

*A Journal of Free Voices*

*A Window to the South*

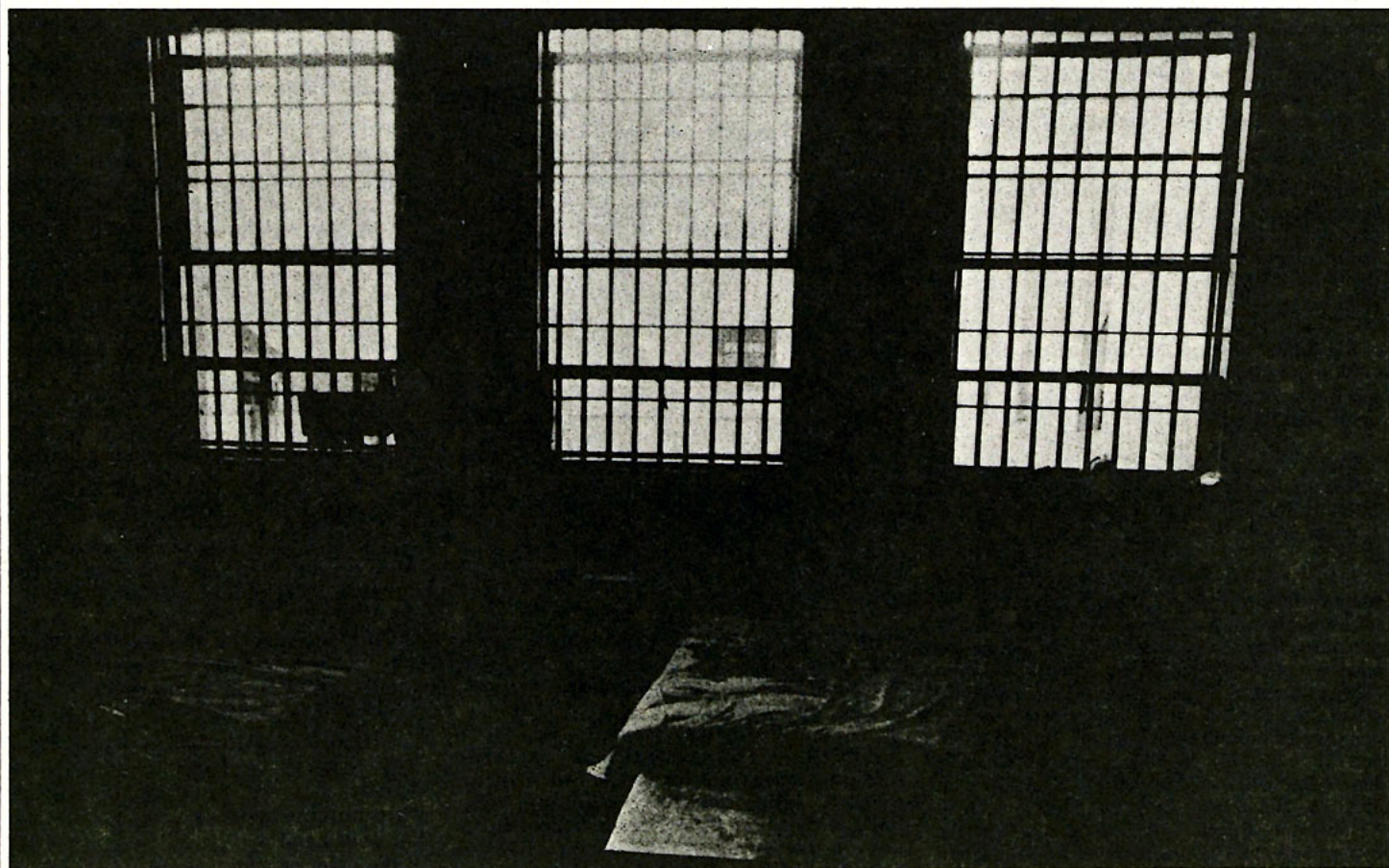
*July 7, 1972*

25¢

## Coddling criminals

### Texas style

*See pages 3-11*



Bruce Jackson, Rip Off Press



# The coming fortnight . . .

By Suzanne Shelton

## JULY GRAB BAG

**COUNTRY SHAKESPEARE** — One of the most interesting Texas summer activities is "Eng. S379M — The Play: Reading, Criticism, and Performance;" translated, it's Shakespeare in a barn, as Dr. James Ayres' UT English students learn new approaches to dramatic literature by performing plays in the Theatre Barn, Winedale Inn Properties; ongoing classes and performances, July 18 through Aug. 20, Winedale Inn Properties, Round Top.

**CLAES COLLECTION** — Over 200 pieces by pop artist Claes Oldenburg includes gigantic soft sculptures plus plans and drawings for famous lipstick monument at Yale University; July 16 through Aug. 20, Art Center Museum, Fort Worth.

**SUMMER STOCK** — Free open air performances by rock groups, 7:45 p.m. Monday throughout summer; also free variety entertainment 8:45 p.m. Thursdays throughout summer; Zilker Hillside Theatre, Austin.

