

# The Texas Observer

OCT. 2, 1964

A Journal of Free Voices

A Window to The South

25c

## Estes Ex-Associate Tells a Story

### An Observer Report

*Pecos*

A former business associate to Billie Sol Estes, Preston Hawks of Pecos, has told the Observer that last spring Estes was "trying to get me to say" that he remembered that Sen. Ralph Yarborough had received a \$5,000 contribution at a political barbecue in 1956 which Hawks remembered was less than \$200.

This happened when Estes and Roy Lassiter of Raymondville visited in Hawks' home a few weeks before the Dallas News first quoted Estes alleging that he had given Yarborough \$50,000 in cash in 1960, Hawks said. "I don't think it was more than a couple of weeks after they'd been here that it first came out," he said.

"I didn't know what they was up to," Hawks said. "My impression was that they were trying to beat Don Yarborough." As for Estes, Hawks said, "I could see he definitely had an animosity toward both the Yarboroughs, and he was trying to . . ." Hawks pulled himself short and finished this sentence with another one: "I remember him [Estes] saying that if he could get the young buck, that would take care of the old stud. In other words, he was saying that if they could hurt Don Yarborough, it would get back on Ralph."

Hawks was editor of Estes' newspaper in Pecos, the Pecos Daily News, for a while. He is the proprietor of Hawks Printing Co. here now. The Observer heard from various Pecos citizens that he had talked some around town about a visit from Estes and Lassiter and thereupon asked him for an on-the-record statement about it. At first he said he did not want to get his name involved, that the entire Estes scandal had hurt Pecos and business there badly, but then he changed his mind and consented to the interview. He said he has been a supporter of Sen. Yarborough's and early in Yarborough's campaign flew him around to rallies some.

"They did just drive up in my driveway," Hawks said of Estes and Lassiter. "I'd never met this Lassiter before, didn't know who he was or anything about him," and thought he ran a restaurant and was a Church of Christ minister. Estes has been active in that church.

Hawks said that after the national election of 1956, a political barbecue was held at a football field in Sudan, and Frank Clement, the governor of Tennessee, and Sen. Yarborough attended. Clement was the main speaker. An auction was held—Estes gave two bales of cotton for it, Hawks thought — and Muleshoe Jaycees passed around trash buckets collecting contributions, as Hawks recalled. The cash collected was then taken, he said, to the Cap Rock Hotel in Lubbock, where it was counted on the floor in the presence of the local Democratic chairman, Estes, and "a roomful of people."

This was the affair about which Estes questioned Hawks during the visit to Hawks' home last spring, Hawks said.

"He asked me if I remembered the amount of money distributed to Yarborough and Frank Clement at this barbecue and seemed to have the opinion it was quite a lot. I told him it was quite minor," Hawks said.

"He asked me if I'd sign an affidavit about the Sudan barbecue, and I said no," Hawks said. He did tell Estes he would make a statement of what he remembered about the matter, he said.

"Estes was trying to recall if it [the sum given Yarborough] didn't run into several thousand dollars," Hawks said at another point. "I think what he was up to was to get me to say Ralph got \$5,000, which it wasn't at all. . . . I'd say it wasn't more than \$200 at the most. . . ."

"They put this aside on the bed and said to take it to Ralph to help him out—it was between \$100 and \$200 as best I remember—and here Estes was trying to get me to say I remembered it was \$5,000, and it wasn't any such thing," Hawks said. "Poor old Yarborough—F. O. Masten paid his fare into Pecos."

Yarborough had conducted his third unsuccessful statewide political campaign that year. Masten is a Sudan banker and a long-time Yarborough supporter.

Estes was also looking for "a newspaper picture of himself with Don Yarborough," Hawks said. "In my opinion he was trying to connect himself with Don to hurt Don Yarborough in the governor's race." Hawks told him he could go through the files at

the office of the Pecos Daily News, and the next morning Lassiter did this, but did not find the picture. Eventually a picture of this kind was found in the Pecos Enterprise, another local paper, Hawks recalled.

It was in this connection that Hawks said he remembered Estes saying that "if he could get the young buck, that would take care of the old stud."

Lassiter was identified to Hawks during the visit as an important supporter of Gov. John Connally, but Hawks took this with a grain of salt, he said. Lassiter, saying "that he might want to call me on something," gave Hawks his name, town of residence, and telephone number, Hawks said. Later, Hawks added, he turned this over to a friend of his.

The friend, a farmer, drew a scrap of lined paper of a size used in small notepads from his wallet, where he said he had been keeping it since Hawks gave it to him, and showed it to the Observer. It bore Lassiter's name, town, and telephone number in what Hawks' friend said was Lassiter's handwriting.

The two visitors "sat around with their shoes off, drinking coffee," but having to be the host, Hawks said, he didn't hear a lot of what they said. When it got late, they may have laid down a little while in the room where they had been talking, but Hawks said he was not sure of that.

(Last May 16 the Houston Chronicle reported that Lassiter talked to the two "witnesses" to the alleged \$50,000 payment, Earnest Keeton and James Fonville, in advance of their appearances on state TV with Gordon McLendon. Keeton, who at that point had taken back his story about having seen the money pass, was reported by Bo Byers, the Chronicle's Austin bureau chief, as saying that Lassiter talked him into repeating his charge against Yarborough on state-wide TV.

("Keeton said the last time he saw Lassiter was about April 22 or 23 in the Thunderbird Lodge in Abilene with Estes and James Fonville," Byers quoted Keeton from El Paso. McLendon's statewide broadcast with Keeton and Fonville occurred April 25.

(Continued on page 3)

# Humanity Is In His Hands

We have hardly known which way to travel these last few weeks in Texas, which rally to cover, which speech to hear, there have been so many, each with its own interest, all cast over by some subtle sickness of spirit. We shall report, next issue, on all this politics. Now we wish to say some more about Lyndon Johnson as President, to which position we fervently hope he will be elected overwhelmingly next month.

It is necessary to make do with the things that happen. The assassination of President Kennedy not only deprived the country of Kennedy, it also deprived the Democrats of a genuinely free choice of a nominee to succeed him at Atlantic City. The foppishness of mainstream Republicans—and their hypocritical failure to understand that their free enterprise slogans had ceased to describe the complicated opinions they had really come around to holding—turned the Republican Party over to the extreme right wing and its dense, demagogic leader, Goldwater. These are the things that happened, and we have all had to make do.

It is necessary to make do, but it is unwise ever to fail to know lucidly what the situation is. "This summer," said Very Rev. Francis B. Sayre, Jr., dean of Washington Cathedral, "we beheld a pair of gatherings at the summit of political power, each of which was completely dominated by a single man; the one a man of dangerous ignorance and devastating uncertainty, the other a man whose public house is splendid in its every appearance but whose private lack of ethic must inevitably introduce termites at the very foundation." There, in strong and heedless stroke, is the truth of the present, the truth we make do with.

In President Johnson's tenure so far there is much to rejoice about, and there are many signs, notably his vice-presidential choice, that there will be more. There are other signs, too, for liberalism ominous. Yet beyond this, we like to be proud of our presidents as persons, we like them to be exemplars, we like to think that school-boys will be proud.

From the beginning there has been something dark-fortuned in Johnson's success. He was fiercely ambitious. He was almost elected senator, but had it snatched from him. He was then almost defeated for senator, but it was snatched from his opponent and given him. His Texas reputation has long been murked up by rumors of accommodated influences and devious doings, and these have become a part of his life, nightmarish, the true and the false, the justified and the malicious. In the Senate he became known as shrewd and hard and vain, and so, forsooth, he was. Now he has become President, and that, in itself, is a terrible thing to happen to any mortal man—glorious, if you insist, but terrible. The young ambition that drove Johnson

years ago could not have contemplated that it would find its prize in the instant personal power of life and death over hundreds of millions of men, women, and children.

There really is no choice between Johnson and Goldwater. Had the Republicans nominated Scranton or Rockefeller, there would have been, and many people would have voted Republican on the basis of doubts about Johnson personally, feeling good about their own standards as they did so. If Johnson and Goldwater were running for dogcatcher, we'd vote for Goldwater (but not for justice of the peace, he'd find some way to disturb it). For President, we must vote for the man who is intelligent, who has proved so far that he is peaceable and reasonable, and whose social values at their least are not a throw-back to dog-eat-dog, at their best embody the sound tradition of American progressivism.

These few plain things, we hope Lyndon Johnson knows: That about a third or so of the voters will be voting on November third, not for him, but against Goldwater. That he should be, therefore, humble, and not proud. That when he is elected, he must so scrupulously uphold civil liberties and refuse to permit any of the powers of government to be used for political or punitive purposes, no man can fairly call him dangerous in power. That because of his own background—getting rich in the course of his public service, to put it plain—he, and all those who are anywhere close

to him, must be considerably purer than Caesar's wife probably ever was—must be pure to the point of accepting disadvantage rather than risk plausible suspicion. That rather than permit there to be any plausibility to the judgment that he lacks in ethics, the President of the United States will admit that he has no business having a local monopoly of the regular-frequency TV market in Austin when that business is regulated by commissioners he appoints and sustained by national advertisers whose businesses he profoundly affects and that he will have the good sense to sell KTBC outright and put all his assets in the hands of trustees he does not see every time he comes home to the ranch. Dr. Sayre said, "Few eyes are lifted up in this nation to a nobler purpose than private gain." President Johnson could help lift them up.

We wish this man well, we hope for his true greatness, because humanity is in his hands. Texas was a tough part of the country to come from, the political ethics that prevailed here when Johnson was rising were wild and improvised, adversity makes a man strong. But we say now, before the election, President Johnson will have still a long way to go after his overwhelming victory before he is firm in the hearts of his countrymen, before he is trusted and admired as much as his ability and his experience are respected. He must not be spared, by those around him, by those far from him, any truth, any criticism, that might help him realize this, for no man of good faith, of whatever politics, can rightly fail to hope that this Texan who is given such terrible power do well and come to be cherished in the heart of his country and the history of the world. □

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We will serve no group or party but will hew hard to the truth as we find it and, the right as we see it. We are dedicated to the whole truth, to human values above all interests, to the rights of man as the foundation of democracy; we will take orders from none but our own conscience, and never will we overlook or misrepresent the truth to serve the interests of the powerful or cater to the ignoble in the human spirit.

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(Continued from page 1)

(On May 20, Byers quoted Fonville that Lassiter was one of the men with whom he discussed appearing on the TV program. "Lassiter operates a beer joint in Raymondville. He is an ex-convict who served time for assault with intent to murder the sheriff of Van Zandt County in 1938," the Chronicle said.)

The Observer's attempts to communicate

with Estes and Lassiter about Hawks' statements have not yet been successful.

