senate district with an index of over 100 is underrepresented, and an index number under 100 signifies overrepresentation.

District 16, now represented by Sen. Louis Crump of San Saba, has an index number of 47.7, Harris County has an index figure of 402.3. In other words, 402 people in Harris County have the same voice in the Senate that 100 people do in the average district. Other large counties poorly represented: Dallas, 207.9; Bexar 222.4; and Tarrant, 174.3. If the number of qualified voters is used in lieu of population as the base, these index figures are all higher.

The "Moffett Amendment" of 1936 stipulates that no county shall have more than seven representatives unless its population exceeds 700,000, at which point the county is entitled to one additional representative in the House for each 100,000 above that figure. This limitation accounts for some of the more gross inequities in the lower house.

Based on the present average population per House district (63,865), Bedichek calculates that Harris County would have 19 of the state's 150 representatives rather than the 12 it now has. Dallas would have 15 instead of nine. The 29 metropolitan counties of

Texas had a 1960 population of just over 6 million, 63.4 percent of the total, but they will have only 53.3 percent of the House seats. As with the Senate, the four largest counties are the most severely underrepresented. Taken together, they comprise 35.7 percent of the total 1960 population, while having only 23.4 percent of the House places.

Using the index figure of 100, Bedichek finds Wharton County the most overrepresented one-county district in the state with an index of 59.7. Dallas County, the most underrepresented, has an index of 165.6. Harris County has an index of 162.2, Bexar 153.7, and Tarrant 120.5.

East Texas and the High Plains areas are overrepresented largely at the expense of the Gulf Coast and the central and north-central regions.

Congress Similar

Much the same story holds true for the state's representation in the U.S. House of Representatives. Texas was one of nine states gaining representatives from the 1960 census. Redistricting failed to pass the 57th Legislature, however, and the new Texas seat will be a statewide, "at large" position. The other 22 districts remain under the arrangement approved in 1957.

The 29 metropolitan counties, with 9.9 percent of the Texas population has only 4.5 percent of the the districted congressional seats—just over 11 numerically. Among the four largest counties, Dallas has 9.9 percent of the Texas population has only 4.5 percent of the congressional representation. And so on down the list.

The four largest counties together have 35.7 percent of the population and 22.7 percent of the districted seats.

Congressional District 4, Sam Rayburn's old constituency, now Ray Roberts', is the smallest in the state and the sixth smallest in the nation. With 0.023 of the state's total population, District 4 has 4.5 percent of the state's congressional representation. District 6 in East Central Texas, Olin Teague's, has 0.026 of the Texas population and an index figure of 57, only half a numeral higher than District 4.

"Urban areas are clamoring for assistance in solving their complex and increasingly pressing problems," Bedichek writes, "and those concerned with the situation feel that urban underrepresentation in state legislatures has aggravated or delayed solution of these problems."

These urban inequities will probably become worse before the next reapportionment. "The growth rate of population in urban Texas is outstripping any improvement in representation... The ability of state government to assume its proper role in attempts to find solutions to urban problems is vitiated by the obvious fact that urban underrepresentation in the legislature lessens the chances for finding successful approaches to these needs."

Bedichek quotes the 1955 Eisenhower intergovernmental relations commission: "... If the states do not give cities their rightful allocation of seats in the legislature, the tendency will be toward direct federal-municipal dealings."

He concludes: "Until such time as 'city folks' are granted equality or representation with rural residents, a paraphrase of George Orwell's classic dictum in *Animal Farm* accurately describes the apportionment situation: 'All Voters Are Equal But Some Voters Are More Equal Than Others.'" W.M.

AUSTIN

At least seven changes in the Texas Senate and 45 in the House of Representatives are assured in the 1962 elections. Some 543 candidates in all are running for the 31 Senate and 150 House places.

The Republican Party, in its most ambitious bid since Reconstruction, will contest ten seats in the Senate and 69 in the House. The GOP has 90 candidates for the two houses, compared with only 23 in 1960. Nine Republican primaries for the House and three for the Senate will be contested, as well as the party primary for lieutenant governor.

The conservative-controlled upper house, where most key ideological votes in the last legislature were decided by margins of from four to six, will undergo the most serious moderate-liberal challenge in Texas history. Replacements are certain for Sens. Bob Baker, Houston conservative; Crawford Martin, moderate from Hillsboro; Jarrard Secrest, conservative from Temple; and Preston Smith, conservative from Lubbock, all of whom are running for lieutenant governor.

Sens. R. A. Weinert of Seguin, Ray Roberts of McKinney, and Hubert Hudson of Brownsville, all conservatives, have either stepped down or, in Roberts' case, moved to Congress. Crucial races have developed for other seats as well.

Sen. Jep Fuller, conservative from Port Arthur, is being challenged by Reps. Roy Harrington of Beaumont, a liberal, and W. T. Oliver of Port Neches, a conservative. Sen. Bruce Reagan of Corpus Christi, a ranking conservative member of the old Ramsey "team," faces a tough test from Rep. DeWitt Hale, a moderate also from Corpus Christi. Sen. George Parkhouse, veteran conservative from Dallas, has opposition from a younger Dallas conservative, Rep. Joe Ratcliff.

Sen. Frank Owen, conservative from El Paso, will be challenged by Rep. Pete Snelson, conservative from Midland, and former Rep. Andy Anderson, a moderate also from Midland. Sen. Grady Hazlewood of Amarillo, a conservative, must run against Rep. Charles Ballman of Borger, a moderate. Sen. Babe Schwartz of Galveston, a liberal, has foes in Rep. Maco Stewart of Galveston, former liberal who has moved in the last several months to the right of center, and former Rep. Sam Bass, conservative from Freeport.

Sen. David Ratliff, conservative from Stamford, is being contested by conservative Rep. Truett Lattimer of Abilene and Mayor Dallas Perkins of Impact. In Fort Worth two liberals, Sen. Doyle Willis and Rep. Don Kennard, are involved in a hard-fought race.

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Ten senators have no opposition in either primary; Sens. A. M. Aikin Jr. of Paris, Martin Dies Jr. of Lufkin, Neville Colson of Navasota, Galloway Calhoun Jr. of Tyler, Charles Herring of Austin, Culp Krueger of El Campo, Louis Crump of San Saba, Bill Patman of Ganado, Abraham Kazen of Laredo, and Franklin Spears Jr. of San Antonio.

Seven Vacancies

Some interesting races are shaping up for the seven vacancies. Rep. Criss Cole, Houston moderate, has the inside track for Baker's seat. Three conservative Democrats, W. H. Jones, Gail Reeves, and William J. Merrill, are in the race.

Veteran Rep. Charles Hughes, liberal from Sherman, is a slight favorite to succeed Roberts. There are three other Democratic opponents: Ralph Elliot of Sherman, Levis Hall of Sherman, and Ralph Hall of Rockwall.

The Secrest vacancy is being sought by Rep. Murray Watson, a moderate from Mart, and Rep. Frank McGregor, a conservative from Waco. Jess Thompson of Rockdale, another Democrat, is also in the race.