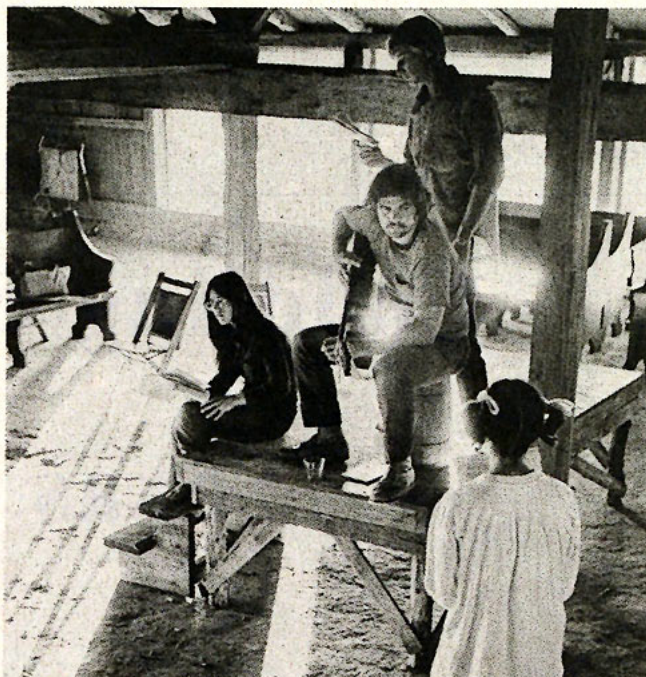
**CLASSICS** — Original sculpture and copies from classical periods of Greek and Roman art, including original works from fifth through first centuries B.C., and first century B.C. copies of these works; through Aug. 15, Archer M. Huntington Gallery, Art Museum, University of Texas, Austin.

**HOPPER TO SUDS** — Motley collection of contemporary works, including Ed Ruscha's silkscreen "Insects" and "Suds" plus Bruce Conner's lithograph series. "The Dennis Hopper One-Man Show, Vol. 1"; Contract Graphics, Houston.

**REALIST** — Ward Nichols, often called an "interpretive realist," is careful craftsman specializing in detailed realism; collected works on display through July 10, Gallery 600, Austin.

**PARK PAINTINGS** — Depictions of scenes in U.S. national parks, circulated by Department of Interior; through Aug. 13, Laguna Gloria Art Museum, Austin.

**FILM FEST** — One of the more notable summer flickouts, Alley Theatre presents series, including fave of all time, "La Strada"; July schedule: Tony Richardson's "Tom Jones," 8 and 10 p.m., July 8 and 8 p.m. July 9; the lyric "Elvira Madigan," 8 p.m. July 11-12; Fellini's classic "La Strada" with Giusetta Masina and a haunting trumpet melody, 8 p.m., July 13 and 8 and 10 p.m. July 14; the saccharine Deneuve film, "Umbrellas of Cherbourg," 8 and 10 p.m. July 15, and 8 p.m. July 18; 1931 version of "Threepenny Opera" with Lotte Lenya (a must), 8 p.m. July 18-19; Orson Welles in "The Third Man," 8 p.m. July 20, 8 and 10 p.m. July 21; Alley Theatre, Houston.



Shakespeare students rehearse at Winedale Inn.

**JAZZFEST** — In two nights, you can hear the greatest array of jazz available, as Astrodome Jazz Festival brings slate of artists: Roberta Flack, Lou Rawls, Herbie Mann, Dave Brubeck Quartet with Paul Desmond and Gerry Mulligan, Giants of Jazz with Dizzy Gillespie, Sonny Stitt, Thelonius Monk, Art Blakey, Kai Winding, Al McKibbin; Saturday slate includes Ike & Tina Turner, B. B. King, Cannonball Adderley, Donny Hathaway, Jimmy Smith Jam Session, Clark Terry, Kenny Burrell, Joe Newman, Roy Haynes, Zoot Sims, Illinois Jacquet; through July 8, Astrodome, Houston.

**CRASH 'N BANG** — UT Percussion Ensemble pulls out all stops, under direction of Dick Goodwin; 8 p.m., Hogg Auditorium, University of Texas, Austin.

## JULY 8

**OSMONDS** — Those cute little boys with the valuable little voices, Osmond Brothers, plus Heywoods and Jan Baker audience warmer; 7:30 p.m., Hofheinz Pavilion, Houston.

**BACH TO ROCK** — Anshel Brusilow conducts Dallasound in "Bach to Rock" outdoor concert; 8:30 p.m., Fair Park Band Shell, Dallas.

## JULY 10

**CIRCUS** — The Greatest Show on Earth, Ringling Brothers and Barnum & Bailey Circus, complete with cotton candy, elephants, lovely ladies in sequinned tights, daring trapeze artists who fly through the air, etc.; through July 16, State Fair Coliseum, Dallas.

## JULY 17

**CASA MANANA** — "The Student Prince"

continues summer run of musicals, through July 19, Casa Manana, Fort Worth.

## JULY 19

**ACTORS REP** — New regional repertory theatre, Actors Theatre, intends to bring theatre on campus and theatre off-Broadway into working relationship, with professional, student and faculty actors in current plays; debuting with off-Broadway award-winner, "The House of Blue Leaves"; through July 22, also July 26-29, Drama Building Theatre Room, University of Texas, Austin.

## JULY 20

**MUSICALA** — Well, hello again to that omnipresent musical, "Hello, Dolly," performed under the stars, and free besides; through July 22, also July 27-29, Zilker Hillside Theatre, Austin.

**MONSTER MASH** — Janus Players perform "Frankenstein's Monsters"; through Aug. 12, Kalita Humphreys Theatre, Dallas.

**RODEO!** — Big city folks get their chance to snort up some dust and be real cowboys; Travis County Sheriff's Posse Rodeo; 8:15 p.m., Lockhart Hwy., Austin.

A smile  
when nothing happens  
but your hand  
in the palm of mine  
is felt

RYAN L. PETTY



# Another planet

By Karen Northcott

*The constant state of turmoil and tension existing on the Ellis Unit [of the Texas Department of Corrections] is calculatedly designed to brainwash every inmate, to create an atmosphere of hostility, to turn inmate against inmate, to make stool pigeons out of everyone and to strip every man of the last shred of pride and to reduce him to an unprincipled animal. Hate, fear and shame are instilled in every inmate who knuckles under, and it goes so deep that any hope of rehabilitation is lost.*

Inmate of the Texas Department  
of Corrections

Houston

For the men imprisoned in the Texas Department of Corrections (TDC), the questions of life and death, of freedom and repression, of dignity and fear are crystallized in daily life. The prison world is a world of walls, bars, chains, clubs, cold cement floors, rotten food, cheap labor, bad medical care, isolation and solitary confinement. The act of demanding respect and treatment as a human being with constitutional rights, not as an animal is a revolutionary act in itself.