The Observer believes that it should be further reported that Fred Worsham, brother of W. J. and L. G. Worsham and formerly a Pecos cafe owner, has been telling people, including District Attorney R. B. McGowan of Monahans and Sheriff A. B. Nail of Reeves County, a story which, if corroborated, would have a vital bearing

on the case. W. J. Worsham said Fred Worsham had told him the story, too, and had assured him he would tell it to the Federal Bureau of Investigation. Fred Worsham has not been in Pecos for four months and could not be located by the Observer. In light of all the circumstances, some of which the Observer has not here specified, Fred Worsham's story is left untold at this time.

## James Fonville's Debts in Dallas, Pecos

*Midland, Pecos, Dallas*

In announcing its conclusion that the \$50,000 charges against Sen. Yarborough were "without any foundation in fact and unsupported by credible testimony," the United States Department of Justice clearly committed itself to the position that the testimony of Billie Sol Estes, Earnest Keeton, and James Fonville was not credible, since they all have said (Keeton on again, off again) that Yarborough took the sum from Estes.

Estes has been convicted on state and federal counts of swindling and faces a state sentence of eight years and a federal sentence of fifteen. Keeton first said Yarborough took the money, then, the week before the primary, told the F.B.I. that his first story was not true, and more recently, if the Dallas Morning News is correct, re-asserted some version of his original story.

What about James E. Fonville? Very little has been published about him, other than that he has been a policeman, first in Dallas, then in Midland, and was fired from the Midland force on stated grounds that he was talking to a newspaper reporter when he should have been on duty.

As a member of the Dallas police department, he was also a member of the employees' credit union of that city. According to L. Phil Davis, general manager of the credit union, Fonville bought a 1958 Plymouth convertible and obtained financing for it through the credit union. He later turned in the car to be resold, Davis said, with the understanding that he would owe the credit union for the difference in the resale price and the balance of his note.

On Feb. 2, 1961, in Case 19788-B in the county court-at-law in Dallas, a judgment was entered against Fonville for \$430.13 in favor of the City Employees' Credit Union of Dallas, and on May 18, 1961, the abstract of the judgment was also placed on file in Reeves County, where Pecos is, according to Davis.

"We wrote him in Pecos and in Midland, asking for payment. He didn't answer either letter," Davis says. "I'd like him to pay it."

On May 21, 1964, Davis wrote Fonville, "I was so happy to read in the Dallas News where you stated, 'I will remain honest all

my life even if I have to sacrifice many jobs in doing so.'

"With this lofty ideal, I am sure you will want to start paying on the deficiency balance which you owe this Credit Union. You will recall that you left here owing \$358.44 and we have obtained a judgment against you in the amount of \$430.13."

This judgment, accumulating interest at six percent, is still outstanding, Davis told the Observer this week.

In Pecos James Fonville had an interest in Fonville Music Center.

Federal withholding tax of \$934.97 was assessed against "Fonville and Fonville" and Fonville Music Center on Dec. 2, 1960, according to records on file in the Reeves County courthouse. On Feb. 15, 1961, the Internal Revenue Service filed a tax lien against the named taxpayers for these taxes, "which, after demand for payment thereof remain unpaid." This lien was released May 11, 1961, requirements of the law having been satisfied.

On June 16, 1962, the U.S. assessed \$467.18 withholding tax against "James E.

Fonville, Fonville Music Co.," and noting a "dishonored check" in May, 1962, filed a tax lien Sept. 14 against Fonville and the music company. This lien was removed April 30, 1963.

Feb. 15, 1963, the U.S. filed a lien against "James E. Fonville, Fonville Music Center," for \$11.81, which was not removed until October of last year.

A spokesman for the city tax assessor-collector's office in Pecos stated to the Observer last week that "Fonville Music Center, attention J. E. Fonville" owes back taxes to the city for 1960 through 1963 totaling \$196.48.

A fire at Fonville Music Center a few years back caused official interest, but nothing came of this interest. According to Pecos fire marshal J. T. Prewit, who was assistant marshal at the time of the fire, it was investigated several days by local and other authorities. Prewit described some of the circumstances, but said he had searched for the investigative report on the fire and could not find it.

## Councilman Says Fonville Was a Bircher, In a Fight

There are many stories in Pecos about an afternoon in 1962 when city councilman C. W. Wicker was involved in a five-man fight shortly after the council, with Wicker in the lead, fired a police chief who had the fervid support of the town's far right-wingers.

Wicker has been a city councilman six years. He says that James Fonville was one of the four other men in the fight and that he, Wicker, has personally seen Fonville attending meetings of the John Birch Society group in Pecos.

Dr. John Paul Dunn, the physician whose Pecos newspaper broke the first information on Billy Sol Estes' fraudulent operations, is reported in Pecos to have been a local member of the Birchers. "He was the

one who organized it here. He admitted it," Wicker says.

(According to a story in 1962 in a newspaper published in Costa Mesa, Orange County, California, Dr. Dunn, identified therein as "a member of the John Birch Society," addressed a dinner in his honor in Corona del Mar, California, attended by "more than 40 guests, including Orange County conservatives and key leaders of the John Birch Society.")

("Dunn said 16 families were forced to leave Pecos because of their work in exposing Estes. Twelve of these families were Birchers, Dunn reported," according to the California paper, which continued: "Host for the Corona del Mar reception was Dr.

Terrell L. Root, Newport chapter leader of the John Birch Society. Others present included Wayne Carroll, county area coordinator of the John Birch Society, which was reported to include 72 chapters . . .")

Dr. Dunn supported Russ Peebles as chief of police in Pecos. Peebles quickly became very controversial. According to a member of the Pecos Rotary Club, Peebles once addressed them about an ancient theory of police work that one out of every ten citizens should be responsible for watching the activities of the other nine, and Peebles himself created an auxiliary police force of deputies. Dunn got a police radio in his car and began taking an active part in police work, according to sources in Pecos. Peebles irritated J. B. Kirklín, president of the Trans-Pecos Cotton Assn., by "seining," as Kirklín says, sixteen Mexican braceros out of a bar one night and booking them all for being drunk. Whatever the merits of Peebles as police chief, he provoked many of the citizens of the town with what they regarded as overly zealous police work.

About two weeks before the showdown between the city council and Peebles in 1962, according to Wicker, Peebles appointed the wife of James Fonville the town's first policewoman.

Wicker had become convinced that Dunn, James Fonville, and others in the town were Birchers. "I watched 'em to see who was at the little meetings, and Fonville was always at their meetings," he told the Observer. "They met around at each others' houses. There was about seven or eight of 'em."

How did Councilman Wicker come to know this? the Observer asked him. "I know from watching their meetings," he said. "I was just suspicious and curious. Sometimes I'd drive by, or I'd just park somewhere where I could watch the house."

Sometimes the then Mrs. Fonville would attend, and sometimes she would not, said Wicker. "Seems like mostly as a rule it would just be mostly men." Wicker said they met at Dunn's house or the house of another man he said was involved later in the five-man altercation.

At a council meeting in the summer of 1962, Wicker made a motion that Peebles be fired. Dunn rose in the council chamber and defended Peebles. John Tomlin, attorney, an interested spectator who had recently been acting as city attorney, said that James Fonville "was one of those who appeared at the open hearing at the council. I was there." The council fired Peebles 2-1 with one abstention.

Wicker and another person who was present recall and assert that Mrs. James Fonville thereupon rose and angrily rebuked the council for firing Peebles. Wicker said they might as well let her go, too. At that, Wicker says, "She just hit the desk with her badge, just a'cussin' and raisin' hell."

The meeting ended, and the spectators dispersed. Wicker says that immediately afterwards he was standing by a pickup talking to a man about the meeting when

he saw Fonville, Dunn, and three other men standing on the steps of the city hall, and that four of them came over toward the pickup. It is Wicker's recollection, he said, that "Fonville came around in front of the car, comin' at me a'cussin' me, sayin' everything he could think of—I was a sorry son-of-a-bitch, and so on—I seen I couldn't do nothin', run or nothin'—they had me hemmed—so I just stepped over to him and when he got in reach I let him have it."

Fonville went down, Wicker said, but before he got up, Wicker said, other events occurred. Wicker specified what these events were, in his recollection. Before the altercation was over, he said, Fonville had hit him "four or five times."

Wicker said he considered what he should do about what happened. "We'd had so much publicity and everything here. I just studied and studied about the thing. It was the hardest thing I've ever taken in my life. I finally just decided for the benefit of the city I'd rather take it. We'd just had so much publicity in the town."

James Fonville became the object of much more publicity than anyone could have expected for him when he joined Earnest Keeton swearing Estes gave Yarborough \$50,000 cash. But one episode in the events associated with that charge this spring almost escaped publicity, although it was interesting.

James Fonville, by then a Midland policeman, but out of uniform, was seen at the Midland-Odessa airport, seated and apparently waiting, the afternoon of April 29 at a time when Sen. Yarborough was being expected at the airport. This was just four days after Fonville had made his accusations against Yarborough on statewide TV. Reagan Legg, Midland attorney and Yarborough's manager in that city, said Yarborough's plane was 45 minutes late or Fonville would have been there when Yarborough arrived.

Legg said he saw James Fonville there and immediately placed a call to the city personnel officer, who told him he would advise the police department. It was Legg's understanding that the assistant chief was sent to the airport on account of Fonville's presence there, but that by the time the assistant chief arrived, Fonville had left. He was not there when Yarborough arrived.

## Keeton Not to be Found In His El Paso Places

*Pecos, El Paso*

Where is Earnest Keeton? As of early this week he seems to have disappeared.

The Army sergeant, whose conflicting stories about being and not being a witness to the alleged Estes gift to Yarborough have been sensationally publicized, turned up early this summer driving a cab in El Paso and living in a hotel across the Rio

(The Houston Post's Charlotte Phelan reported in the Post April 30:

("Yarborough also had learned on his arrival at the [Midland-Odessa] airport that James E. Fonville, the other McLendon witness who is now a member of the Midland police force, had been sitting in the waiting room there for some time before the senator's chartered twin-engine plane set down there at mid-afternoon.

("Sgt. James Chilcoat of the Midland police department said Fonville, who was not wearing a uniform, had been sitting around in the waiting room of the air terminal about 25 minutes. . . . He said Fonville left a few minutes before Yarborough got there.")

The Midland police department was not aware of Fonville's debt outstanding to the City Employees' Credit Union in Dallas or of his alleged involvement in the altercation in Pecos when it hired him. After the primary, on May 19, on grounds that he was talking to a reporter when he should have been on duty, Fonville was fired from the Midland force.

Curious circumstances thereupon came to light in the Abilene Reporter-News.

A story in the Reporter-News under a one-column headline—"Fonville's Daughter Quits Class"—reported (1) that Mrs. Billie Sol Estes had signed a contract for a six-month beauty course for James Fonville's 15-year-old daughter and (2) that the daughter "gave her address as the Estes home."

The Fonville daughter, Mrs. Linda Weichman, had quit the beauty course after attending about a month, according to the story. Mrs. Linda Wasson, receptionist at Glenn and Lottie's School of Beauty, said Mrs. Estes "had signed the girl's contract and was 'responsible for the course,'" according to the Reporter-News story.