Hudson's place is being contested by two liberals: Rep. Raul Longoria of Pharr and former Rep. Jim Bates of Edinburg. Two conservatives, Rep. Wesley Roberts of Lamesa and former Rep. Doc Blanchard of Lubbock, along with Paul Cox of Lubbock and Don Hancock of Denver City, are vying for Preston Smith's vacancy.

Weinert's place has drawn conservative Rep. Ray Bartram of New Braunfels, Walter Richter of Gonzales, and Charity Ray of Lockhart. Four Democrats, Carroll Curry of Itasca, Warwick Jenkins of Waxahatchie, J. P. Word of Meridian, and former Rep. Ben Sudderth of Comanche, are going for Martin's place.

In other contested Senate races, veteran conservative Sen. Wardlaw Lane of Center faces Jack Strong of Longview; Sen. Andy Rogers, a moderate liberal from Childress, runs against Robert Kirk of Littlefield; Sen. Dorsey Hardeman, ranking conservative from San Angelo, is challenged by former Rep. Bill Stroman of San Angelo; Sen. Tom Creighton, conservative from Mineral Wells, takes on Wallace Sheppard of Denton; Sen. George Moffett of Chillicothe, a conservative, faces George Crose of Graham; and Sen. Bill Moore of Bryan, a moderate, runs against Marlon Pugh of College Station.

Republicans have filed for the Weinert, Baker, Smith, and Hudson vacancies and for these seats now held by Rogers, Hazlewood, Willis, Fuller, Lane, and Schwartz.

The House Side

In the House, 13 incumbents have no opposition in either primary: Bill Rapp of Raymondville,

Reed Quilliam of Lubbock, Will Smith of Beaumont, Bob Johnson and Bob Hughes of Dallas, Raymond Price of Frankston, Bill Hollowell of Grand Saline, David Crews of Conroe, Myra Banfield of Rosenberg, Dick Cory of Victoria, Renal Rosson of Snyder, Maude Isaacks of El Paso, and Kika de la Garza of Mission. A fourteenth, Honore Ligarde of Laredo, who is running for Rep. Vidal Trevino's vacancy, also has no opponents.

The extent of political activity this year can be seen in the figures. In 1960, 39 House members were unopposed; in 1958, 56.

All four candidates for the speakership, Reps. Alonzo Jamison of Denton, C. W. Percy Jr. of Temple, Ben Glusing of Kingsville, and Byron Tunnell of Tyler drew opponents. A legal point, however, has been raised against Tunnell's opponent, Ernest Harris of Tyler.

The most significant of the six races between incumbents, caused by redistricting, match Rep. Donald Roberts, moderate liberal from Hillsboro, against Paul Curington, conservative from Corsicana; Scott Bailey, liberal from Cisco, against Wayne Gibbens, conservative from Breckenridge; and Dan Struve, liberal from Campbellton, against Jerry Butler, conservative from Kenedy.

Other redistricting races pit Reps. Bob Bass of DeKalb against George McCoppin of Texarkana; Steve Burgess of Nacogdoches against Bob Fairchild of Center; and Bob Barnes of Comanche against Bill Moree of Ballinger.

In other races of interest, conservative Rep. Henry Grover of Houston is challenged by liberal Clyde Miller, whom Grover unseated in 1960. UT all-American end Maurice Duke of Wichita Falls takes on incumbent conservative Jack Connell, also of Wichita Falls. Rep. Jack Crain, conservative from Nocona, faces opposition from former Rep. Tony Fenoglio of Montague.

In all, 113 House incumbents are seeking re-election.

Ten incumbents in the House face opposition only from Republicans in the November general election: Reps. George Himson of Mineola, Gus Mutscher of Brenham, Lloyd Guffey of El Campo, Menton Murray of Brownsville, Glenn Kothmann of San Antonio, Ben Lewis of Dallas, Malcolm McGergor of El Paso, J. Collier Adair of Lubbock, Olen Petty of Levelland, and Jim Nugent of Kerrville.

The Republicans, who have two House incumbents but none in the Senate, are largely running in urban or semi-urban areas and letting the staunchly Democratic counties, mainly in East, Central, and North Texas, go by default. Most GOP aspirants are challenging moderate-to-liberal Democrats, giving many Democratic conservatives a free ride in November.

POLL TAX PETITION

County

To the Texas Democratic Executive Committee:

The undersigned voter of the Democratic Party in Texas, Petition you to submit to the Voters at the Democratic General Primary Election in 1962 next preceding the State Convention, the following proposition:

FOR THE LEGISLATURE TO SUBMIT A CONSTITUTIONAL AMENDMENT TO ABOLISH THE POLL TAX AS A PREREQUISITE FOR VOTING.

Name Tel. Address

1961 Poll Tax Receipt No. City

TO: Rep. V. E. (Red) Berry
3659 E. Commerce St.,
San Antonio, Texas, no later
than February 22, 1962.



CUT OUT AND MAIL TODAY!

Yarborough's Bid

Don Yarborough is young, vigorous, and independent. On the genuinely important state issues his approach is direct and imaginative. At long last in Texas we are witnessing the unfolding of a campaign committed to the proposition that our government, in a state of great natural wealth and untapped potential, is third-rate and shouldn't be. "Why can't it be the best?" That is his message. More than any other man in this race he senses the role of the governor in "speaking out for programs not immediately popular but vital to our progress," and he is the only candidate who begins with the premise that our state government, as the men who have controlled it, has been "rooted in the habits and conformities of another era."

His appearance on statewide TV last week, we understand, made quite

an impression. There is a contagious quality about shooting high, about experimentation and reform, about attracting the best talents and brains in the state into co-operation with the projects of state government. His message is catching on.

Yarborough, as a political unknown two years ago, ran a splendid race against Ben Ramsey. With support in the offing from labor, the liberals, the minorities, the loyal Democrats, the average voters asking for a bracing change in Austin, his chances this time are excellent.

He supports the goals of the Kennedy administration; rare in a statewide Texas candidate, he sees Texas as part of the larger perspective. For these reasons and many more we wholeheartedly encourage his candidacy.

First Causes

Texas conservatives, as might be expected, have come out hell-for-leather against Kennedy's proposed department of urban affairs. The usual charade is being re-enacted. The feds are moving in again on the prerogatives of the states; the states can take care of their own responsibilities, as ever; out in the shadows there is European socialism at work once more.

It is the same story—old, bitter, uncomprehending. Our cities everywhere rot and decay. Our polyglot urban areas are centers of mass disorganization. Our pressing social problems, mostly unmet, breed in the cities. It is one of the tragedies of modern American conservatism, and one of the larger travesties of its less sophisticated Texas cousinry, that practically every attempt toward meaningful social reform since 1933 has been countered largely with glandular unrealities.

How many Texas conservatives of either party, we would ask, have expressed concern over the problem of inequitable representation in our state legislature? In a special report of the Texas Institute of Public Affairs, published elsewhere in this issue, we see once more the disturbing extent to

which the state's most complex urban areas are underrepresented. As it is, far too many big-city conservatives now in the Texas legislature fail to understand or refuse to cope with the genuine social needs of their metropolitan constituencies. Houston conservatives in the House, for instance, do not even vote for an industrial safety act so direly needed in a heavily industrial state. A token juvenile parole system fails to pass the special session. How can a state legislature systematically gerrymandered against the modern era even hope to begin to meet the demands of a society in which three-fourths of the people now live in metropolitan areas?