Frances T. Freeman Jalet Cruz, a Houston attorney who represents convicts attempting to win constitutional and human rights through the courts, is awaiting a decision in a legal battle of her own. Three inmates of the TDC, Robert Slayman, Donald Lock and Freddie Dreyer, originally filed a complaint against Cruz under the Civil Rights Act, alleging that she conspired with some of her clients to threaten the security of the prison system by teaching revolutionary ideas, to endanger prison morale and foment revolution, thus denying them some of their rights. The inmates are seeking to bar Cruz from the TDC and halt her work with prisoners.

The six-week trial was controversial and complicated, partly because the credibility of the witnesses was hard to determine. U.S. District Judge Carl O. Bue took the case under advisement May 24 saying, "Frankly I've never seen a case like this before. One of the problems a judge runs into is familiarizing himself with the myriad areas of the law with which he has had no contact. For the past six weeks, as a member of the judiciary, I have felt that I have lived in another planet."

**T**HE TRIAL involved issues which will set precedents for cases to come. At

*The writer is news editor of Space City! in Houston.*

issue is the authority of the prison system to discredit an attorney on the basis of his or her professional conduct. Volumes of information concerning the TDC and its policies toward inmates has been added to court records, and, as a result of this case, subsequent prison litigation in Texas will be shortened.

The near tyrannical power of a federal judge was exposed and recorded. During the trial, Judge Bue set aside all ordinary rules of evidence concerning hearsay, leading questions and self-impeachment. He said they just didn't apply.

Bue handpicked the lawyers for the three inmates. Tom Phillips, chief trial lawyer for Baker Botts, a large and prestigious Houston law firm, was Crawford Martin's campaign manager; Martin is a defendant in the counter suit brought by Cruz asking for \$150,000 damages. Bue also appointed Donald Eckhardt, a trial lawyer for his old firm of Royston, Rayzor and Cook, as a lawyer for the plaintiffs. Max Jennings, the other appointed lawyer, has his law office on the same floor in the same building where Bue officed in private practice.

The judge guaranteed that the expense of the trial for the inmates will be paid for by the federal government by allowing them to proceed *in forma pauperis* (as a pauper). But he refused to allow Cruz to proceed *in forma pauperis*, although at the time the suit was filed she was living in poverty as a VISTA volunteer. Thus, the expense of the lengthy trial was borne by the participating defense lawyers — Bill Kilgarlin, Stuart Nelkin, Henry Rosenbloom, William Kimball, David Berg and Fred Grossberg — and the Houston branch of the American Civil Liberties Union. The court costs may bankrupt the Houston ACLU unless large sums of money are raised.

During the first three weeks of the trial, two of the plaintiffs, Donald Lock and Freddie Dreyer, testified that Cruz, through her intermediary Fred Cruz, solicited clients and then urged them to join in a conspiracy to take over the prison. The two also testified that Fred Cruz had threatened to kill them if they did not drop their suit seeking to bar Ms. Cruz from the prison system. (Much was made both in the trial itself and in newspaper coverage of the proceedings of the fact that Ms. Jalet, 61, married Fred Cruz, 32, after securing his release from prison on a writ of habeas corpus).

The third plaintiff, 27-year-old Robert Slayman, was paroled the second day of the trial and vanished soon after, abandoning his suit.

Slayman's deposition alleges that one of Cruz's clients told him an Attica was needed at the TDC and that an incident like the purported throat-cutting of three

San Quentin guards was also needed.

Another inmate, Julius Perry, testified that he fired Cruz after she told him prison riots were sometimes necessary "to open the eyes of the public."

The final witness for the plaintiffs was Warden C. L. McAdams, who has been with the TDC at various units since 1948. McAdams testified that from the arrival of O. B. Ellis in 1948 and continuing under the present direction of Dr. George Beto, Texas changed from an inmate-run system, rife with dope, sex perversion and knives, to a modern institution where inmates may enter a two-year college program, learn trades and rehabilitate themselves.

To illustrate the changes McAdams showed pictures of the early prison depicting the poor living conditions, the poor working conditions and the inadequate laundry and shower facilities. He then showed pictures of the prison facilities taken in 1968, demonstrating physical improvements in the cell block, the prison chapel, the hospital, the schoolroom, the laundry and the sewing room.

The warden testified that Cruz made an inordinate number of visits to the prison to see her clients. After each visit, he said, the inmates were restless, edgy and tense. She would even demand to see a prisoner who was in solitary confinement, he continued. "After one or two visits from Mrs. Cruz," he said, "there was more work stoppage, more fights, more tension, more men in solitary."

**T**HE DEFENSE lawyers cross-examined McAdams at length concerning his attitudes towards prison discipline, homosexuality, Ms. Cruz and the "Ellis Report." The warden said a prison can't be run by the inmates, that the warden must have complete control and that control is guaranteed by strict discipline. He repeatedly compared the inmates to children who must be punished. He acknowledged, however, that it wouldn't be unusual for him to sit on the three-man disciplinary committee which tries the inmate for an infraction of one of the many obscure prison rules and regulations (rules that in many cases are unwritten and even nonexistent except as it suits the convenience of the warden). Thus he serves, the defense lawyers pointed out, as both the judge and the appellate body. He denied that his conception of prison reform includes the denial of a man's self-respect and dignity and the instilling in the men an attitude of fatalism and defeatism.

McAdams also testified that he felt no



personal enmity towards Cruz, even though she was the first lawyer to file suit against the TDC attacking the building tender system, the denial of religious freedom, the use of solitary confinement, the censorship of mail and the arbitrary removal of an inmate's good time.