"Mrs. Wasson said the girl gave her address as the Estes home but added that the girl was supposed to have left there after quitting the school Tuesday," the story said. "Mrs. Weichman registered May 12 and gave no reason for quitting. The receptionist said the girl spoke often of her father and told of his spending the night recently at the Estes home."

Fonville was last reported working in Houston, but he has no home phone listed and the Observer has not yet been able to find him.

Grande in Juarez. However, he has quit the taxi company and is not to be found in any of the places in El Paso where he was known to have been. Many concerned with his whereabouts cannot find him.

It may be reasonably ventured that many persons have wanted to talk to him since Jimmy Banks said in a recent Dallas News story that Keeton had "passed" a lie de-

tector test indicating he had seen Estes give "a large amount of money," the sum unspecified, to Yarborough. Keeton has also been quoted saying that his life was threatened, and this gave the Department of Public Safety grounds for interest in him. The Justice Department, in its report that the \$50,000 story was "without any

foundation in fact," said it was not supported by the testimony of any "credible" witnesses.

In Pecos, Mrs. Margaret Crockett, Keeton's mother, told the Observer she does not know where her son is. "He ain't told me nothin', and to tell you the truth, I didn't ast him nothin'," she said. She

figured, she said, that if he wanted her to know about it, he'd tell her. Did she know whether he was or was not in Pecos the day of the 1960 barbecue? "I don't know anything about it. —If he said he was, he was," she said. "I figure I've already done enough worryin' about it. I don't know nothin' about it, chile."

# Four Say They Know Story Is Untrue

## Pecos

The Dallas Morning News in stories subsequent to the May primary has made much of reports that the two farmers who swore they were with Ralph Yarborough the day of the Nov. 6, 1960, barbecue were not with him when he and Estes went to church that morning. In Pecos the farmers told the Observer, in effect: true, they weren't—but they were with him throughout the barbecue at Estes' house, which is when and where Estes, Keeton, and Fonville said the money was passed. Two other Pecos farmers have affirmed to the Observer that they were with Yarborough throughout the barbecue, too, and that nothing of the sort happened.

Adverting to the relevant details, when and where the payment was alleged to have been made:

The Dallas News stated April 12 that Estes said he gave Yarborough the money "on the afternoon of a barbecue he hosted . . ." Fonville swore, "I was present at Billie Sol's house on the occasion of the barbecue and had the money with me. Before dinner, Senator Yarborough, Billie Sol and I went into his office. [After the alleged transaction] We then left the office and Billie Sol and I went out to the barbecue." Keeton swore, in the affidavit he later repudiated as false, but is represented by the Dallas News as having reaffirmed in some form, that "I attended a barbecue. . . . Shortly before the barbecue I took some coffee to Brother Estes and Sen. Yarborough and Mr. James Fonville in Brother Estes' study . . ." and there saw and heard the alleged transaction. Thus the three accusers tied their stories to the barbecue at Estes' house.

In his April 28 TV broadcast on this subject, Yarborough did not mention that after he flew into Pecos, he and Estes went to church, before then going to the barbecue. W. J. Worsham, a Pecos farmer, discussing the charge on TV, said, "At all times I was with you," and J. B. Kirklin said, "I was with you all day." The News subsequently reported that Estes and Yarborough had gone to church before going on to Estes' house for the barbecue.

Kirklin, interviewed here in the offices of the five-county Trans-Pecos Cotton Assn., which supplies laborers to farmers, told the Observer: "I never have said it couldn't have happened. I am saying it didn't happen where they said it happened in the coffee room, at the time and place

where they said it happened. From the time Ralph Yarborough came onto the barbecue ground to the time he left, I was with him the entire time. There was a time they were at church together. But that wasn't when they said they gave 'im the money."

Kirklin said that after landing and going to church with Estes, Yarborough came onto the barbecue grounds just after noon, stood by Kirklin in the receiving line, sat at the same table with Kirklin while they were eating; after a brief non-political speech, went through the kitchen of the house into the small room where a group of farmers and Estes discussed farm labor with him; and then left with W. J. Worsham (and not with Estes) in the car. The story that Estes gave Yarborough \$50,000

## Yarborough's Votes In Pecos, Reeves

### Pecos

The voters of Pecos and Reeves County traditionally vote for conservative candidates, but in 1958 for the first time they gave Ralph Yarborough a majority, and in the voting last May between the senator and Gordon McLendon, they did this for a second time.

Billie Sol Estes wheeled and dealt from Pecos before his paper-shuffled empire came down around his ears. All three of the accusers against Yarborough in the \$50,000 story, Estes, James Fonville, and Earnest Keeton, lived, worked, and were known in Pecos, Keeton mostly among Negroes, of whom he is one.

Here is how the county of Reeves has voted in elections in which Ralph Yarborough has been a candidate:

#### FOR GOVERNOR

1952 July primary: Allan Shivers 1908, Yarborough 603 . . .

1954 July primary: Shivers 1545, Yarborough 959 . . .

1954 August runoff primary: Shivers 1766, Yarborough 965.

1956 July primary: Price Daniel 1053, W. Lee O'Daniel 657, J. Evetts Haley 561, Yarborough 535, Reuben Senterfitt 174, J. J. Holmes 29.

1956 August runoff primary: Daniel 1669, Yarborough 1415.

#### FOR SENATOR

1957 special April election: Martin Dies 415, Yarborough 307, Thad Hutcheson 173 . . .

1958 July primary: Yarborough 1219, Bill Blackley 920.

1964 May primary: Yarborough 1490, Gordon McLendon 1278.

at the barbecue is "just the biggest damn lie you ever heard," Kirklin said.

W. J. (Coot) Worsham said that from the time Yarborough arrived at the barbecue till the time he left, Yarborough and Estes "wasn't out of my sight." He, too, acknowledged they had gone to church and he had not been there, but averred again that he was in the coffee room, where the money was alleged to have been given, and that this could not have happened during the barbecue.

L. D. (Rounder) McNeil, a Pecos farmer, and L. G. (Bo) Worsham, brother of W. J. (Coot) Worsham and his partner in farming operations, were on hand the night of the senator's April 28 TV broadcast, ready to contribute their recollections, but time ran out before they were called on.

McNeil said, at Black's Cafe in Pecos where he drinks coffee early every morning, that he was with the senator except for the time Estes and Yarborough were at church, and that "he didn't give him no \$50,000." McNeil was a participant in the coffee room meeting the farmers had with Yarborough; the subject, he recalled, was their objections to putting bracero cotton-picking wages on an hourly instead of a piecework basis.

"I was with the senator other than when he went to church—he didn't go in the house when he came in or after the barbecue," said L. G. Worsham. "I was in the senator's presence about the whole time at the barbecue. We met with him inside, eight or ten of us. That was the only confidential meeting." Had he gone on TV April 28, "I'da definitely said that he didn't give the senator the \$50,000," L. G. Worsham said.

Coot Worsham had something to say on another point. He recalled when Gordon McLendon, disputing Yarborough's statement he had been pressed at the last minute into going to the 1960 barbecue, read from an invitation to a barbecue in Pecos, with Yarborough to be present, that was mailed out well in advance.

"Oh, we had a barbecue before, and there was invitations sent out," Coot Worsham said. "It was out at the Sheriff's Posse barn, when Ralph was running back in 1957 or 1958. So that's when it happened. I just wanted to reach in there and grab him and say, 'Well, call the date! Call the date!'"

# Estes Has Recanted, Dickson Implies

*Austin*

The clock of a political time bomb may have been wound and set here Monday when Austin attorney Fagan Dickson, state finance co-chairman of the Yarborough campaign, released a written statement to the press that he understood that Billy Sol Estes had made a statement on his \$50,000 charge against Yarborough that "if released would further support the F.B.I. investigation and report that cleared Senator Yarborough but be damaging to a number of others."

Two days later, for the first time Jimmy Banks in the Dallas News asserted that "Estes had signed a sworn affidavit that the amount involved was \$50,000." Banks did not say when he understood Estes to have signed such an affidavit.

Dickson would not specify the basis of his understanding, would not go beyond his written statement in representing the contents of the statement he said Estes had made, and would not say to whom he understood the statement was made or in what form.

Dickson said:

"It is my understanding that Mr. Billie Sol Estes came to Austin last Thursday, September 24th, 1964, to make a clean breast of the charge that he gave Senator Yarborough \$50,000.00 on November 6th, 1960, in Pecos, Texas. He made a full statement of the facts. His statement if released would further support the F.B.I. investigation and report that cleared Senator Yarborough but be damaging to a number of others, including those who met with Mr. Estes in a Dallas motel during the later part of March, 1964, to rig and pay for the lie. Those attending included a person from Dallas [here the statement states this Dallas person was closely asso-

ciated with another person who is named —Ed.] and an Austinite, a former Democrat turned Republican, who is now campaigning for Mr. George Bush. . . .

"While in Austin Mr. Estes was prevailed upon not to give an interview at this time. I cannot reveal any more now without violating my pledge to friends who gave me the information in confidence.

Fagan Dickson"

From Dickson's wording it may be inferred that there is a possibility of further disclosures and that at least part of the intention of Dickson's statement is to convince and advise all those concerned that Estes has recanted and has given details.

The Observer placed several telephone calls to Estes' home in Abilene, but Estes did not come to the phone and has not returned the calls.

At a press conference Tuesday, Gov. John Connally said that he did not know anything about Estes having made such a statement and that if Estes had done so, no state official knew about it, to the governor's knowledge. Connally also chose this occasion to assert that the Department of Public Safety, which he said has been investigating various facets of the Estes case, is a well respected agency and has a tradition of never getting involved in politics. The governor also said he had received a letter from Keeton asking for protection for his mother, Mrs. Margaret Crockett of Pecos.

Banks in the News has reported recently that Fonville and Keeton "passed" lie detector tests given at the Department of Public Safety in Austin. The Observer asked Col. Homer Garrison, director of the D.P.S., for comment.

Garrison stated categorically that nei-

ther he nor anyone in the D.P.S. has made any statement about the matter to Jimmy Banks. He said that if any investigation of it is in progress—"and I said *if*," he added with emphasis—the only way D.P.S. lie detector tests could be authorized would be either (1) on the request of a law enforcement person or (2) by a law enforcement person referring a person to the D.P.S., with the law enforcement person confirming that he had done so.

There are only two ways, Garrison also said, that results of a test can be given out. Generally the law enforcement source asking for the test would be given the results, but it is also possible that the person who took the test might be given the results informally, he said.

D.P.S. has jurisdiction over any kind of crime, Garrison reminded the Observer. In this connection, of course, Keeton has contended that his life was threatened.

(The D.P.S. has been investigating the violent death of Henry Marshall of Franklin, a key federal official in the cotton allotment program in Texas, under highly suspicious circumstances in 1961. Garrison told the Houston Chronicle this week that Marshall was murdered and that the D.P.S. investigation is "very active" and is being pushed "every day.")