The 1955 Eisenhower intergovernmental relations commission warned: "If the states do not give cities their rightful allocation of seats in the legislature, the tendency will be toward direct federal-municipal dealings." For decades conservatives have controlled state government, and state government has remained stagnant and unresponsive. These Texas critics of the present administration's social programs would be doing themselves a mighty service in returning for a change to first causes.

Bean of El Paso

It is a pleasure to endorse Woodrow Wilson Bean, one of Texas' most flamboyant political practitioners, in the race for congressman-at-large. He is a young man and already a legend. His campaign will be much like a house on fire; since he plans to barnstorm in most of the state's 254 counties, Observer readers need only wait and see.

In the early 'forties, when Bean was a member of the Texas House, he was one of that small handful of men—three or four or five—who stood with the laboring man and "the people." These were the lean years, but he and his compadres helped chart the path that led, two decades later, to the first legislative breakthrough of what Don Yarborough has called "that magnificent one-third of the legislature."

As county judge of El Paso County, Bean has been outspoken, controversial, and responsive to the needs of the community. He has been a good friend and ally of the Latins, and it was no surprise that he was rewarded almost without any competition the PASO endorsement last weekend. He was largely responsible for another port of entry into Mexico, and he led the movements in El Paso for a home for the aged and for an expanded hospital district. He calls himself "a Democrat without apology, prefix, or suffix," and as a congressman he can be expected to give full support to the Kennedy administration.

His political style, like Don Yarborough's, is florid, rambunctious, torrential, out of the older West. Perhaps it is of no little significance that, as with the younger Yarborough, the

spirit and verve of the old frontier may help bring Texas at long last into the New.

Overalls

We have received a number of queries, one or two from indignant Republicans, about the reproduction of the picture we ran last week from the Kountze News of the GOP candidate in overalls from Woodville. Some people didn't believe us.

It was absolutely genuine. In fact, Frank X. Tolbert, the raconteur of the Dallas News, this week corroborated our evidence. The candidate, Joe Kelley, is a forester who wants to represent Tyler, Jasper, Sabine, and Newton counties. Tolbert quotes Bob Murphey, the Nacogdoches wit and several-times Democratic attorney general:

"It just isn't fair," Murphey said. "If this Kelley fellow is really a Republican he at least ought to wear fancy striped overalls. Striped overalls are a status symbol in East Texas."

Tolbert notes that Kelley, whose Democratic opponent is old Sam Collins of Jasper, is a free-lancer in the pine forests. He removes hardwood trees so the pines will have room to grow. He goes to work at 5 a.m. in order to campaign, overalls and all, late in the day. But, says Tolbert, he does not dip snuff, and this may prove to be his undoing. A snuff-dipping Republican in overalls in East Texas would unqualifiedly signify the beginning of the two-party era in Texas.

BRYANT AND ALGER

Notes From Dallas

DALLAS

In North Texas one hears embarrassed explanations of the endorsement of Governor Daniel by PASO, the new Latin-American organization. Monday night at a Dallas County Young Democrats' meeting, Pepper Garcia, legislative candidate and PASO delegate, apologized for the endorsement, explaining that some of the members of PASO were going to have to learn how to handle "those old-timers." Special explanations had to be offered, also, at a meeting in Fort Worth. The fact that Dr. George Sanchez quit the PASO meeting in disgust has brought forth niggling rejoinders from defenders of the endorsement.

Early in the week one heard in Fort Worth the rumor that Daniel promised PASO a hundred jobs. The vote among the delegates is reported to have been 51 to 41 and a half. Wednesday night in Austin, Atty. Gen. Will Wilson (as per the Dallas News) said he heard Daniel "promise 100 highway patrol jobs to Latin-Americans."

Surely the delegates to the PASO organization, who were upset by a statement here that they should not trade out their responsibility to the long-term welfare of the people for "a mess of pottage", owe their own members and the entire liberal community a detailed explanation.

IT IS CURIOUS that Southern Methodist University still refuses to admit Negroes to its undergraduate levels. Thirty-seven miles north of here, at North Texas State University, integration was accomplished without public attention beginning in 1955. One can walk through the student union building at North Texas any time of day and see mingled there, although still usually in patterns of personal social segregation, the Negro and white students. Descend into Dallas and lo, the campus of the Methodist Church's university is not only its customary handsome self, but also very white. Negroes can enter the graduate school; not the undergraduate.

S.M.U. students, like others around the country, have made their opinions clear. Late last year the undergraduate schools voted for integration by a substantial margin. The dedicated integrationists among the students participated in a sit-in movement in 1960 and stand-ins this year at the Tower Theater. Negro students from Bishop College joined with them in the stand-ins.

It is not an idle fact that during the Tower Theater demonstrations, the management was displaying "King of Kings," an account of the life of Jesus Christ, off limits to Negroes. While this may strike Christians as untoward, the presiding spirits at S.M.U.—whether those who argue against any undergraduate integration until it can be total, or those who apologize for the situation with blushing genuflections toward the Endowment—will of course know that they must restrain their righteousness, under the circumstances, to wit, Page 689 of the Discipline of the Methodist Church, 1960, Section E. Part 2020, entitled, "The Methodist Social Creed":

"We stand for the equal rights of racial, cultural, and religious groups

and insist that the social, economic, and spiritual principles set forth in this creed apply to all of us. The right to choose a home, enter a school, secure employment, vote, or join a church should not be limited by a person's race, culture, or religion."

BAXTON BRYANT is a cinch for the Democratic nomination for Congress. Then he will have a hard fight against Bruce Alger, the Republican. The prospect for him is good if he works hard and every day. Some feel he has carried his ministerial styles of speech too far into his political campaigning and needs to talk less of faith and more of politics, but he is obviously a good man who is willing to take chances for right courses of action.

Rep. Joe Ratcliff's campaign against Sen. George Parkhouse is an interesting one. Ratcliff is attacking Parkhouse for his association with the Senate's rejection of fair spending measures and is defending his votes for the banking reforms and loan shark bills. The freshman representative is also engaging in unfortunate and unnecessary personal attacks on Sen. Parkhouse. It would be a gross mistake to think Ratcliff will be a liberal senator, but he is not far from moderate, and his election could be welcomed by liberals if he will be more careful about remarks directed at Parkhouse personally.

The Republican primary contest between Paul Eix and Alger leaves the Dallas conservative Democrats in a switch about the county chairmanship. Joe Bailey Humphreys, who nearly won the job last time, is running again. This time the Republicans have lost Ed Drake, the ostensibly Democratic chairman who was always for the Republican presidential candidates. Drake ran again because there was so much publicity invested in him, barely beat Humphreys, and then resigned and let a man named Lee Smith replace him. Humphreys is running against Smith at a time when many Republicans on whom Smith could normally count to elect him Democratic chairman will have to be busy making sure Eix does not upset Alger. Humphreys figures this factor will siphon off about 25,000 of Smith's votes.