He insisted there was no truth whatsoever in the "Ellis Report" — a study of prison brutality on McAdam's unit, the Ellis Unit. There are actually two reports, one written by Cruz while she was working for the Dallas Legal Services Project based on information supplied by inmates, and a second report written by Fred Cruz. The reports allege that prisoners confined in the TDC, particularly on the Ellis Unit, are deprived of their constitutional rights and subjected to a pattern of repression, harassment and even torture. "Through abusive practices based on brutality and dehumanization," one report says, "the inmates live in constant fear — fear of punishment in the form of deprivation of privileges, loss of good time, humiliations and indignities and beatings; fear of solitary where, when incarceration is prolonged, starvation or even death can result. Those prisoners the guards cannot intimidate by brute force are subjected to psychological pressures aimed at destroying their minds and their will to resist."

McAdams denied that the use of solitary confinement was cruel and unusual punishment. He said that there were cases where nothing else would work and the man would have to be sent to solitary.

The inmate is placed in a windowless cell completely in the dark with nothing to do, no equipment to keep himself clean, no food except bread (three slices a day) and water with a "repat" every 72 hours



Photo by E. F. Shawver, Jr.

#### Frances Freeman Jalet Cruz

consisting of a few vegetables. There is a metal bunk, no mattress or blanket. the inmate is sometimes naked but usually gowned. His feet are bare and his head shaved. After 15 days, the normal durational period, the outer cell door made of steel is opened; the prisoner, however, is still behind bars in the inner cell. This is considered "release from solitary." The door is shut again and he may be kept there another 15 days according to the Ellis Report. This cycle may be repeated until the man has been in solitary 45 days or longer.

The warden also denied punishment for minor infractions of the rules and regulations includes beatings with fists, baseball bats and blackjacks; being handcuffed, knocked down, kicked and stomped on the handcuffs; being made to stand on the rail (a six-by-two-inch rail) all weekend and being denied food; being hung on the bars in a straightjacket, toes not touching the floor and being punched like a punching bag by any officer happening by; being made to stand facing a wall for hours or days at a time without being fed; or being made to shell peanuts all day and all night.

**W**ITNESS AFTER witness for the defense cited instances of prison brutality involving Warden McAdams, building tenders and other prison officials; the pettiness of the TDC rules and regulations; the arbitrary way in which inmates are summarily punished; and the harassment and intimidation to which Cruz' clients are subjected.

According to defense witnesses, many instances of prison brutality involve men "caught in homosexual acts." Homosexuals, they said, are made to stand naked in the hallway in front of the chow hall, holding each other's penises in their hands. Homosexuals have had Whitfield salve, a salve with an acidic base, poured over their genitals.

Clyde Sewel testified about an escape attempt and its aftermath. "Three men commanded a squad truck and tried to escape. The warden supposedly shot them. When we went to eat, three men were in front of the dining room. Blood was running down the hallway. One man was

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Ronnie Dugger, Publisher

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A journal of free voices

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unconscious. We had to walk through the blood to get to the dining room."

All of the defense witnesses testified that they had been threatened merely for being a client of Ms. Cruz'. James Estes Baker said Freddie Dreyer told him, "as long as Mrs. Cruz was my lawyer I could expect to be beat up." Baker also testified that he had seen a directive of Dr. Beto's which ordered all of Cruz's clients to be moved to the Wynne Unit, be segregated and have their privileges restricted. They are now all on the Wynne Unit and are segregated and all of their privileges are restricted.

One former inmate, Sylvester Perez, described the pettiness of the prison rules and regulations as "playing with your mind and your life." Once while in solitary, he said, he chewed a hole in his arm hoping to hit an artery and thus having to go to the hospital in Huntsville. He hoped to reach Dr. Beto there, he said, and tell him he couldn't do his time at Eastham, where the guards and building tenders were so brutal. "All the bitterness and hatred builds up where you get to the point where you don't give a damn," Perez said. "They push you to the edge."

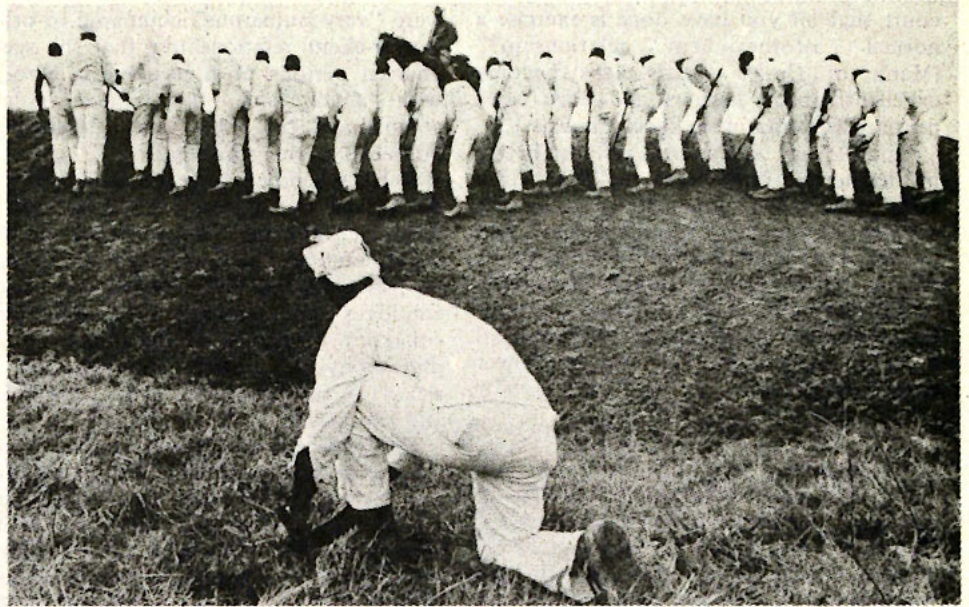
The administration of Warden McAdams was depicted by the defense as tyrannical. He was charged with brutality motivated by racial prejudice, using unauthorized violence as a means of punishment and using excessive force in carrying out penal administration policies.