Garrison did not confirm or deny Banks' references to Keeton and Fonville having taken lie tests at the D.P.S. headquarters in Austin other than to say that no one in the D.P.S. has made any statements to Banks on that subject.

R.D.

## Pre-Election Issue

*Next issue will be a pre-election issue with reports on rallies, speeches, conventions, and analyses of various things.*

# Barbecue, Phony Barbecue, and Modern Times

*Baytown*

Cow country political barbecues form my earliest memories of public gatherings attended during the tenderest days of childhood. These were held generally down in the pecan bottoms adjacent to the San Saba or Llano rivers or some other picnic area accessible by somewhat primitive transportation devices to Menard, Texas.

Presumably the boyhood of Lyndon B. Johnson a few counties over was similarly highlighted. The experience burned deep in both of us.

As for me, I have been a lifelong critic of phony barbecue. All the modern efforts

to produce the West Texas specialties are automatically compared to what came off the grill those cowhands used to lay across their deep trenches where the barbecue was produced in such heavenly quality and such lavish quantity.

Long before daylight the great bonfires of hickory, mesquite, pecan, oak, or gum logs would blaze into the western skies, finally relapsing into deep glowing beds of fiery coals as the great sides of beef and goat carcasses began turning to rich golden hues as they were turned and laved with long-handled dippers of tangy sauce. Rich drippings sizzled into the glowing coals and a fragrant plume of blue ascended to the leafy overhang. The woods were filled

with the maddening aroma. And away from the pit a great black pot bubbled with son-of-a-gun, the cowboy stew which made a side attraction for the hot chunks of barbecued beef and the long meaty ribs which decorated every tin plate as the noonday line shuffled by.

There were long pine tables for women and kids and townfolk. The cowhands squatted in clumps of shade and speared their barbecue with thin-bladed pocket knives. There was a giant urn of ink-black coffee to be drunk scalding hot out of tin cups, and bottled beer floats in tubs of ice, wherein kids could also find their root beer and Delaware punch and strawberry soda pop.

After the barbecue kids could sneak down to the river to swim raw around the bend while adults stretched out under wagons or assembled around a bunting-draped platform to hear a brassy-voiced advocate of Jim Ferguson or his opponent plus a full slate of local candidates.

And now, from various printed evidences, one may assume that those boyhood memories, which have made me a barbecue connoisseur, have, as shared mutually by the President of the United States, become a useful instrument in the political arsenal. The President's favorite Johnson City bar-

becue virtuoso, a rotund gentleman whose name is Jetton, has been taken on a tour of Yankee strongholds to woo New York and Massachusetts voters with that magnificent Texian favorite.

Assuming that Lyndon's camp cook is authentic, those Yankees are due for a delightful surprise. What they have been eating for barbecue in restaurants heretofore is roast beef drenched in catsup sauce.

As far as the experience of this lifetime expert can determine, genuine barbecue is available in less than one percent of the tens of thousands of public dining rooms

which advertise the commodity. This is true even in Texas. One must record with some sense of civic shame that roast beef with catsup sauce mishmash is more often than not sold over Texas counters.

The state has genuine barbecue if you know where to find it. There is a meat market in Lockhart that barbecues meat. There used to be a real barbecue stand in Dallas and another one in Fort Worth. Maybe they're still there, but for every real barbecue place there are a hundred phony substitutes.

AL MELINGER

J. Frank Dobie, 1888-1964

## That Was When a Mile Was a Mile

Excerpted by permission from "Cow Country Tempo" by J. Frank Dobie in the spring 1964 *Texas Quarterly*.

One winter evening in a late year of the nineteenth century the boy who long ago became the past tense of me sighted a wagon drawn by two horses approaching our house at a tempo in harmony with the coming of dusk. In those times the sight of a horseman, a buggy, a wagon, of any human being was an event.

The driver proved to be Mr. Dan Shipp of the Shipp ranch, 10,000 acres stretching from the Nueces River to the east fence of our ranch. While he and Papa were unhitching the horses, to be fed and then turned into the little horse pasture, I saw in the wagon seven mesquite posts, maybe not more than five feet long. Each had been hewed with an axe to a flat surface on one side at one end, and incised with a number: 7, 8, and on to 13. Mr. Dan Shipp was setting mileposts in postholes between two and three feet deep alongside the public road running from Dinero on the Nueces River to Ramirenia thirteen miles west. This road crossed our Long Hollow pasture; Dan Shipp had turned off it to drive a mile and a half down to our house to eat supper, spend the night, and go on early next morning. A spade and a crowbar for digging postholes and an axe for cutting brush were in the wagon.

I knew this road well. There were only five gates on it and not a house excepting at the extremities, beyond which the ungraded wagon road twisted on east and west. Dinero consisted of a little store with a post office in one corner and the owner's house about two hundred yards away across the road. Ramirenia consisted of a similar combination of store and post office with four or five Mexican *jacales* across the road. One could usually ride the thirteen miles between the two places without meeting a soul except in cotton-picking time, when hundreds of Mexicans — passports

### J. Frank Dobie

then being unnecessary—strung across the country to cotton fields to the east and then later back to the other side of the Rio Grande.

Mr. Dan Shipp knew how many feet were in a mile; he had measured the circumference of a front wagon wheel. He sat over the off-wheel to drive and could look down on it. He had wrapped a piece of rawhide around the rim at a spoke to which a white rag was tied. Rawhide wears out very slowly. As his team pulled the wagon along on the road at a slow walk, he counted the revolutions of the wheel. When enough had been made to cover 5,280 linear feet, he said "Whoa," got down, dug a posthole and planted a post with the correct number on it facing the road. At some spots he would have to cut a bush or prickly pear away to clear the ground, though if he saw a clear place nearby, he could dig there. He had spent one day coming west from Dinero, counting the revolutions of that front wheel and setting six mile-posts. The next morning he drove back to the public road and resumed counting the revolutions of the front wagon wheel. It took him all day to put down the remaining mileposts. Two of them were in rocky caliche, a little hard to dig. He spent the night of the second day somewhere around Ramirenia, probably with Mr. Hughes, an Englishman who ran the store there and had a Mexican woman as consort. The third day he drove back empty to the Shipp ranch on the Nueces.

That was when a mile was a mile. People who watch horse and relay races may have some conception of a mile, but in an age when an airplane circuits the earth between sun and sun, no traveler can have much conception of a mile. He doesn't travel either; he is merely transported. I remember when it took us all of a long July day until after dark to drive a herd of steer

yearlings from the Nueces River to the pens at our ranch—seven miles. I remember another time when it took me half a day to drive a small bunch of yearlings, tired, hot, hungry, thirsty, weak, just two miles.

For a while we got our mail at Dinero, and I rode horseback once or twice a week to get it. I knew certain places where I'd seen deer cross the road. I always remembered them. I knew two glades where quail—bobwhites—were plentiful. I knew an opening in the brush where I nooned once in a wagon and let the horses graze. I knew a hollow live oak tree off the road a bit where buzzards annually nested and the little buzzards could not fly away until they had turned from whiteness to blackness. If I approached too near they would puke, making me understand the common saying, "puke like a buzzard." I knew where I was almost sure to see a paisano running down the road, though I might see one anywhere. If it had rained, I could expect a certain caliche hill covered with ceniza bushes to be turned by their sudden flowers from ashen grey to almost solid lavender. After Zane Grey, whom I never read, wrote *Riders of the Purple Sage*, people began calling ceniza "purple sage"; it's no more sage than honeysuckle is. I knew where sandy loam gave way to gravelly soil and juajillo thrived.

I always enjoyed seeing cattle eat juajillo leaves. I knew where the redbirds, migrating from the north, were thickest in winter-time. Certain mesquite trees and certain live oaks along the road were personalities to me and were cherished as friends. Yet I don't think that everybody who rode those ways saw particulars.

When we went in a buggy or a hack to Beeville, the twenty-seven miles took all day unless in winter, when the sand might be packed by rain. Then there were muddy places. The horses knew every good shade

on the road. They would be sweating and painting from pulling the vehicle through sand, and when they got to a good shade beside the road would stop whether you said whoa or not. Then we could get out and walk around. If it were spring, we could enjoy the phlox and Indian pinks. Halfway between the Nueces and Beeville were a cotton gin and a store with three or four farmhouses around. The official name of this place was Clareville. The Mexicans called it Los Llanos (The Prairies). Another name for it was Ten Miles. From there on every mile was an individual. Seven miles from Beeville the road made a right-angled jog to go around a small pasture belonging to a ranch on the hill. Five miles from Beeville was the Bouce Franklin ranch, one pasture of which was prairie. I never pass it now without remembering a camp there one night with a herd of yearlings. . . .

**R**OSALIND was "born under a star that danced," and she danced with it, but the speed of man is no more that of light than is the speed of his fellow earthworm. Men have invented an atomic bomb, but no man can ever absorb its speed into his own body. Human energy pulses with desire to rise higher and travel faster; hence the thirst for strong drink and swift movement; but the tempo of all earthborn is the tempo of the earth itself. A raging hurricane may lash a sliver of it, a volcano may spew up some inside matter, but the tempo of the earth sustaining its bipedal nurslings is of growing grass, ripening corn and drifting leaves.

We behold expanses of glaring electric lights. We become fascinated and terrorized by torrents of headlights rushing along speedways in the night, but the light that burns under the stars with the tempo of mother earth is that of a lone campfire.

A long time ago I was a boy riding with my parents in a hack on a dirt road west of the Nueces River. For hours we had not met a single traveler or seen a human habitation. Darkness came, and then away down the slope we saw a little fire, no bigger than the fluttering blaze of a match. It was beautiful and in the emptiness all around it was a mystery. Slowly, as we approached, it grew a little larger. It was beside the road, on Agua Dulce Creek. My father stopped the horses to speak. A lone camper was cooking supper in a skillet beside a coffee pot. He asked us to get out and have something. With thanks and a good-night, we drove on. I have smelled a mesquite fire in darkness before I saw it and felt a harmony. The tempo of earth men

Rolled around in earth's diurnal course  
With rocks, and stones, and trees,

has seemed to be more pronounced in mature, even fading, cowmen than in springy cowboys out for a high-heeled time. . . .

**T**HE TIME CAME when Joe Wolfe began to weaken, and his ridings-

out became shorter and shorter. Every morning, just the same, rain or shine, he'd saddle his horse. If the flow of juices inside him or the sun-flow outside were not congenial, he might not pull up into the saddle at all; but as surely as the sun rose his saddled horse stood tied to a fence post near the front yard gate, waiting for him to mount. The time came that even when he rode out, he seldom got farther than the shade of a big live oak on the creek. Here he would sit in the saddle or on the ground, equally comfortable, and look at a turtle sunning himself on a log fixed in the water or at a cow that after drinking stood in water half up to her knees switching off flies with her tail. He enjoyed the buzzards in the air and their shadows on the ground.