THE RIGHT-WING Democratic executive committee has also handed Humphreys a neat little issue. As Humphreys charges, they have increased the filing fee for county chairman to \$500, a large sum for a job that pays no salary. In Dallas, a serious campaign for the job, Humphreys is finding out, will cost about \$7,000, anyway.

It is perfectly obvious that the new high fee is aimed at Humphreys. Smith belongs to a law firm which carries Gen. Preston Weatherred along with it as "of counsel," whatever that means. ("The Daddy Rabbit, I think," Humphreys suggests.) Weatherred, the Adolphus Tower lobbyist for just about everything reactionary, ought to be able to raise plenty of money for the campaign of a Republican trying to keep the Democrats disorganized by getting himself elected their chairman.

Humphreys will go ahead and pay the \$500 fee, but it is probable that he would not return contributions to help him with it. R.D.

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Visit Texas! Dazzling Suns, Falling Bricks

AUSTIN

An Observer reader in Houston, noting all the talk about a \$300,000-or-so state program to attract tourists, suggests we publish a lively little brochure listing the more indigenous facts about our Lone Star attractions. The editors would recommend that the propaganda piece be entitled *Sunny Texas: Living Museum, Land of Fossils and Teddy Walker*. This way we might at least snare a goodly quota of sociologists, curators, archeologists, masochists, admirers of Arizona department store owners, and leading lights of the Midwestern Win With Walker Committee. Tourists in Texas have too long depended on Stuart Long's Austin Report and the Hoiles chain, and have missed much real information.

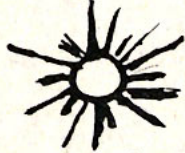
Our brochure, patterned after that snappy *Fielding's Guide to Europe* which the editor threw in the North Sea in July, 1957, would go something like this:

SUNNY TEXAS . . .

- ★ See historic San Jacinto Monument, but beware falling bricks and if detect more than usual dropping plaster get hell out quick so before nightfall you may;
- ★ See cleverly interlacing network state parks, but beware weeds, cockleburrs, rattlesnakes; bring own cabin; leave small donation and please mark "appropriations".
- ★ See magnificent, undeveloped Padre Island, exotic States' Rights Memorial; beware seaweeds, land developers, shifting Sandlin.
- ★ See quaint, rustic migrant laborers, barefoot, happy, softly singing in unlicensed trucks; colorful panorama older age; bring own Edwin Markham.
- ★ See historic Pease Mansion, Austin; home historic A. Shivers; let kiddies count Cadillacs in back, Democrats inside.
- ★ See colorful millionaires romp, frolic, picket federal mailboxes; note colorful homes, quaint trees lanterned, mossed; note also quaint per

capita income, 32 in nation, superb local color.

- ★ See honest-God typical industrial accident; luckier yet, genuine explosion, Port of Houston, (no admission Saturdays); recall local color, Sunny Texas spurned dangerous Wisconsin example (1898), refuses (1962) to appease deadening modern age with industrial safety act, spurns example all other deadening industrial states, Texas (6 in nation) remains staunchly, colorfully independent, no fact-gathering agency industrial accidents; independent spirit thrives under dazzling seasonal suns, dazzling explosions (half-price Sundays, kiddies free).



- ★ See, close range, crime rate rising under dazzling seasonal suns; criminal code amorphous, quaintly recalling Renaissance; in Houston weekend, watch hubby, kiddies closely, beware flying bullets; police brutality exhibit, 50 cents.
- ★ See quaint buffalo roam wild-life refuge, but travel Oklahoma if wish see them; see quaint juvenile delinquents roam city streets unmolested, untutored, unsung, staunchly independent barring chance encounter one of Sunny Texas' five parole officers.
- ★ See San Antonio zoo (hours 9-6); if in hurry see state legislature (hours 11-1); don't miss historic fossil exhibit, state Senate.
- ★ See state senators, lobbyists, recalling quainter, more relaxed

era, writing tax, appropriations bills together in charming atmosphere enchanting Headliners' Club, historic Austin; allow kiddies flush them behind curtain, back room.

- ★ See quaint, old-world slums, San Antonio, Dallas, Houston; roughing-it in Sunny Texas.
- ★ See Sunny Texas' next Big Drouth; see dazzling seasonal sun?; staunch independence reflected state water program; glass water half-price Sundays.
- ★ See LBJ Ranch, Johnson City; prize LBJ Herefords; LBJ flag; LBJ beagles; LBJ birthplace (manger upstairs).
- ★ See hotel restaurants, dine in quaint bad taste, order all beer before midnight; if prefer hard liquor bring if permitted, place between feet, beware crawling Baptists.
- ★ See quaint, colorful Jim Crow, East Texas, state university; see motto "You shall know . . ."; local color, stonemason made typo, strike last word, please insert "white".
- ★ See state welfare department for indispensable local color; staunch independence: old age assistance, no. 42, aid dependent children, ditto, aid permanent, totally disabled, no. 39; note quaint state welfare workers toiling happily under dazzling seasonal suns, heaviest case load in Union quaintly challenging; Sunny Texas individualism typified total welfare

programs, no. 40 state, local funds; typical initiative young civilization on way up: gets more federal Yankee money than 35 states, proving dazzling ingenuity in staunchly independent peoples.

- ★ See poll-tax drive in flesh; only four other states make that statement; signifies civilized attitude: state holding out in defense poor whites, darkies, Mexicans, must be taught cash value of vote, learn appreciate American heritage.
- ★ See Sunny Texas education system, No. 32 per child, staunchly independent, surpassing Russians football, twirling, applied cooking gaining fast.
- ★ See, feel, healthy climate new industry; absence state minimum wage inspires self-respect, staunch independence, socialistic 50-cent minimum balked by quaint TMA, quainter CofC, won't play Russians' own game, refuses emulate socialist Chiang-Kai-Chek's \$1-day Chinese coolies; Sunny Texas not China.
- ★ See history before it happens; Sunny Texan only Sunny Texas, no more, no less, mainly less; independent spirits under dazzling seasonal suns; beware falling bricks, both physical, verbal; historic spot in every sense. W.M. (paid political advertisement by California, America's second leading energy company.)

ELLIS MOMENTUM

HUNTSVILLE

It may come as a surprise to some that George Beto, Lutheran educator and former member of the state prisons board, reversed his previous refusal and took the job of director of the Texas prisons system. They may even be surprised that he was offered the job—not that he isn't a good man but because he is not an experienced penologist.

Jack Heard, the young former Houston chief of police who understudied O. B. Ellis from 1956 until Ellis' death a couple of months ago, was generally thought to be the man marked for the directorship, unless the prison board went out of the state for a bigger name in penology.

But aside from Heard's probable disappointment, it really doesn't matter. Ellis, in his 14 years as director, brought the prison system off dead center and gave it such a mighty thrust forward that its momentum will carry on far past any reasonable period of apprenticeship needed by Beto.