**T**HEN, IN A surprising reversal of his previous testimony, plaintiff Donald Lock asked that his suit be dismissed without prejudice. "It's a lie. Mrs. Cruz has done nothing," he said in a trembling voice. "She's tried to help me. She's tried to help the entire prison population." He said he had been pressured by TDC officials (W. Dee Kutach, assistant director, Warden McAdams and Lloyd Hunt) to file the suit. "They didn't come out and tell me to file it," he said. "But you just get used to the way these people talk and you know what they mean. I knew that filing the suit was my only out."

Lock called Dr. Beto a "phony" and described prison life as "pure hell." He said he saw building tenders take a friend of his, Robert Oliphant, and beat him. "He yelled and begged and they beat him and put him in a straightjacket and tied him to a cell."

He testified that prison officials, specifically Warden McAdams, know of and participate in the brutality. He said McAdams is a "sadistic, sick man." Lock said most of the inmates at the Wynne Unit feel Judge Bue "is fixed" and that one of the plaintiff's attorneys was "paid \$50,000 under the table."

Lock said that he feared for his life because of his testimony and he was placed in protective custody in the Galveston County Jail by Judge Bue. "If given the



Danny Lyon, Liberation News Service

#### Hoe sharpener and the line at Huntsville.

chance they would kill me," he said in a voice strained with emotion. "I think they would do it kind-of-legal-like . . . put me in a field, pull me out, shoot me and say I'd been trying to escape.

He acknowledged that he had "been living the good life" since filing the suit. He said that after he had agreed to participate in the anti-Cruz suit, he had the power to have guards fired and to get other building tenders thrown into or taken out of solitary.

Frances Jalet Cruz, who had been at the defense lawyers' table shuffling through papers, writing notes to her attorneys, sat quietly, hands clasped, eyes cast downward through Lock's emotional testimony. She then took the stand and described how she first came to Texas in 1967 as a Reginald Heber Smith Fellow to practice poverty law with the Austin Legal Aid and Defenders Society. It was while she was in Austin that she received a letter from Fred Cruz asking her assistance in appealing a 1961 robbery conviction. She eventually was fired from the Austin legal services project after the project's director, Hamilton Lowe, was informed by Dr. Beto that she had been giving assistance to inmates in the TDC, (*Obs.*, March 28, 1969).

Cruz went on to testify about her subsequent jobs at the Dallas Legal Services Project and the Texas Southern University Legal Aid program. She gained two more clients while working in Dallas. Judge Sarah Hughes asked her to represent Bobby Brown. Ernest Ivy had written asking for assistance. Cruz lost her job in Dallas, once again under fire from Dr. Beto.

In October, 1968, Warden McAdams informed Cruz that she could no longer

visit her clients in the Ellis Unit. This ban was in effect until March, 1969. On Oct. 15, 1971, Beto issued an order to all wardens in the TDC to prohibit Cruz from visiting any of her clients. This ban followed Beto's testimony in a suit filed by Cruz in federal court, challenging the practice of arbitrary removal of an inmate's good time without due process and the censorship of mail.

Cruz denied ever tacitly encouraging or suggesting, even by her silence, that any client of hers should create an atmosphere of violence or revolution in the prison system.

Tom Phillips, during his cross-examination, hammered away at Cruz's conception of what a prison should be, her "abnormal" relationship with her clients and her attitude towards George Beto.

Phillips described her conception of a prison as a "home for broken souls." "Let's put these men somewhere," Phillips proposed, "these men who killed, raped, robbed, and call it a home for broken souls."

When Cruz stated she felt inmates should be paid for their work, Phillips exclaimed, "I want to bring you down to common plain-talking language. Do you mean wages should be set through collective bargaining?"

Phillips questioned whether the relationship between Cruz and her "so-called clients" was a normal lawyer-client relationship. "Isn't it true that you got advice from jailhouse lawyers rather than giving advice to them?" Phillips



queried belligerently. "Are you telling this court that all you have done is exercise a normal attorney-client relationship?" (Many of Cruz's clients have become excellent prison lawyers and have cases pending litigation in the federal courts.)

Upon being questioned about Beto's proficiency as director of the TDC, Cruz said, "As an administrator, he is enlightened, highly regarded and well known; as an individual with knowledge of prison rights, he is reactionary." She referred to Beto as a "promising George." He says he's available to the prisoners and he does see them; but then nothing is ever done for them.

**F**RED ARISPE Cruz testified of continual harassment by TDC officials throughout his prison life because of his numerous suits against the TDC. He said Warden R. M. Cousins choked him and threatened to "knock my brains out" if he continued to remain a client of Cruz. He said the choking incident occurred last year as he was being placed in solitary confinement for complaining he had been cursed by a guard. He said he was confined without clothes despite the fact he had the flu.

He said that Warden Cousins, trembling and shaking with anger, told him, "I'm tired of letters from that nigger-loving lawyer of yours. No lawyers are going to take over my prison. If you don't stop, I'll send you home to your mother in a pine box."

Cruz testified he was placed in solitary confinement on another occasion after he was beaten by two building tenders and hospitalized for 12 days.

Cruz charged that Beto manages to obscure the truth about what is really happening at the TDC from interested eyes and that the mask of respectability surrounding the TDC is furthered by the status of Dr. Beto.

Dr. Beto was the plaintiff's final rebuttal witness. He testified for more than three hours describing Fred Cruz as a "non-conformist who looked at other people as being stupid." Beto said he first met Fred Cruz 10 years ago when he became director of the TDC. He said Cruz had an "insolent attitude" and "refused to conform to rules."

Beto rejected allegations offered by numerous witnesses that building tenders exercised guard functions and carried black jacks and other weapons. "Guards themselves are not armed," he said. He vehemently denied that brutality was permitted and said that while building tenders sometimes break up fights they use only their hands.