One morning after Joe Wolfe had a hard time lifting the saddle to the horse's back, he tried to pull himself up into it and could not. Somehow he was unable to get the horse to stand right against a log that he could step on and thence have a shorter pull into the saddle. He just couldn't get into the saddle. He stood looking at it a long while. Then he lay down on the ground in the shade to rest, his heart beating too fast, fast fast from the exertion. When he got up he did not feel right, but he went over to his old gentle horse and tried again to fork him. He simply could not. He could pull the saddle off. He did and left it on the ground for somebody else to pick up and

hang by the hornstring on a peg in the shed. He led the horse to a gate opening into the horse trap, took the bridle off and stood for a while with one hand on the horse's neck. Then his hand dropped.

Old Gallo stood still a minute longer; years ago he had been a bright red, the color of a red rooster (*gallo*); in those times he bore himself with the pride of a red *gallo*. Now he was grey in color and movement. When Joe Wolfe turned him loose that morning Gallo walked to a smooth place and, following the custom when he was released with a sweaty back, lay down to roll. He could not roll over but got up and lay down on the other side. After he got up he walked to the shade of a hackberry tree to rest a while before grazing out.

If Joe Wolfe said anything to Old Gallo, nobody heard him. He made his unsteady way into the house, pulled his boots off, spurs still buckled on them, lay down on his quilt-covered bed and after that never spoke a word. One son got him to take a chew of tobacco, but it brought him no comfort. From his bed he could see through the door to the foot of the stairs. This son brought in his saddle and girded it up on the bannisters, took a rope from the horn of it to Joe Wolfe's hand. Joe Wolfe smiled a little but said nothing. Then after a while he died. □

## The UN in Texas: Support Is Growing

*Mrs. Raymond Holbrook*

*Dallas*  
On October 24th it will be exactly a year since Adlai Stevenson was spat on and hit over the head with a picket sign in Dallas. After such an event, there was a big question what the feeling would be in this state toward the United Nations and the citizens who have been promoting it through their local United Nations Association chapters. Just nine months before the incident, the Southwest regional office of the national United Nations Association had launched a program to increase the number of UN chapters in Texas. A swastika had been painted on the outside of the office building shared by the Dallas UN Association and the regional office. Many of us feared that the Stevenson incident would crystallize or make vocal latent opposition to the UN which existed in some Texas cities and

*Mrs. Raymond Holbrook is executive secretary of the Speakers' Services for the UN at 3526 Cedar Springs in Dallas, from where speakers of various nationalities and background are provided at no charge for meetings in Texas, Oklahoma, Arkansas, and Louisiana.*

might also increase the opposition in cities where UN critics were already vocal.

Such fears were unfounded. The attack on Ambassador Stevenson aroused sympathy and indignation among many persons who had not been concerned before about the UN, and the ruthlessness of the attack apparently caused many UN critics to realize that their cause lost respectability on account of it.

In the past year, unfriendly telephone calls to the offices of the UN associations in Dallas have decreased markedly; there has been no repetition of the swastika episode. More significantly, the chapters devoted to education about the UN in Texas have increased from three to thirteen in the last 18 months. This increase has been the result largely of the efforts of the regional director, Mrs. John T. Sutcliffe of St. Petersburg, Fla., who came to Texas in February, 1963, but some of the new chapters have been organized in communities where there has been vocal opposition to the UN.

**B**EFORE Mrs. Sutcliffe began her work, the Dallas UN Assn., the UN

Council of Houston, and the Lubbock Council for the UN were the only three pro-UN groups active in Texas. Since then chapters affiliated with the United Nations Assn. of the United States (UNA-USA) have been formed in Austin, Beaumont, Corpus Christi, El Paso, Fort Worth, Irving, Midland-Odessa, San Antonio, Tyler, and Victoria.

UNA-USA, formed by the recent merger of the American Association for the UN and the U.S. Committee for the UN, is a national citizens' voluntary membership organization supported by dues and contributions. It receives no grants from the U.S. government or the UN. The local chapters disseminate factual information about the UN.

Raymond D. Nasher, Dallas real estate developer and investor, is president of the 13-chapter Texas division, which will hold its first convention in Dallas Feb. 26, 1965. Nasher earlier this year was one of 14 Americans appointed by Secretary of State Dean Rusk to three-year terms on the U.S. National Commission for the UN Educational, Scientific, and Cultural Organization (UNESCO).

Mrs. Sutcliffe, who was president of the Florida division of the UN Assn. for three years and helped form AAUN chapters in Florida, Georgia, and other Southeastern states, toured Texas, Arkansas, Oklahoma, and Louisiana in 1963 and organized chapters as she went. By early this year eight

more states were added to her territory—Alabama, Florida, Georgia, Kansas, Mississippi, Missouri, Nebraska, and South Carolina.

Red-haired, petite, and outspoken, Mrs. Sutcliffe says, "The United Nations doesn't guarantee peace—it only gives us an opportunity to work for it." She is surprised how little people know about the UN and regards it as her job to make the facts known.

When Gov. John Connally designated Oct. 24, 1963, as UN Day in Texas, he issued a proclamation that said: "While few would approve every action taken by the UN in its 18 years of existence, we recognize that the peaceful settlement of differences at the council table is the best alternative to war and its terrible consequences. Without prejudicing our loyalty to our own nation and its Constitution, each of us can honor the United Nations' efforts to prevent world conflict." Connally has designated Judge W. St. John Garwood of Austin as chairman of 1964 UN Day in Texas.

College students will have a role in this observance, as they did last year, through the Collegiate Council for the UN, which is supported by UNA-USA. CCUN groups in Texas exist on the campuses at Austin College, Del Mar College, Lamar State College of Technology, Mary Hardin Baylor College, McMurry College, Our Lady of the Lake College, Southern Methodist Uni-

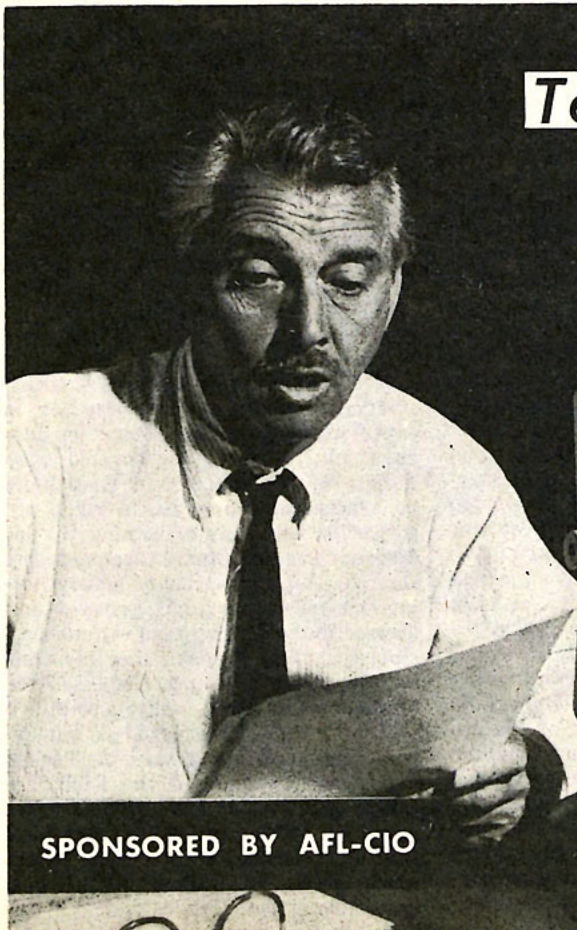
versity, Southwest Texas State College, Southwestern University, Texas Christian University, Texas Tech, Trinity University, and the University of Texas. Annual model UN assemblies are held at the University of Texas and Texas Tech.

Last year a Tyler girl, Linda Pilcher, who is a student at T.C.U., was selected as a delegate from CCUN to the International Students Movement for the UN meeting in Geneva.

Other Texans have found useful roles in the UN. Mrs. David Jacobson of San Antonio was recently appointed representative from Texas for UNICEF, the United Nations Children's Fund, which works with other UN agencies to promote health and combat diseases, malnutrition, and ignorance in newly developed areas of the world. Last fall thousands of Texas children, among three million American children in all, devoted their fun on Oct. 31 to participating in the UNICEF Trick or Treat Hallowe'en program, which resulted in a gift of more than \$2,000,000 for needy children of the world. UNICEF also sells greeting cards and notes to help meet needs of the world's children. The net proceeds from last year's sales were \$1,600,000—enough to provide the antibiotics to cure 2,000,000 children of trachema, equip 4,000 small mental and child health centers, and ship a year's supply of surplus milk for 1,500,000 children.

October 2, 1964

9



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**T**HE PURPOSE of the United Nations is stated in the charter of the organization:

"... to save succeeding generations from the scourge of war, which twice in our life-

time has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obliga-

tions arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom, and for these ends to practice tolerance and live together in peace with one another as good neighbors." □

# Only Li'l Abner Flaunts the Times

Larry King

*Austin*

I suppose that everyone not conceived in Sin, which excludes not a manjack sniffing air if one is to accept the dogma of deep-dip Baptists and their numerous kinsmen in the thou-shall-not-if-it's-fun-or-fattening school of theology, has made the independent discovery that funny papers these days contain all the hilarity of a cholera plague. Thus it is not the purpose of this treatise to belabor that old bag of bones, nor shall I hoot in unfettered rage at uncomic comics largely running to tentacled monsters and fanged demons and one-eyed robots all engaged with Barry Goldwater in giant tug-of-war over the pleasure of first grinding our earth down to bonedust.

The way I see it through these rheumy old eyes, we have got all the amusement we can properly stand in those rare figures of fun who comprise, the Texas Congressional Delegation in Washington (with the exception of three or four latter-day statesmen whom I have written private notes excusing them from the indictment), and I would personally choke on mirth should my fancy be further tickled in that direction. With the likes of Joe Pool and Ed Foreman and John Dowdy, Et Al, who the hell needs Barney Google? Or Bela Lugosi, for that matter.

So I dance sour attendance not upon the comics' paucity of comedy, nor their taste for the hairy and horrid. But let the word go out from this place that my displeasure has been stirred by uses of the funny pages to preach ideology and sociology backward enough to bloom with prime blush even the cheeks of our grim-visaged Junior Senator. Especially in Texas do all us Main Street Yahoos and Lamb's Blood Christians have no requirement for such preachments, the editorial pages of The Dallas Morning News quite sufficing to mourn in our names whatever angry pangs we suffer at the passing of high-button shoes and the White Man's Primary, or the sad spectacle of the Supreme Court spreading around that fanatical theory of no-taxation-without-proper-representation. And for the more enthusiastic patriots among us, (for those of us who pine for the good old days of debtor's prison and want to bring back use of The Rack and who deplore wanton abandonment of all those fine correctional facilities at Alcatraz and who like to send up wailing hosannahs of how competition is

the life's blood of free enterprise, and who know for certain that Dean Manion has got The Straight Of It,) there is always the enlightened Freedom (Yeah, man!) newspaper chain, doing monopoly business in such lovely villages as Pampa, Harlingen, McAllen, Odessa, and Borger.