Aside from that, Beto is going into office with the kind of staff that makes bearable the otherwise unbearably drab thought of institutionalization. There's Heard—who, since he survived as chief of police under two Houston mayors, must be an exceptional guy—and there's the other assistant director, Dick Jones, who worked with Ellis in Memphis and followed him here, and is probably more deeply imbued with the Ellisian philosophy of firm kindness than any penologist in the country.

Howard Sublett, warden of Wynne prison and with the system 14 years, said of Ellis: "He was like a father to me." One of Sublett's majors who has been with the system 30 years and has seen it evolve from brutality, added, "I worshipped that man."

These are the kind of staff members Ellis left behind. Obviously Beto has a good beginning.

THE FINEST EULOGY that Ellis could have is the comparative indifference with which the state, and especially the state's newspapers, now watch the changing of the guards. It is far different from the churning demand for reform and the excitement with which the state greeted Ellis in 1948.

After hearing piecemeal for years some of the grosser brutalities existing in the prison system, Texas citi-

zens were really aroused to action in 1947, largely through a series of stories written by newsman Harry McCormick and through revelations made by the newly-established prisons board. Typical disclosures: four bars of soap issued to a tank of 75 convicts; rampant and open sex perversion; filthy clothing; beatings; starvation diets.

Ellis, who had gained some quiet fame as director of the Shelby County Prison Farm in Memphis, where the inmates called him "Pappy," was hired to make the transformation. And he made it. Working it out was a complex matter, but the basic formula was simple. The Ellis theory of handling convicts: "Bathe them, work them, feed them, listen to their troubles, give them a ray of hope that good behavior may win them a second chance."

We were talking to Don Reid, the Huntsville newsman, about Ellis the other day. Reid, who had a uniquely intimate view of the regime, summarized Ellis' contribution like this: "He brought dignity to the system. It didn't have it before. Now even the convicts are aware of that dignity and, I think, try to build on it."

AS FOR THE "Ellis attitude" among the convicts, the best way to illustrate this is to point out that although there are twice as many inmates today as there were when Ellis took over, and although the crowded conditions are even more acute today than they were when he took over, there are very few fights, practically no self-mutilations, and a remarkable lack of tension in the air.

In some dormitories the double-decker bunks are jammed so close together, one is reminded of the holds of troop-carrying Liberty ships. And the analogy goes farther, for the inmates seem to take it with the attitude of soldiers at sea—the trip will have to end sometime; meanwhile they are being given the best treatment they can receive under abnormal conditions.

In this instance the abnormal conditions—though not abnormal for Texas—are a legislature that will neither staff an adequate parole force to get more convicts out of prison, nor build adequate quarters for those kept in.

B.S.



"I THOUGHT I SAW A PUSSY CAT."

Antonio Margil: Humble Father of Texas

TUTUTUPEC

Stephen F. Austin, who is known to every schoolboy in the state as the "Father of Texas," was arrested at Saltillo, February 3, 1834, on orders of the Mexican Secretary of War, because of an indiscreet expression in a letter he had written to the governing council of the District of Bexar at San Antonio asking them to join the other, Anglo-American councils of Texas in forming a local state government, "thus being ready for the time when the Congress will refuse approval."

Austin kept a diary at this time, and his entry for February 13, on being forcibly returned to Mexico City, which he had just left in December on his way home reads: "In Mexico, where I was put in the Inquisition; shut up in the dark dungeon, I am not allowed communication with anyone."

Charles Ramsdell

There was no active Inquisition in Mexico then, of course. Austin was shut up in a building "left over from the Inquisition." But the associations for him must have been harrowing. In spite of his official status as a Catholic impresario who had promised to bring only Catholic colonists to Texas, Austin, like most Americans of his day, and many of our own, was a victim of Queen Elizabeth's stupendous propaganda machine, which projected over centuries to come the Black Legend that equates Spain with the Church of Rome, with the suppression of all individual and political liberties by a combination of monarchic tyranny and monkish bigotry—in sum, with the Inquisition.

THE PICTURE of sadistic persecution conjured up by this word had been given some added touches and wide circulation through the anti-clerical movements of the late eighteenth century (just as it has been refurbished and propagated again by the disciples of Marx); in Austin's day, it had become one of the commonplaces of the orthodox American mind. And Austin's own mind, which never produced an original thought, might well have been the archetype of the American mind. This is one reason why historians have nothing but praise for him. They find especially "delightful" the rare manifestations of humor in this passage from the diary quoted above, dated at Queretaro, December 16, 1833:

"We remain in Queretaro; visited convents. There are many and very large. One has a large fountain constructed by a marquis who has perpetuated his fame and piety by a statue of himself of his own size which stands in the center of the fountain on the base of stone. There are extensive baths convenient to this fountain constructed by this same marquis. One wonders how much sweat and

tears from the Indian slaves it cost which the marquis employed in the construction of this fountain and baths, but he received absolution from the monks and went to heaven.

"In the orchard there are many pretty cypress trees. I collected seeds from them to carry to Texas. They showed me some of these trees planted by the hands of Rev. Father Morfit, who had been a monk in this convent and was at one time a missionary at Nacogdoches, in Texas. This monk is very famous, for he has been a second Moses. At Nacogdoches all the springs went dry and he went out with images of the saints and necessary apparatus to perform miracles. He struck a blow with a rod of iron on a rock which stands on the bank of Lanana Creek in Nacogdoches and immediately a stream of water gushed out sufficient to supply the inhabitants with water to drink. This miracle was canonized in Rome and a print or engraving of the Father was made.

"This same padre, when he left Nacogdoches for Bexar, lost a baggage mule which a tiger killed, and in the morning as soon as the padre knew it he made the tiger come and kneel at his feet, and then he was harnessed and loaded with the baggage of the dead mule, which he carried to Bexar, and then having received a pardon for having killed the mule was sent back to the desert. All this is true because several old women told it to me in Nacogdoches and in Bexar and we ought never to suppose that Rome would order an engraving to be made of a miracle of the water only to deceive credulous people."

This passage is "delightful," mainly because it appeals to prejudices which most Americans share, and ridicules beliefs of an alien people which we do not share.

Besides prejudices, there is an enormous dollop of ignorance in this confection by the Father of Texas—ignorance of Texas history—plus no little hypocrisy.

AUSTIN obviously had no inkling of the fact that one of the convents which he visited in Queretaro, the College of the Holy Cross for the Propagation of the Faith, was the Franciscan school for missionaries which produced the men responsible, directly or indirectly, for the permanent occupation (or civilization, if you will) of Texas by people of European stock.

Let us remember, with a deep bow to the traditional genius of the Anglo-Saxon race for covering hypocrisy with moral indignation, that Austin had frantically opposed efforts of the Mexican government to stop the African slave trade in Texas, and that Negroes were then being landed on the Texas coast and herded, naked, in droves, like cattle, to plantations on the Brazos; that, when Austin wrote, there had been no "Indian slaves" in Queretaro

for hundreds of years.