He stated Ms. Cruz' visits to the prison were "very numerous" compared to other lawyer-client relationships, that she spent unusual periods of time alone in a room with Cruz and that the wardens complained that she was a disturbing influence on the prisoners.

Beto, scheduled to retire as director of the Texas Department of Corrections in August, spent most of his time on the stand defending his administration. He said he has upgraded the standards for prison employes and instituted training and education programs for the inmates. "My philosophy of prison administration in Texas is three-pronged: work, discipline and education."

Defense attorney Bill Kilgarlin during cross-examination attacked Beto's attitude and manner of dealing with Ms. Cruz, saying Beto resented her criticism of his administration and her filing suits attacking the department's policies. When pressed, Beto could not cite any proof that Ms. Cruz had instigated or caused any incident of violence.

Kilgarlin also implied that Beto's main function is as a lobbyist and politician with the legislature and that he curries favor with state bar officials.

The defense attorney quoted from a television program suggesting Beto has a reactionary attitude toward "liberal do-gooders." Beto has said, he testified, that "some do-gooders have criticized us for using inmates for stoop labor. I said that less than 3,000 are doing this and a good many taxpayers in this state are engaged in stoop labor."

Judge Bue, before he took the case under advisement, indicated he intended to write a fairly broad opinion with an encompassing analysis of the prison system.

Defense attorneys said, after the trial, they felt good. "We found so many loop-holes, so many fallacies in the prosecution's case, that we feel optimistic," Kilgarlin said. "What we hope for is an indictment of the prison system. That is what the evidence warrants." □

## The Dallas Jail

By J. D. Arnold

Dallas

After months (or years) in the Dallas County Jail, the first few days free on the outside are difficult.

Ex-prisoners complain of headaches and bodyaches soon after they are released. Prisoners who find themselves in and out of the jail most of their lives have a theory about the aches and pains experienced upon release. According to their theory, fresh air, sunlight and mobility cause the headaches and muscle aches.

While in the jail a prisoner never sees sunlight. 150 watt bulbs burn inside the jail constantly. Day and night — never going out until they burn out. The constant, bright light is hated by the prisoners. It is only a minor aspect of the de-humanizing process in the jail. Still, the jail always seems dark and dank somehow. The colors are watered-down mustard and GSA green. The windows — across a corridor from the cells — are thick, opaque glass. Prisoners can know if it is day or night outside, but nothing else. It is either gray or black.

Despite the 150 watt bulbs, sudden sunshine has a traumatic effect on a newly released prisoner. It seems to cause the headaches. That and the fresh air. The Dallas smog notwithstanding, the air outside feels different, tastes different than the sweat-coffee-urine-dry meat and beans-shit-blood-permeated atmosphere in the jail.

A breath of the outside air causes

*J. D. Arnold is news editor of the Iconoclast. He recently spent a weekend in the Dallas jail in connection with contempt of court charges. Since then, he has been visiting sources in the jail each Sunday.*

headaches, say prisoners. The body aches come from suddenly being able to walk farther than the length of a jail tank. For some prisoners this isn't so. Most prisoners just sit around all day; the others pace up and down the "day room" like the big cats at the zoo. Back and forth, back and forth. While medical authorities reject the air and light differences as cause for the headaches and give only qualified affirmation to exercise-induced body aches, the prisoners swear it is true.

The medical authorities haven't been inside the five-year-old jail atop the new Dallas County Courthouse, say the prisoners. If they had been inside the jail they would have seen violations of state law and health regulations — the basis of a successful suit by jail prisoners to change the conditions in U.S. District Court. The jail, when built, was designed to hold 1225 prisoners. It now holds 1500 (on a current daily average with a high point of nearly 2000 one day early this year).

The judicial status of the prisoners causes a paradox for county officials such as Sheriff Clarence Jones and County Judge Lew Sterrett. They discount any sympathy for the prisoners because they are all "criminals." Ninety percent of the prisoners, however, have never been convicted of the crime for which they were arrested. They have not yet come to trial or they are awaiting appeal. The other 10 percent are awaiting transfer to Huntsville or a federal prison (usually only a few days wait after conviction if there is no appeal) or they are serving out misdemeanor sentences.

**A**LTHOUGH COUNTY officials claim prisoners are all "criminals," the jail



is not designed for incarceration of criminals. It is a holding facility with no recreational or rehabilitative facilities whatsoever as institutions for incarceration of criminals, such as Huntsville or Seagoville, allege to have. As a simple holding facility, the jail wouldn't be too bad. The problem, however, is that the court system is so clogged that prisoners are in the jail for years and years — not the days or weeks of incarceration for which the jail was designed.

The bail-bonding process in Dallas County also keeps prisoners in the jail. Local judges have decided that anyone out on bail is rich enough to afford a lawyer. Therefore, anyone out on bail cannot have a court-appointed attorney. The bonding fee is a particular case may only be a few hundred dollars, low enough so that a spouse or friend or parent may be able to borrow, hock jewelry or appliances, get a loan, get a salary advance, dip into savings — something — and get the subject out of jail. The courts, in all their wisdom, maintain that such a circumstance indicates an accused person is able to pay attorneys' fees in the thousands of dollars.

This Kafkaesque parody of reason and reality keeps many prisoners in the jail. Although they can afford to bail out, they stay in the jail to get a court-appointed attorney. Then they are (or were, before U.S. District Judge Sarah T. Hughes' recent order) at the mercy of the cop-out men, or "investigators" from District Attorney Henry Wade's office. The cop-out man would come to see a prisoner and offer him or her a "light" sentence in exchange for a guilty plea. It is all illegal and unethical, but it happens anyway with the full cooperation of the judges.

Often a prisoner — after awaiting trial for over a year — will cop-out just to get out of the jail and down to Huntsville. In many cases the prosecutor doesn't think the case can be won; witnesses have disappeared, the complaining party has had a change of heart, there was no actual violation of the law, etc. But the prisoner doesn't know this and his court-appointed attorney hasn't bothered to come by for a chat and the cop-out man has sweetened the deal (without consulting with the prisoner's attorney) and the prisoner cops out for five years, only to later learn, through the grapevine, that his case could have been won.