So I do not need Little Orphan Annie (infant of palsied step) flapping about in her 58-year-old unwashed red dress, thank you, telling me and that goofy dog how Social Security is nothing less than blood-money sucked from landed gentry whom God in His wisdom laid riches upon and wished their rule (Arf!). Nor do I need Daddy Warbucks lectures on how us common folk should put ourselves in the hire of Oilionaires for the purpose of going in to tweak Castro's beard, even if the munitions makers will furnish us with the Best Little Atomic Bombs Money Can Buy. And I could do without Punjab spouting all those pithy parables ("He-who-lives-by - the - welfare - check - shall - perish - by - the-sword" type thing) while he hacks off folks' heads just because he happens to be eleven feet tall and owns a sharp saber. If you ask me, Scranton and Lodge got decoyed out of position in a shameful way. They should have abandoned The Arizona Anthropoid to other ghosts and have gone for button-eyed Annie's jugular on the primary jump.

**N**OR IS LITTLE AWFUL ANNIE the only unmasked Bircher frisking in the color pages. Colonel Steve Canyon has a mighty cute yellow cowlick and Air Force blue uniform creased to a fault and his jawline no doubt is the envy of General Goldwater himself. But the good Colonel will not rest until we beat our pruning hooks into TFK's and our plowshares into bigger and better manned bombers for the good and glory of Curt LeMay. I get the notion Steve, being the war-like humanitarian that he is, struggles mainly with the moral question of whether we should use 50-megaton or 100-megaton bombs to crash the Infidel out of his unknowing misery. The strip may brighten up Sunday morning in our underground silos, but it always sends me scurrying quick to pick up on the latest unsound advice of Mary Worth. Meddlesome Mary may be misguided, but she is at least content to do us in a mere family at a time.

critic found much to identify with (if not admire) in Gasoline Alley. SkeeziX seemed a boy possessed of respectable tedium, living one of those lives of quiet desperation with which most of us dull boys are afflicted in our time, yet he was neither exploited nor exploiter. He grew mortal warts: periodic need of hair trim, marriage to a woman who would neither cause his juices to boil nor bring him nameless shame, and in the course of human events he marched dutifully off with the rest of us heroes to bring to proper heel the Nazi dragon and "the little brown monkeys" of Tojo. Somewhere along the front line, SkeeziX must have bunked with a premature convert to General Edwin (I-never-led-no-riot-in-Mississippi) Walker's Pro-Blue program for Mistaken Warriors. For, shortly after SkeeziX returned to slothful civilian ways and opened his own business (not, let me hasten to add at the risk of losing Canonization prospects in the temples of Hank Brown's AFL-CIO legions, a crime in itself: wah, sum mah bes' frens buzinezzmen), he got to delivering himself of dithyrambs to his employees about how he was not obtaining N.A.M.-approved return on his investment dollar and would, therefore, require of his hirelings more work and satisfaction with static salaries. Boss Wallet, it seems to me, has been pathetically interested in taxes ever since, and I have personally surrendered his spirit to the Constitution Party.

Alley Oop has been a source of occasional stone-age humor of the type one might expect from Hon. Bruce Alger on his best days, but of late has coveted material things. Witness the recent strip in which he challenged King Guz's right to the throne on the basis of owning the largest dinosaur in the realm. Threatened by King Guz with an appropriately bloody hatcheting, he fell upon timid gestures and regressed to the walkways of commoner. I am still struggling over whether his ambition to rule makes A. Oop a Godless, Atheistic Commonist or a red, white and blue Man-on-Dinosaur-Back to lead us out of the wilderness, and would write ole Ted Dealey a postcard to find out the Right answer except that I would have to yield to federal power by making use of that socialistic old U.S. Post Office. If it comes to that, I much prefer to wallow in the bogs of ignorance.

There was a time when your curdled

Smilin' Jack is all caught up in cold war

intrigue and spying for the C.I.A., so that his smiles are skimpy and few. Even Dick Tracy seems to be trying to tell us something in adventures attendant to Moonmaid, though he seems to lose his nerve on the hair-pin turns. I think ole Dick is trying to say that this particular Moonmaid is trustworthy, noble, kind, good—and tame. But don't, I feel he is saying to me via trusty wrist-radio, trust them as A Race or next thing they'll be wanting to marry us or go to school with us. God help the Earth Man.

## Observations

# Patzcuaro, Michoacan

*Patzcuaro, Michoacan, Mexico*

Patzcuaro is a town where 12,000 people live, a Spanish colonial town of adobe walls and adobe-tile roofs on the bank of the lake around which the ancient Tarascan Indians made their lives and their straw sculptures of power and superstition. It is in the state of Michoacan, in Mexico. Walk down a street, by the rows of sheds, open at the middle for courtyards, all of them connected by the common walls, and the thought may occur to you, of the children and the other people walking and idling along the cobblestones, "This is the only home they have. They cannot go any other place. This is the only home they have."

Buses are cheap in Mexico, and many of the people go to Mexico City, but there things cost more, and although they make more, they have less. Sometimes they come back to Patzcuaro, in the crotch of hills, only a little above the lake by the same name, where the fishermen take the small whitefish in their nets, and charge a peso or two to let tourists make pictures of them as they fish.

There are not many tourists, because while they come through in droves, they flow through quickly, overnight, as though through Patzcuaro's alimentary system, if it had one. Mostly they stop at the Posada de Don Vasco, feast there at night while the musicians play sporadically and well

LIL ABNER ALONE flaunts the times by going right on to sourly assay all men as bordering on the insane, poking fun at our love of war and suffering and snobbery while professing to revere all living things. I have this instinctive barking in the genes which tells me I should clasp Li'l Abner to palpitating breast and call him Friend, only he is just a little too much like my ole buddy Jim Wright: too blue-eyed and goody-goody to strike whole chords. □

just outside the dining room door in the courtyard garden, take the tourist trip to the island of Janitzio in the morning, climbing to the statue of Morelos and inside him to the top, and go on their ways, to Mazatlan and Cuernavaca and Acapulco.

The front porch of the Posada has become one of my favorite places in the world. You can sit there in the mornings, the morning warm free with you, or in the afternoons, now during the rainy season with the wind in the ash trees that line the avenue and the rain that crashes down in thunder, and even though you are not staying there at night, they are glad to have you there, bring you coffee when you ask for it, and do not look at you oddly because you sit there a long time doing nothing, or reading. You may think, they would not be so nice if you didn't look like a tourist, and take meals there some evenings; but I think they might, unless you were very poor looking. The manager came and sat with me one afternoon, and we talked about his years in El Paso, and his return-

ing to his native Mexico. Americans, he said, have forgotten how to live, "They are becoming too practical." The loveliest Indian girl I have ever seen works there, is kind to you, and smiles with her soul.

The avenue ascends slowly, in between the double row of ash trees, (I think they are ash trees,) to the little bridge you turn across into Patzcuaro, and halfway up a clayey hill there are some apartments, and my wife and I did stay in one, with Gary and Celia, our children, to pine fires in the evening this summer, and meals we made from things we bought in the market, and brought home and washed, if they were vegetables or fruits, in plain detergent, or cooked to a fare-thee-well, amoebas. There was a skylight, the light was bright enough to read by mornings, there was a cobblestone terrace, one could sit propped against a wall above the lake, and see the city just about level, off to the left; and Michoacan, Michoacan, ancient, violent, green, wet, and brooding, all around, to the horizons, sucking down into its fertile harmonics even the vagrant sky, which once one day it made of one piece with itself, the mountains, the sky, and Michoacan a single wind-swept rainworn oval to be inside, aware of breathing.

ONE MORNING my boy and a friend of ours and I went down to the ramp where the tourist boats are moored and waited. A family of Indians came

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11

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through the channel through the water reeds in their canoe. They hollow pine logs, shape them into rectangles open on the top and curved up at the ends, squat on little ridges in the bottom, and make themselves go with long paddles that are carved from single pieces of pine, a long broom-like handle ending in a round saucer of wood, like a long-handled lollipop. We had bought some of them a Sunday in the market for

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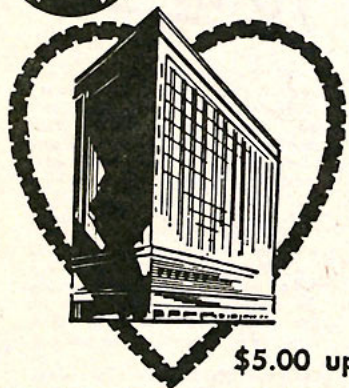
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food, wood you eat that tastes a little like sugarcane, and fish the islanders bring to trade, around the lake in Erongaricuario, where still the tourists do not come, except in a while. I asked the old man, could we go fishing with him in his canoe. He consulted with his family, who had to go to the market in Patzcuaro for a few hours to sell their fish, and then he answered "Como No?" that phrase that liberates the Mexicans as "Com-si, Com-sa," does the French, (including being liberated from how to spell it,) and as "What the hell" does Americans who still say that.

And so we four set forth upon the lake, three Americans with their new pine paddles from Erongaricuario and the silent old Tarascan, Fran Salvador, who said he lives with 29 other people, no more, on Yemuen, a little island in the lake, and fishes for a living, as the other 29 do, and comes to market on Fridays and Sundays in Patzcuaro, and that his father did this same thing for his living, too, and his father before him, but I did not ask him about before that. There are no big fish in this lake, nothing longer than a foot or so, he said, and of course the whitefish are taken with the butterfly nets shaped like the figure eight, which the men, (the old men, they all seem somehow to be, although they are not,) dip into the deep, leech-filled, uninviting water and slowly rotate to the surface, as they have since who knows when. My boy, Gary, who is now eleven, cast about, hoping for a strike, trying to bean the watersnakes with his lure, mumbling because nothing happened. I asked the old Indian if we could catch anything that way, and he smiled and said, of course not. We paddled, braced on our opened knees low down in the boat, a long time, out beside Janitzio, and rested occasionally, which we thought fair enough, although the old Indian, guiding the boat in the back, never stopped paddling once, except when we stopped to watch some men hauling in a great square net to their very long canoe. Returning we were passed by

tourist boats, and had the special joy of being photographed by the tourists. I could imagine them saying to each other, as they lifted cameras to eyes, "Oh, look, natives masquerading as tourists," but undoubtedly it was something more mundane.

We went to Paracutin and rode on burros in an afternoon drizzle to the lava range of black and jagged desolation the volcano made and picked our way by foot to the church the lava covered up, except a wall and the tower, and the date on the tower, "1618." It made you think on the works of man. My six-year-old daughter, Celia, tiny astride her burro, upright and alone, proud and sufficient, in her bright yellow raincap and raincoat, with a poncho around her, too, but slipping down her shoulders, was a discovery I shall never forget; life gives no better surprises, or more secret excitements. In Paracho my wife found a guitar maker so spiritual, he seemed to sleep in the music he played on the guitar he had made, and suddenly apprehending him as musician and craftsman and man at the same time, she bought his guitar. The television advertisers try for effects like that, Fiorencio Lucas, playing the guitar he had made, but they will never make it, because they are lying. In Santa Clara del Cobre we arrived the afternoon of the annual fiesta, quite by chance just before the fireworks (which probably exhausted the town's treasury) and the parade, and we heard the governor of Michoacan.