Austin, it is obvious, did not know the difference between a monk and a friar, and confused the name of Fray Agustin Morfi, who visited San Antonio briefly in 1778, with that of Fray Antonio Margil, who was indeed at Nacogdoches, having founded the first mission at that place in 1716. What is astounding is not Austin's ignorance in believing that a picture could be "canonized" by Rome, nor in failing to recognize as pure folklore a legend which (so far as I know) does not even appear among the dozens of alleged miracles that were adduced during the long process to canonize Father Margil. He never was canonized, because the "miracles" were not authenticated, although it would be hard to imagine a saintlier man. What is astounding is



Austin's ignorance of the great role played by Margil in the actual civilizing of Texas.

But for the prejudice of our provincial historians, who have set the year 1821 as the beginning for all of Texas history that is really worth telling, and certain other prejudices, Antonio Margil, and not Stephen F. Austin, might well be known as the Father of Texas.

II

WE HAVE an eternity of bliss with God, but the time until the end of the world is very short for doing some service to God and something to help our brothers."

Fray Antonio Margil de Jesus, as he is known, was born in Valencia, Spain, in 1657, of a poor family. When a child, he would give his food to needier children. In Franciscan orders, his intellectual accomplishments became so famous, to escape the academic life as a professor of philosophy or theology, he joined a group of friars who, dedicating their lives to missionary work in the wilds of the New World, sailed from Cadiz in 1683. They got a foretaste of trials to come on landing at the port of Veracruz, which had just been sacked and raped by the buccaneers of the pirates De Gaff and Van Horn; they stepped over dead bodies in the streets; young Father Margil wept.

After founding the College of the Holy Cross in the old Franciscan convent at Queretaro, their first purpose in America, the friars scattered in different directions. Fray Damian Massanet went north, in search of the legendary kingdom of the Tejas. He found it, he thought, and established the first, ephemeral mission there in 1690. Fray Antonio went south. For 13 years he

walked barefoot through southern Mexico and Central America, as far as the frontier of Panama, undergoing endless privations, making up songs and singing them as he went.

One of the songs he made up is the Alabado, which the country people in all that part of the world still sing in their fields at evening when their work is done. (The strength of the faith among those people is owing, perhaps, not so much to the "power of the clergy" as to the power of the long-dead Margil.) We have this picture of him arriving in a town from an eyewitness, an officer who went out to greet him: "Like an apostle, skirts tucked in at the waist, covered with mud to the knee, a skull dangling from his cord, embracing Christ on the Cross and singing the Alabado with four Indians and a mulatto."

One of his favorite jingles may be translated roughly:

"Never trust—oh, no,
Brother Antonio—
Tricky Don Ego,
Greatest Demon here below."

Invited to dine with the captains, on an expedition, he preferred to sit with the Indians. In none of his correspondence with officials, on controversial matters, however firm his stand, is there any personal malice. His favorite name for himself was "the Merest Nothing,"—*el mismo Nada*.

After returning to Queretaro as Guardian of his College, he founded, at Zacatecas, in 1707, the sister College of Guadalupe. From here he went to northern Mexico as missionary among savage tribes in 1712; thence, in 1716, to Texas, where there had been no missions since the first ones were abandoned in 1693, after three discouraging years.

He was now 59 years old, bent and emaciated from a life of hardship and action, his feet gnarled and black "like an Indian's" from years of trudging over rough ground. On the Rio Grande he sickened; his weeping companions administered extreme unction and received his benediction on April 26. In mid-July he appeared among them, in the piney woods of East Texas, riding a horse.

Evidence of Margil's practical side is in Captain Domingo Ramon's diary: The expedition was halted before reaching the Rio Grande "to wait for horses and oxen brought by Father Margil;" then "so that Father Margil could bring up a parcel of goats to take to Texas;" then for more oxen and goats.

FRAY ANTONIO stayed in the mission that was on the site of the future town of Nacogdoches until the winter of 1717, when in the harshest weather he accompanied Captain Ramon to the French post at Natchitoches for a friendly call. On the return trip, he founded a mission at Los Adaes, which was to be the nominal capital of Texas for sixty years, and a mission at Los Ays, on the site of the future town of San Augustine.

In this last mission his companion, an aged lay brother, died, and Margil buried him with his own hands, then remained there alone until a comic-opera invasion by the French, in 1719, forced the retirement of the Spanish soldiers and friars to San Antonio.

While waiting for the magnificent Marques de Aguayo to arrive with his 500 cavalry and scare the Frenchmen back to Louisiana (which he finally did in 1721), Father Margil, living in a straw hut near the present Alamo, "to divert his anxiety" founded, in 1720, Mission San Jose, close to where it now stands, a showplace and National Monument.

That same year he sent a companion to found Mission Espiritu Santo, near the site of La Salle's vanished fort, off Matagorda Bay; moved later to a spot near Victoria, then to Goliad, where it became the first great cattle ranch in Texas; one of the last two missions to be secularized, it lasted until 1830.

Antonio Margil impressed his genius for combining the practical with the spiritual on Mission San Jose, which, all reports tell us, was an ideal Christian community, a democracy without jails, where the Indians sang at church so beautifully as to bring tears to the eyes of a rugged Spanish governor (1758), made almost everything they used, and "could dance even more gracefully than the Spaniards." It was the white man's diseases that made an end of this and the other missions, not the "laziness and stupidity of the Indians" — that ancient and oft-repeated libel.

Another favorite libel of the Black Legend, as extended to New Spain, is that the missions were sweatshops where the Indians slaved to keep the friars in luxury. Here is a picture, by Fray Isidro Espinoza, who was there, of the luxurious life enjoyed by the friars in East Texas during the years 1717 and 1718, when the crops of the Indians failed through drought, and no goods could be brought from Mexico because of floods on the Trinity bottoms:

"The first thing lacking was daily bread, which in that country means corn, and when we could scabble together a peck of it, by running around to all the Indian camps, we would bring it in as proudly as if we were bringing great succor. As there was not enough grain to make a tortilla, we would boil a fistful of corn, and those boiled kernels, on the table, took the place of bread. Salt was lacking altogether, and when we were lucky enough to have beans, for lack of salt they were so insipid they might have served as a purgative.

"Once in a while the Indians, taking pity on us, brought us a quarter of venison, but this, without salt, was tasteless. Many days dawned without our having a thing at hand to eat; and as necessity makes for invention, it put into one missionary's mind the thought that the meat of the crows, which were small like grackles, and abounded every morning in the trees, might not be bad, and with a musket he made sure of meat for each day. The hardness and blackness of it was repugnant to the appetite, but necessity gave it such seasoning, it made a delightful dish . . .

"Our worst scarcity was of wax and wine for the Mass . . . The Rev. Father Margil, who lived 32 leagues away, visited our mission and noticed our need, and although he had lacked the necessary things for the table, he had not lacked the things for the Mass. He told me that, like many another old codger, he had buried a bottle of wine for the occasion when it might be badly needed; and later he sent me a bottle holding a pint, and one pound of wax . . ."

FATHER MARGIL returned briefly to East Texas with the Marques de Aguayo, but, on being made Prefect of Missions for New Spain and also Guardian of his college at Zacatecas, in 1722, he left for Mexico, where he died in 1726. An immense course of people came to the church of San Francisco in Mexico City to see his body, laid out with the feet bare. The feet, we are told, had turned as soft and white as a child's.



CUT OUT
AND MAIL
TODAY!