The new "criminal" develops a hate; a hate for the cop-out man, the judge, the court-appointed lawyer — the entire system (and personnel) of criminal justice.

**W**HILE THESE circumstances are not "jail conditions" per se, they create an atmosphere among the prisoners and that atmosphere is definitely a condition — among many others — that make the jail an anesthetized hell.

Prisoners often talk about revenge. Fantasies are passed about continually: individuals on the outside are killed,

maimed, castrated, raped, financially and/or morally ruined, infected with rare and fatal diseases and punched in the nose. While sitting in a tank with nothing to do all day but eat, wash, eliminate, read, write letters and court motions and play cards, talk is cheap and easy. A majority of the prisoners feel they have been wronged somehow, somewhere along the line. They talk about revenge. This is no surprise. The subjects of their imagined revenge, however, are surprising.

It isn't the cops or the person filing the complaint or the spouse that doesn't show up with bail money that keeps the prisoners' attention. The people most often killed, ruined, maimed or punched in the nose (in the prisoners' imagination) are the personnel of the criminal justice system. If all the prisoners in the jail were suddenly released, Henry Wade and his cop-out men and the jailers and the judge who set bond and the court-appointed attorney who never consulted with his or her "client" are the people who should be frightened. They are the most hated and despised. Compared to these pillars of the system, cops are blood-brothers.

All this makes up the primary, horrible condition in the jail: despair, a belief that you have become totally powerless, that hope is futile. Letters to newspapers are not answered or printed. Letters to attorneys and judges are never answered. Motions filed in court by mail never receive a ruling. You are in the jail and release depends totally on someone else. Someone never seen, perhaps. Someone who wouldn't be the most important person in your life if you had money for a lawyer and/or bail. And once that fact is realized, the other aspects of the jail complete the job of turning ordinary people into emotionally crippled citizens with half a soul, now trying heroically to survive and

retain some small portion of their dignity — a quality most others on the outside seldom realize is so important.

Some prisoners are in jail for probation violations. If a convicted person breaks probation, he or she may be forced to serve the full sentence. A probation violation must be proved in court just as the original crime must have been proved. But they still sit in jail, day after day, with no hearing set, never being indicted and not getting "good time" (Every two days of good time accounts for three days of a sentence) as they would if the sentence were being served in Huntsville. They are in jail merely on a probation officer's word. Many probation violators are in jail because they didn't pay their probation officers.

When a convicted person is given probation he or she must sign a contract which calls for a \$10 payment per month to the probation officer whether the officer wants the probationee in for a conference or not. If the probationee fails to meet the terms — if he or she can't get up the \$10 — the officer revokes probation.

One young man I met in the jail, a polio victim with matchstick arms and legs and a bent back, has been extradited from Florida. He received three years — probated — for marijuana possession. His probation officer gave him permission to move to Miami, but said the payment should still be made to Texas even though the Florida probation bureaucracy would do the work. When he got to Miami the officials there said it was a pretty good deal for Texas and they weren't sure if they liked it or not. They told him to wait awhile until the matter was cleared up. Months later a warrant for his arrest arrived in Miami. His Dallas probation officer had revoked probation for non-payment of the

July 7, 1972

7



Danny Lyon, Liberation News Service

Six unit cell block



# Hughes lays down the law

Austin

On June 5, U.S. Dist. Judge Sarah T. Hughes ordered sweeping changes in the operation of the Dallas County jail. Her decision may force other Texas jails as well to comply with the often ignored 1957 state law setting out jail standards.

Hughes called the Dallas jail "a factory for crime . . . turning people loose on the streets of Dallas who are more criminal than when they were put in jail." She ordered:

- enough cells to accommodate inmates equal to the largest number of jail prisoners during any one day in 1972;
- solitary confinement cells to be not less than 40 square feet and including a bunk, commode and a lavatory;
- padded cells for mentally ill persons;

fee. He waived extradition and now sits on a thin mattress on the floor of the day room of his tank with 50-70 other prisoners. The last time I saw him he had been there for 60 days and his name hadn't even appeared on a docket yet.

**T**HE TANK'S day room has nine small windows on the wall separating it from the main corridor. The windows have steel doors which may be opened and closed from the outside. Below these windows — big enough to see a single face — is a corrugated section which allows voices to pass back and forth if one yells loudly enough.

One day per week visitors are allowed up into the cellblocks and a prisoner can bob his or her head up to the window to see a wife or father or sister or lover or friend or child and then presses his head to the corrugated section to listen, turning his head to yell out an answer. A visitor is allotted 30-45 minutes to see a prisoner, but most give up and go before the allotted time is over. Bobbing and looking and lifting baby up to see Mommy or Daddy and taking messages for other friends becomes tiresome after awhile, especially when eight other visitors are also bobbing and yelling and pressing their ears against the corrugated section to listen to eight other prisoners.

Male prisoners whose last names begin with letters A-K can have visitors on Saturday and the remaining male prisoners have visitors on Sunday. All women prisoners have visitors on Saturday. If a potential jail visitor calls the jail, a sheriff's deputy will only say that visiting is on Saturdays and Sundays — no reference is made to the staggered schedule. Many disappointed wives, husbands, boyfriends, girlfriends, mothers, fathers and prisoners have learned too late that "yesterday" was the day, or that they must wait until "tomorrow."

• an outdoor exercise area and a recreation program, perhaps using the jail's roof for the required outdoor space;

• enough jail guards to handle security without using inmate assistants.

She also told the sheriff's office not to open or censor inmate mail addressed to courts, attorneys, parole officers, government agencies or the press; not to destroy reading materials owned by the inmates; to hold advance hearings on proposed punishment of more than three days in solitary confinement and to bar persons from visiting prisoners without the inmate's consent.