**C**ARDENAS HAS MICHOACAN, which is therefore the leftest state in Mexico. Cardenas was for Castro, and may still be for all I know. He has a very large following among the *campesinos*, the peasant farmers, all over Mexico, and Augustin Arriaga Rivera is the first governor of Michoacan he has not handpicked in some time. Arriaga (after copious, elaborate, and from what I could judge with my bad Spanish, contentlessly formal and polite speeches and introductions) told the

## Extra Copies of the Dobie Edition

We have had a hard run on extra copies of the special issue on J. Frank Dobie, but we printed plenty of them, and hope the run continues.

The issue was cause for a fine review in the Dallas Morning News by Lon Tinkle and a news story on the UPI wire. We expect that something more permanent than an edition of a newspaper may come of it.

There has also been a run on the set of four special back issues on Roy Bedichek, Walter Prescott Webb, and Dobie. We have run out of copies for sale of the second issue on Webb. Therefore, we can no longer offer a complete set of the four back issues on these men.

However, it was the first of the two issues on Webb that contained most of

the articles we ran on him, and readers who want a set of the three available issues on Bedichek, Webb, and Dobie may order them for \$1.50 postpaid, for all three. Single copies of the Dobie issue, which was double-size, are 50 cents.

We quote from the Dallas News of August 9 about the Dobie issue:

"Space is lacking to mention all the good things in the issue, which is a memorable contribution to the intellectual record of the state. Better buy your copy early. The prior Observer issues on Bedichek and Webb are already collectors' items, being offered in the rare book catalogues at \$2.50 on up."

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copper-makers to cherish their crafts, but said that Mexico, Michoacan, must push forward: that the village of Santa Clara should improve its streets, and its sanitation system, to attract industry there. He is not hostile to American capital, and in this he is different, one gathers, from Cardenas. A close confidante of Cardenas' told me in Patzcuaro that Mexico is about half-way along the path to industrialization, just about where Japan is, also. One notices that most of the begging by children has stopped, it is replaced now by offers to watch your car, or take you around, which is very much better for it replaces begging with earning. (But old ladies still have to beg, and it is a terrible thing, the shawl one associates with the Virgin, the weathered face, the withered hand, as though paralyzed in importuning cup.) Well also, said my informant in Patzcuaro, there's a great new hydroelectric dam project in

Michoacan, and remember, just a few years ago half the people in Mexico City went barefoot!

This American, who has been there 26 years, is Mexican now in values and outlook, and intensely not American, really, for our commercialism repulses his spirit, and the conservatism seems somehow to occupy his conception of his former country. We brushed against some other expatriates there, a few writers, who write just what no one seems to know; a sculptor who makes wood sculpture that is interesting and free, from the one piece of it I saw (I asked him, what will preserve it against the weather, and he answered, Nothing really will—why should that be of any interest to him?); an ebullient, mercurial French couple who cook at Crefal, the U.N. educational establishment here, and who have with them a blooming French girl, who came direct from Dijon, I

think she said, to tutor their children; and there is, for another instance, a lady who ought to be past her prime, but never will be, until she has no life at all, or so it seems at least on first acquaintance.

One day the French ones, two Mexican boys my son made friends with in the market, the friends we were in Patzcuaro with, and we drove to a mountain look-out above the town and lake and had a picnic on the hillside, and walked, in a driving rain, the 414 cement steps to the crater of an ancient volcano, and while the children climbed in trees and stood on their heads like monkeys in delight, some of us ran free of heart in the soaking rain to a great white cross that they have put there, those slowly working, impassive, quiet, dignified Tarascans who seem to be old when they are only boys, and who have sanctified this land. R.D.

## Safe Conduct in Mississippi, More or Less

*Austin*

Jack Cargill, Jr., a graduate student in history at the University of Texas whose home is Marshall, Texas, directed this letter, tongue in cheek, to Governor Paul Johnson in Jackson, Mississippi, earlier this summer:

"Dear Gov. Johnson:

"I am planning to make a trip from Texas to the East Coast sometime during September, and on this trip I intend to pass through Mississippi. I will not be working for any civil rights organization or participating in any political action; I will not take any pictures.

"Therefore, I would greatly appreciate a letter signed by you saying that I wish only to drive quietly through your state, so that I may be able to show the letter to anyone I may need to show it to, because I am a student and I will have out-of-state license plates.

"Thank you,  
"Jack Cargill, Jr."

Cargill received his answer, not from Johnson, but from T. B. Birdsong, Commissioner of Public Safety, on the stationery of the Department of Public Safety, State of Mississippi, in Jackson. A copy of the reply went to Gov. Johnson. Commissioner Birdsong wrote:

"Dear Mr. Cargill:

"Your letter to Governor Paul Johnson has been referred to this office for reply since it pertains to your safety while passing through this state.

"Although the Governor does not give

out such letters as you requested, we are quite certain that you will have no need for such if your mission is as you describe, simply a pleasure trip. We are certain that you will find our state hospitable and enjoyable.

"You are aware, I am sure, that when people go into any area with the deliberate purpose of stirring up trouble and of violating laws, enough protection could not be provided to keep them from finding the trouble they seek.

"You will certainly be welcome to take pictures here. We trust that your entire trip will be a safe and enjoyable one.

"Sincerely yours,  
"T. B. Birdsong  
"Commissioner of Public Safety"

Cargill, somewhat taken aback, perhaps, by the grisly-comic success of his joke, appends now this clarification, why he pulled it off:

One's first impulse on reading these letters is to believe that they reveal a cynical youth using a stodgy politician as a "straight" man. "Cynical," in fact, is the adjective I heard most often applied to myself by readers—friendly and otherwise—of my various writings in the Observer,

and of my general outlook toward my native East Texas and South. It is impossible to deny that I have laid myself open to the charge: an article such as "A Wall There Is In Marshall" [Sept. 6, 1963] positively reeks with cynicism, and there are noticeable traces of it in "An East Texan Writes of Home" [same issue], as well as in the honors thesis from which it was excerpted; the element of mischief in my letter to Paul Johnson also is obvious. The thing that really brought the matter home to me was an encounter that I had with Ronnie Dugger one Saturday night at Scholz' Biergarten in Austin, shortly after he had accepted my ironic article, "A Certain Difficulty" (which I think is the best thing I have yet had in the Observer, and which is, of course, entirely autobiographical) for his May 15, 1964, issue. Ronnie complimented me on the article, saying that, better than a straightforward attack, it "showed what 's - - - s' East Texas whites are."

His statement was true, as far as it went: with respect to our colored neighbors East Texas whites, myself included, have been

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and still are being 's---s'. But far more than moral censure was involved; the chief aspect of East Texas life I was attempting to reveal was the terrible entrapment that binds black and white alike, the latter probably even more securely than the former. In "A Certain Difficulty" I was not ridiculing the country storekeeper for doing what he thought to be good and generous within his context; I was unhappily lamenting the terrible narrowness of that context. I was attempting to depict a race enthralled in that most destructive and soul-shrivelling slavery of all—the slavery of domination over other men.

How simple, psychologically, emotionally, and intellectually, is the task of the Negro—who has only to assert his manhood, to say that he will no longer be either oppressed or patronized, not even through fear of death—compared to that of the man who has all his life borne the terrible burden of masterdom, who has to regain not his freedom but his soul. I am not speaking here of morality, but of diffi-

culty; of course we whites have been in the wrong, but our half-knowledge, fiercely repressed, of guilt, has been but another of our burdens.

The source of my cynicism is not anger but despair. It is a sadness not about "social justice" or "race relations" or something vague and impersonal, but about some very personal and intimate deprivations: about being allowed to choose my friends from only half of the people; about living for ten years or more within a few blocks of an intelligent, decent, thoroughly likable colored boy whom I never met or thought about meeting until we were introduced a year ago by a mutual friend in Austin; about being ashamed to look our house-maid in the eye; about not even daring to meet any colored girls for fear—of those who might hurt me, and even more of those whom I might hurt—that I might like one, and for fear—of my own censure—that I might like one merely *because* of her race.

It is sad to me to know that some of the same white boys who used to play football on Sunday afternoon against the colored boys in the local stadium had probably engaged in "nigger-nockin'" on Saturday night; but it is sadder still to know that I—for reasons I myself cannot explain or justify—never even participated in those football games, although I played frequently in all-white games. It is sad to know that of a whole race of potential friends and classmates, those who get any higher education at all will likely learn only medicine, or teaching techniques, or something else that guarantees a job but does not encourage the thrill of speculation, the inspiration of reading, or the delightful art of refined conversation.

And finally, it is saddest of all to me to

know that some who read this, some with whom I had meant to share our common misfortune and guilt (not to pity! I meant no insult, no patronization), will read this—as they have read everything previous to this—as an attack upon them, as some more "cynicism" from that betrayer of his people and heritage,

JACK CARGILL, JR.

## When I See a Man

*El Paso*

When I see a man going down the street I do not require that he prove anything in order for me to deal with him in an awareness of the basic dignities. I realize that he, as a man—as a living piece of the world's consciousness—is capable of knowing pain, fear, contentments, frustrations, humiliation, love. I realize, too, that he, being mortal, was also born without first being asked how he would like to spend his time here and is destined to die the same way—without being consulted as to a desired time or place or means of exit.

That is the basic thing—that a man is a man the world over. But there is more to it when the man is a Negro of the American South. For this man has been a victim not only of other men's wrongdoing but of his own special nature: bought and tied and shipped to another world, he did what some other race, some other kind of man, would not have done, perhaps: he endured his enslavement. Physically strong enough to do the work required of him, patient and forbearing enough never to engage in the kind of massive revolt that could have secured his freedom, he simply stayed there in the fields and the shacks and produced enough of his own kind to survive.

Consider it further: that as a slave he was not regarded as a citizen of the United States—was not legally a man—and thus could not legally engage in the morality of the country he worked in. For he could not marry, as a citizen married; could not establish what we call a home—a place truly his own, with privacy and dignity and freedom from violation. He could not vote, could not have a voice in his country's affairs, could not even attend the schools

*The writer says this is a brief polemic in reaction to those who keep saying that "the Negro must prove himself."*

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*The Texas Observer*

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" . . . the Texas Observer, an intelligent, old-fashioned, in-the-grain political journal. . . . For many liberals, the Observer gave more than the news, it was written proof of their very existence, and its office served as a social nucleus for this group." Barbara Probst Solomon in Harper's Magazine, November, 1963.

"The state's leading liberal newspaper, the biweekly Texas Observer. . . ." Sam Kinch, reporter, Fort Worth Star-Telegram, March 6, 1964.