Tel. No. _____ County _____
To the Texas Democratic Executive Committee:

The undersigned voter of the Democratic Party in Texas, petitions you to submit to the voters at the Democratic General Primary Election in 1962 next preceding the State Convention the following propositions:

PROPOSITION 1. For the Legislature to submit a Constitutional Amendment to legalize parimutuel wagering on horse races.
PROPOSITION 2. For the Legislature to enact a law legalizing parimutuel wagering on horse races with the State and the track sharing 14 percent of the parimutuel pool, the home-county receiving 2 percent of the total pool, and all other counties receiving 1/2 of the net state share on the basis of population. No racing on Sunday.

Name _____

Address _____

1961 Poll Tax Receipt No. _____

City _____

TO: Rep. V. E. (Red) Berry
3659 E. Commerce St.,
San Antonio, Texas, no later
than February 22, 1962.

LABOR, LIBERAL ENDORSEMENTS PEND IN RACE

✓ In another major development in the first round of the political races, the state AFL-CIO's COPE meets in Dallas this weekend, after this issue goes to press, to hear candidates and decide on endorsements. The decision on the governor's race, if there is one, will probably be made late Saturday. Most statewide candidates from both parties will address the 220-member group. Labor is known to be split between John Connally, Don Yarborough, and Price Daniel, with the warmest and widest feeling for Yarborough. Atty. Gen. Will Wilson earlier had asked COPE not to endorse any gubernatorial candidate in the first primary,

Political Intelligence

and with Daniel in the race just that might happen. This would not preclude, however, the possibility of an informal, closed-door endorsement of Yarborough and a public policy of hands-off. Some Washington labor circles, the Observer has reported, want Connally. . . . Hank Brown, state AFL-CIO president, issued a statement refuting what he called "misrepresentations" in press coverage of the PASO convention (see separate story.) He did not specify but was obviously referring to news reports that he spoke in favor of Daniel. "At this time," he said, "the Texas State AFL-CIO is not for or against any candidate running for any office. I did not recommend, suggest, or intimate that PASO should support any candidate." . . . Speaker Jim Turman is likely to get the COPE endorsement for lieutenant governor, Tom Reavley for attorney general.

✓ The Democratic Coalition—leaders of labor, independent liberals, Latins, Negroes—met in Austin for closed-door discussions on the political races, will convene again shortly for final decisions. Yarborough had the strongest backing for governor, with some sentiment behind Daniel. Sympathies were with Reavley for attorney general, though there was a sprinkling of support for Les Procter. Turman drew strong support in a floor discussion, but was attacked on his segregationist record by San Antonio Negro leader G. J. Sutton. Hank Brown defended Turman. Houston liberal leaders at the session supporting Turman said he is "in bad trouble" among Negro voters there and among many liberals if he does not face the segregationist issue soon.

✓ The Bexar County Democratic Coalition set up a candidates steering committee and will decide on endorsements next week. Bexar labor leaders await the COPE decision. Latin leaders are at least formally committed to Daniel, the Negroes and Teamsters are pro-Yarborough, and most independent liberals want Yarborough.

✓ Fort Worth Labor News, writing on the "soul-searching" of labor delegates to the COPE convention, cited these factors. One, "the intense and sometimes bitter struggle between Sen. Yarborough and Vice-President Johnson. Yarborough has many devoted followers in the labor movement. It's no secret that he has used the pre-season political months to harass the Vice President, who has usurped some of his senior-senator prerogatives. It's no secret either that Lyndon Johnson has powerful connections with labor leaders in Washington and some in Texas

and that many hard-headed Texas union members think it would be a matter of practical politics to put no obstacle in the way of Mr. Johnson's great and good friend, John Connally." Two, Daniel's record and his "comprehensive platform." Three, "the warm esteem of many labor groups for young Don Yarborough."

✓ Sam Wood of the Austin American, noting the irony of 1960 LBJ workers Daniel and Connally now running against one another, said their hope will be to keep the party united against the GOP, and added that "moderation" in the Connally-Daniel campaign debate is necessary. . . . Connally scheduled a 22-station TV speech for Thursday night after this issue goes to press. Speaking to a seminar on national affairs at Texas Medical Branch in Galveston, he urged Americans to meet the communists on every front—military, political, ideological, technological. . . . Yarborough, making a pitch to the Railroad Brotherhoods, accused politicians in control of state government of having failed in making improved rail passenger service possible. Franklin Jones, veteran liberal from Marshall, endorsed Yarborough in a letter circulated to friends around the state. . . . One of Texas' best known political writers, not based in Austin, quotes in private talks what he calls "Austin's finest political minds" who predict a Daniel-Yarborough run-off.

✓ Democratic governor candidate Edwin Walker was squeezed out of a forthcoming Madison Square Garden rally in New York this week by Sens. Barry Goldwater and John Tower, UPI in Washington reported. Young Americans for Freedom, the sponsors, said Walker was advised his appearance might be viewed as an endorsement of his candidacy. A spokesman for the Texas junior senator, who will speak along with Goldwater at the March 7 rally, said Walker's appearance was questioned even before he got into the governor's race. Goldwater told the organization he would not speak if Walker remained on the program. . . . Washington AP says Walker "seems to have become the witness nobody wants" in the Senate muzzling hearings. Leading proponents of the muzzling investigation, including Sen. Strom Thurmond, privately say Walker's entry into the Texas race "greatly diminishes the potential impact of anything he may tell the committee." Walker praised the Birch Society and pledged to campaign against "professional liberals," of whom President Kennedy is one. . . . Consensus in informed Texas circles is that Walker won't do so well in his Texas race, getting at very most 75,000 votes and more likely in the neighborhood of 50,000 or less barring nuclear warfare, depression, or a permanent Hurricane Carla. With conservatives like Goldwater, Tower, and Cong. Bruce Alger against him, he has a rough road ahead. Predicts one Austin politico: "Take his vote in Houston and Dallas and multiply by two and that's about how many he'll get." . . . Mike Quinn of the Dallas News interviewed Alger, who said: "I will oppose General Walker just as completely as I can because as far as I'm concerned he has joined the party in which his effectiveness as a conservative will be at a minimum." Maurice Carlson, former Dallas GOP chairman, predicts Walker won't poll over 20,000, 8,000 of them from Dallas County. Joe Bailey Humphreys, ranking Dallas Democrat, predict-

ed conservatives will not "squander their votes" on Walker. Lee Smith, Dallas Democratic chairman, said Walker's entry "proves what we've said all along," that the Democratic Party "offers a selection of candidates on a broad base." A Dallas John Bircher said Walker has "lost the respect of most conservatives because they feel there was political motivation behind his retirement." Another Bircher said "most of the right-wing conservatives" will support him. . . . Keith Wheatley of Stamford, candidate for the Railroad Commission against Ben Ramsey, called Walker a "Daddy Warbucks" and said he couldn't work too well with the General if the two were elected.

✓ Wheatley in a statement asked the RRC to investigate oil companies that buy Texas crude. "It is these same companies," he said, "that actually import foreign oil in competition with Texas producers."