"The Observer . . . is recognized as the leading liberal organ in Texas," A United

Press International report, as published in the Dallas Morning News, March 6, 1964.

"The Texas Observer, the Bible of the real Texas Democrat." Archer Fullingim, editor, The Kountze News, April 23, 1964.

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that his country set up and called Public.

And then what happened when it was finally decreed that the Negro, like any other man, should be free to determine his own existence? He was turned loose into an already highly-structured American society without even the ability to read or spell his own name because the right to have pencil and paper and book in his hand had previously been denied him. He was free, but with no place to go and no means to get there—a man released from prison after serving a sentence for a crime he did not commit.

Over and over I have heard it, read it—that determined cry of people when asked what it was they wanted out of life: "To be happy!" Not, "I want to deal with the larger issues of life," or "I want to concern myself with truth or justice or beauty," but "I want to be happy." And they go through life fiercely selective, always trying to shake off what does not seem to lead toward personal gratification, to personal entrenchment behind their walls of self-interest.

The Negro is facing this Happiness Wall now and I don't know if he will be allowed to breach it peaceably. For no matter how you slice it, *Negro equals Threat* to happiness-seekers. By his very existence he forces thought on Justice and Guilt and Moral Decision and Change. The happiness-seeker keeps turning away or moving away, fearful that a Negro's gain must necessarily involve, in one way or another, his own loss.

(This terrible underground battle of the Haves and Have Nots: When I was teaching in Garland, outside Dallas, I would ride through Highland Park in the late afternoon and I could not help but understand the meaning of conservatism, the mixture of fear and pride and hatred latent in it: I would look at the people living there behind the massive protective front of their lush yards and elegant homes and Well-Heeled Way of Life and I could understand how violently they would resist Hall and Akard and Ross Streets ever coming their way.)

There is now this business of the white person who is not of ill will wanting to meet the Negro simply as human being, but finding it almost impossible because of the tremendous self-consciousness of the times. If I am driving along and a white man does a stupid thing with his car, I have no qualms in letting the man see my disapproval or anger; for he and I both know that my reaction is to his wrong turn or excessive speed and not to the color of his skin. But when a Negro driver does a foolish bit of driving, I equivocate. I think: how many times has a white man used just such an excuse—a traffic snarl, a near accident

## MEETINGS

**THE THURSDAY CLUB** of Dallas meets each Thursday noon for lunch (cafeteria style) at the Downtown YMCA, 605 No. Ervay St., Dallas.

The **TRAVIS COUNTY LIBERAL DEMOCRATS** meet at Saengerrunde Hall, Scholz' Garten, at 8 p.m. on the first and third Thursdays. You're invited.

—to let show his basic prejudices. How many times has the white man leaned into his window and said words which, correctly interpreted, meant *you damn nigger*.

It is the weight of the past that I feel and would like to lessen—the weight of a society which wronged a group of people and then did not do its best to make amends for that wrong. I inherited that past, whether I wanted to or not, and out of a sense of guilt, or justice, or brotherhood, or honor—whatever the real motive may be—I know it is my obligation to do whatever I can to see that no one has to suffer again the indignities which the Negro of the past suffered; that no father, out of fear, will ever have to teach his children that there is a narrow, less-than-human path they must learn to walk if they are to survive peaceably in this country—that no Medgar Evers will ever again have to so train his children that at the sound of gunfire they will dive to the living room floor.

ELROY BODE

## Dialogue

### On The D.P.S. and Politics

I am shocked to see the formerly respected Department of Public Safety, and its director, Col. Homer Garrison, Jr., reduced to the hatchet status to which it has apparently sunk. The Sept. 10 issue of the Dallas Morning News has a headline article revealing the colonel's alleged lie detector test given to Fonville to be all clear, thus allowing Senator Ralph Yarborough's enemies to attack him on the Billie Sol Estes matter. The venality of the situation is not that Garrison, a public official, wants to destroy Ralph Yarborough, but that he used a state law enforcement agency to do it. . . .

I recall, and I would like for your excellent newspaper to verify this, that dur-

ing the race for attorney general between Tom James (former Dallas County representative) and Waggoner Carr, James stated that while he, James, was on the committee investigating the Port Arthur, Galveston, and South Coast crime matters, Carr approached James and told him to lay off. Carr said he didn't do it, so James challenged Carr to a lie detector test. James spoke over the Amarillo television station in the last days of the campaign and stated that he asked the Texas Department of Public Safety to give the test and it refused, saying that it was a political matter, so James had to get a private test given to him in Amarillo. The point of this is that Homer Garrison has apparently changed his rules on giving lie detector tests for use in political campaigns.

The stakes are higher here, however. He has an opportunity to ruin the political career of a man who has already evidenced his fine character, ability, and devotion to the service of all of the people; and he is exercising it. There is no other reason for these actions. No charges have been filed against Fonville, he is not under investiga-

October 2, 1964

15

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J. W. "TOMMY" TUCKER

Correspondent

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## Professors--

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tion for any state offense—if he is then the people have a right to know who instituted it and what the case is. So far as we know, all that Fonville has done is make a statement which has been controverted—so what right did Homer and his group have to put their lie detector machine into politics? Those things can be made to perform in any manner the operator wishes, and that is why they are not used as evidence in the courts. This machine, however, and its operator, as well as Homer, were on the payroll of the State of Texas, and that makes this thing everybody's business.

As far as Governor Connally is concerned, he is just as responsible for this matter as Homer. It appears that he has willingly and actively participated, and it is well known that he hates Ralph Yarborough. However, even his Excellency has no right to prostitute the state's facilities and employees to "get" him—that is carrying it too far, and again this is everybody's business. I wonder if the governor, and Homer, ever considered the fact that if Yarborough is to be scratched, in all probability the whole Democratic column will go too—and that gets rid of Governor Connally as well as Homer. I am sure that the governor's successor will want to get rid of Homer—since it would be dangerous to have him around.

Perhaps this letter is too emotional, but it certainly is written with sincerity. You are free to do what you wish with it, but I do hope your paper will not let this thing go by default.

J. D. Crow, Attorney, P.O. Box 216, Canadian, Tex.

(Col. Garrison's position on the subject of this letter will be found on page 6 of this issue, and the editor refers readers to that page.

(In the James-Carr contest for the Democratic nomination for attorney general in

1962, James said that Carr had asked him to call off the vice probe because it would hurt Carr politically and challenged Carr to "join me in submitting this matter to polygraph test to be conducted by the Texas Department of Public Safety." Carr responded, "To ask anyone to participate in a political lie detector debate is the last refuge of a hopeless demagogue."

(The Dallas News reported May 3, 1962: "After being rejected in his effort to get state or Dallas police or commercial polygraph firms to give him the veracity test, James arranged for an examination in Amarillo. The two-hour polygraph test was given by L. R. Wynne, head of the Amarillo Security Controls and on leave as captain of Amarillo city police.

("James then challenged Carr to take the polygraph test, and this was declined. James then sought to be examined by a qualified polygraph operator regarding his own statements in the case. The D.P.S., Dallas police and sheriff's office, and Truth Verification, Inc., a private firm in Dallas, declined to examine him [James] separately."—Ed.)

### Judge Garwood Replies

This responds to the latest professed-liberal blast in your columns against the Missouri system of judicial selection and tenure. In language slightly reminiscent of letters I have received on the same subject from the Ku Klux Klan, liberal Mr. David G. Copeland of Waco links the Missouri system (and inferentially also its supporters) with Stalin, Hitler, Missolini, the major oil and gas companies, "and others."

Now one must concede Mr. Copeland to be unselfish, since he himself has had no great benefit from our present system of judicial selection, which he deems so essential to democracy. This very year he announced his candidacy for the State Supreme Court (on a "platform" of opposition to the Missouri system!) and then mysteriously backed out—perhaps because his prospective supporters didn't think much of his "platform" and were thus reluctant to shell out the long green, so vital to Texas judicial elections.

But sincere Mr. Copeland's disregard of history and other facts of life is as obvious as his neglect of logic. Surely pre-1876 Texas was no communist (or Nazi!) oligarchy! And yet she did *not* select her judges by popular election; nor has the government of the United States ever done so, nor has England nor any other democratic nation or state on earth, except the thirty-odd American states which have taken up the open-election fad, beginning with the Jacksonian era. Does Mr. Copeland really expect anybody but himself to believe that famous old states like Virginia, Massachusetts, and Connecticut, which have strictly appointive or elected-by-legislature systems, are communistic, or that the judges of Missouri-system states like Missouri, Kansas, Nebraska, Illinois, Alaska, and Iowa are fascist servants of "the major oil and gas companies," etc. etc.? Or can it be that Mr. Copeland is one of these very up-to-date politicians who

believe "extreme" thinking (and talking) to be all right; provided the subject matter is important?

Of course, the logic underlying the history of judicial selection and tenure is that judges, although public servants, do not "represent" anybody but the law. They can honestly have no election "platform" related to their duties. They do not "make policy"; nor, so far as I know, has there ever been a judicial election in Texas which involved any issue of judicial "policy." To say that judges should be chosen by open popular election because governors and legislators are is a non-sequitur. . . .

One might add that Mr. Copeland's apparent factual misinformation on the details of the Missouri system is almost as extreme as his reference to Hitler and Stalin. But, after all, I suppose even liberals occasionally find "name-calling" to be more convenient than wrestling with factual details.

W. St. John Garwood, lawyer, P.O. Box 14, Austin 61, Texas.

### The Conceits of One Dogma

Reading Neal Neece's letter in your September 4th issue makes me remark, as does a certain citric English professor here when presented with something sophomoric, "So what"?

The letter is filled with hate and emotion-laden words which would be deplored in John Birch literature and thus detract from what Mr. Neece has to say, which is not particularly new to a university community or the readers of the Observer. To understand the problem of fundamental religious beliefs versus modern science requires men mature and with egos seasoned by constant confrontation with what we do not know, what we must still achieve. . . .

Furthermore, whether Mr. Neece likes it or not, the "peculiar little fanatic carpenter from Nazareth" has memorials to his name which one is tempted to wonder whether Mr. Neece could have. They may be seen in Rome and Paris or wherever art is studied and appreciated, and they may be heard in concert halls wherever music is performed for serious purpose, and to historians, perhaps the memorials are there in the darkest pages of history to show that at least someone to whom Christianity was not merely a formal dogma stood against the basest instincts of men, wrote a Pope's edict against slavery, condemned as Luther did mob reaction, dared to stand in Berlin's St. Hedwig Cathedral and condemn the execution of the Jews, or erected a splendid piece of modern architecture on a Hill Country mountainside. Henry Adams was no Catholic, but at least he had the good taste to appreciate two Catholic cathedrals and the intuition to understand an age and faith which produced them. He, too, stands higher in the esteem of men than will a man who confines himself to the conceits of one dogma or reacts merely with hate against the strictures of a fundamentalist-oriented society.

Edith Miller, 1900 Nueces, Austin, Tex.