✓ Tower made endorsements on two fronts this week. He praised an article in the current issue of William F. Buckley Jr.'s National Review sharply attacking Robert Welch of the Birch Society. The magazine said Welch is splitting conservative ranks, is irrelevant and ineffectual, and "has revived in many men the spirit of patriotism and the same spirit calls now for rejecting out of love of truth and country his false counsels." Tower's endorse-

ment of the article was supported by Goldwater, Cong. Walter Judd, Fulton Lewis Jr., and others. . . . Tower also backed Texas news-woman Sarah McClendon, whose query about security risks in the State Department angered President Kennedy. He placed several editorials favorable to Mrs. McClendon in the journal.

✓ Lincoln Day was celebrated at Bostick's Cafe in La Marque when a small group of former Democrats made the switch to the party of Thaddeus Stevens, Thad Hutcheson, and Tad Smith. . . . Bill Hays of Temple, GOP lieutenant governor candidate, has accepted the challenge of Kellis Dibrill, his San Antonio Republican opponent, to a series of formal debates. . . . Dawson Duncan of the Dallas News, noting GOP bids for governor, lieutenant governor, and attorney general, 17 of the 23 congressional places, ten state Senate and 68 House seats, said this full-scale activity may hint at a GOP leadership bid in Texas. . . . Democratic and Republican leaders took potshots at one another over whether the GOP should hold primaries in all the state's precincts and counties. The Democrats argue that any party required to have a primary must choose its statewide candidates by a vote of the whole state. Harris County GOP chairman James Bertron said this would be un-

realistic, SDEC executive secretary Clyde Johnson replied that in his opinion GOP candidates should not be printed on the general election ballot in any county not holding a primary election. Johnson said the SDEC would take up the matter.

✓ Bill Kilgarlin, liberal state representative from Houston in 1959, is running for Harris County Democratic chairman against Joel B. Coolidge and Ross Clark, both conservative. Four of the 12 Harris County legislative races are clear conservative-liberal battles: liberal Rep. Bob Eckhardt vs. Russell Cummings, conservative Rep. Henry Grover vs. former Rep. Clyde Miller, liberal Rep. Charlie Whitfield vs. Wilson McPhail, and conservative Rep. Don Garrison vs. Charles V. Cook.

✓ Cong. Wright Patman of Texarkana is reported to have the most difficult contest of his career against Sam B. Hall Jr., young Marshall attorney and a staunch Democratic conservative. Most of the district's conservatives are backing Hall.

✓ Jack A. Martin, president of the Texas State Building and Construction Trades Council and a district AFL-CIO vice-president, was appointed by Gov. Daniel to the Texas Industrial Commission. The term is six years. He succeeds Al Chesser of the Railroad Brotherhoods.

'I Pay Guards to Kill You'

(Continued from Page 1)

can't beat the radio and roadblocks. Escapees nowadays are born dead" (caught before they get started) "and old-timers know it, though the new ones keep trying."

Fifty-five days later McKenzie was captured in St. Louis when police raided the apartment house he was hiding in. It was just luck. The police didn't know he was there. "They didn't know me from Jay Gould."

Eighteen months later he escaped again—same farm, same method. He was out sixty days. On the sixtieth day, Sept. 10, 1927, he got in a gunfight with four cops in San Antonio and one of them, a detective by the name of Sam Street, was shot to death.

Then the Knifing

McKenzie was sentenced to die in the electric chair, but instead of dying there, he became protagonist of what he calls a "comedy of error." He escaped from the Bexar County jail, and was recaptured. He was moved to death row, spending six months one stretch and seven months another. During one of these terms, the notorious gangster Raymond Hamilton and a couple of cohorts escaped from death row with the aid of a smuggled gun, and offered to take McKenzie along, but he refused. He was judged insane in 1929 and wasn't judged sane again until 1945; meanwhile, in 1939, Gov. Pappy O'Daniel had commuted his sentence to life.

Always a game-cock, McKenzie frequently won the admiration of his equally tough guards in the 1930s, and in 1935 he was let off death row from time to time to walk in the yard for exercise.

"This wasn't a nice place back then," he said. "There was always somebody getting killed in the yard. Guards walked two and two for protection. You could get killed for a five-cent piece. Well, one day this convict says to me, 'You must have talked, or they

wouldn't have let you off death row. I think I'll kill you one of these days.'

"I told one of the guards about it, and he said, 'Why, if I was you, I'd cut his head off and throw it back in his face.' I decided I'd better have some protection, so I made a knife out of a wood chisel. It wasn't long after that when this convict comes up to me in the yard and says, 'I think I'll kill you today,' and I said, 'It might as well be today as any day.'

"He picked up a board and started hitting me on the head, and I pulled my chisel and hit him four or five times in the left side." That was killing number three.

Fortunately for McKenzie, three guards saw it all and testified in his behalf before the grand jury. He was no-billed.

Life was raw in Huntsville prison when McKenzie went there in the 'twenties. The toilet was an individual bucket. Prisoners slept on corn-shuck mattresses. Punishment was with the bat—a leather thong whip. Work was from before sun-up to after sun-down. "In those days," said McKenzie, "guards and convicts understood only one language—the gun."

'Most Cold-Blooded'

Though conditions did not really start improving until the early 1940's, he says, the worst era of all was under prison director Lee Simmons.

"Because I had killed an officer, or was convicted of doing it, they were riding me hard. Simmons was an ex-officer. He had been sheriff of Grayson County, and an old drunk gal had shot him in the belly, so he didn't like convicts who had shot officers. I complained to him about the way the guards were riding me, and he said, 'That's what I've got my guards hired for, to kill you. If I hear of one that doesn't want to kill you, I've got his check waiting.'

"Simmons was the most cold-blooded of them all. There was

more blood spilled on the turn rows while he was here than in the entire history of the prison system. Working in the fields, you ran the risk of some other convict chopping your head off with a hoe or some mean guard shooting you between the suspenders just because he didn't like you."

When he was paroled in 1957, he was already sick. He went back to his home state, Missouri, couldn't stand it, and drifted back to Texas. He worked for a while as a nightwatchman for a junk dealer—pay: \$10 a week, board and room and a half-pint—but that didn't work out. He begged to be put back in prison. No. So he drifted on to his brother's place in Washington state. Now he started carrying a gun again, "just in case I ever got up the nerve to shoot myself." But before that nerve developed, McKenzie got in a fight in a tavern and shot a man in the hip.

He said the other fellow was trying to roll him, but carrying a gun was alone enough to send him back to prison, and back he came last November, "one foot on a banana peel, the other in the grave," as he put it.

McKenzie says he isn't bitter about the way things have gone. He is too sick to work in prison, and knows no trade for working outside. Neither has he, for obvious reasons, accumulated any social security to live on, if he got out again.

He has accumulated, if anything, the crystallization of a kind of tough Irish indomitableness. When he was on death row, he taught himself typing. The other inmates laughed at him and asked him why he bothered. "Old Satan may need a stenographer," he told them. Was he calloused? And the three killings; do they signify ruthlessness? McKenzie denies it. He sees himself as the normal product of an era. "A man isn't necessarily mean," he said, "just because he is fearless."

B.S.