Three days after Judge Hughes handed down a decision, Dallas jail officials were back in court, this time on a contempt charge for not acting immediately on some

One prisoner was in jail awaiting appeal. Twice the jury had been hung and the third time he was given a life sentence. He had refused to deal with the cop-out man. He has been in the jail over two years. His child was born while he was in jail. Every Saturday his wife brings his little girl to the jail and he looks at her through the small window. He wishes, like everyone else, there was a visitation system that would let prisoners and visitors speak softly to each other, to touch . . . if only briefly. He said to me: "That's my little girl. I've never really heard her cry, never touched or held her, never changed a diaper."

Attorneys visiting their prisoner-clients are allowed to use a special, private cell with bars separating the two sections and stools. These cells, which allow normal conversation and a full view between prisoner and the attorney-visitor, were used for all visits before the jail riots last fall. Sheriff Jones says weapons and other contraband was being passed to prisoners in the special visitation cells and then used during the riots. The present visitation system is retaliation for the riots, say the prisoners.

**S**OON AFTER my release from the jail a number of prisoners in my tank were moved to other tanks in disciplinary action. No one is sure exactly what infractions transpired, but jail officials say they were in possession of contraband. Those transferred were the leaders and "organizers" of the tank. They were also the prisoners who spent the most time talking to me. One of those transferred was the instigator of many jailhouse "killings," a black comedy which not only serves as entertainment for the prisoners, but relieves tension and draws the prisoners together as a cohesive group.

The "killings" are credited by many prisoners with easing tensions and hostility to the extent that our tank rarely — if ever — had an internal "disturbance." The game

of the jail reforms. The judge decided not to cite Sheriff Clarence Jones for contempt, but she put him on notice that she would enforce her ruling. She accused County Judge Lew Sterrett and the county commissioners to being more interested in the expense of jail reform rather than the contents of her order. "They can't delay the order of this court," she said. "That order was effective June 5."

The judge said Dallas County officials have "completely ignored the rehabilitative role the jail should play in the criminal justice system. The practice of the jail is totally devoid of any constructive measure which might act on an individual prisoner to influence him to become a contributing member of society. The inmates are delegated to the dehumanizing existence of idle isolation in a cage."

of killing starts late at night if a new prisoner is brought to the tank. Since it is late the doors inside the tank have been closed for the night. Most tanks have six eight-person cells with eight hard bunks and a commode-basin. Since the jail is overcrowded, a ninth person sleeps on a mattress on the floor underneath one of the bunks. In addition, as many as 20 other prisoners must sleep on the tables and floor of the day room.

At nine p.m. all the prisoners who are going to spend the night in their cells must go to them and the doors are closed (electronically, from controls on the outside) leaving the overflow in the day room, the door of which is also locked until morning. No one knows why this is done, except out of some feeble tradition. The day room prisoners and the cell prisoners are separated by a corridor. When a prisoner is brought into the tank late at night he is put into the day room. The older prisoners (those with seniority and therefore a bunk in a cell) will call out to the captain: "Hey, is he queer? Why'd you put him in the queer tank, Captain?" The captain, a party to the joke, will usually answer: "There wasn't room anywhere else."

As the new prisoner is arranging his mattress (all the day room mattresses are rolled up and stored at the end of a corridor during the day), the cell prisoners ask him if he is queer. He invariably says "no" and the older prisoners taunt him: "Oh, but you will be by the time you get out. Just wait until morning." The new prisoner, especially if he is slight of build or appears effeminate, waits for morning with great apprehension.

The next morning he is subjected to more joking about his new role as a gay person, but is also informed that everyone was just kidding. He is warned, however, that a certain prisoner is crazy, dangerous, a "rough-trade" homosexual and to watch out. Actually, there is little, if any,



problem with homosexuality. If a person isn't gay the other prisoners (in the Dallas County Jail, at least) respect this and won't bother him.

If he wants to engage he will have an opportunity, but he is not forced. If he acts coquettish, bitchy and is a tease, he might get raped, but it is not likely.

The prisoners will embrace each other, rest their heads on each others laps as they sit around the day room floor and some will give others a professional barbers' shave on visiting day. Frequent jokes are made about some prisoner being pretty or how one prisoner would like to sleep with another, or how well-hung a certain prisoner is, but they are mostly that — jokes.

Most of the sex discussions concern women on the outside.

Some play pinching games or run up and playfully hit another in the genitals as a form of "tag," but there is little overt activity. The whole aspect of physical contact and pinching that might be unacceptable behavior on the outside reminded me of the lack of embarrassment one notices in Latin countries where men kiss men, hold hands, etc., without being gay.

The new prisoner has, by now, been relieved his fears of homosexual rape or coercion, but he is still nervous, apprehensive, unsure.

**T**HE PRISONER identified as "dangerous and crazy" gets into a "fight" with another prisoner and a knife flashes. The knife is actually a carefully fabricated model made from bits and pieces of aluminum foil — gum wrappers and cigarette packages.

The crazy man stabs the other prisoner and blood spurts out on the floor. The blood is actually well-moistened — but not fully dissolved — cherry-flavored Kool-Aid bought from the jail concession cart. The thin, dark-red mixture has been put in plastic bags and as the aluminum foil knife is plunged into the victim, he squeezes the blood bags beneath his shirt and falls to the floor in a pool of cherry-flavored Kool-Aid.

The whole tank is involved in the conspiracy and soon everyone is shouting, "He's killed him. . . . Watch out. . . . He's gone crazy again. . . . He's after the new guy." At this point the new prisoner is running around the day room with the crazy man after him.

The victim has been dragged to the shower and laid to rest there, out of the way.

The new prisoner may hide under the tables or attempt to fight back, but then other actors hold him and say, "We may have to sacrifice you or he'll kill us instead. Everyone's scared of him — even the guards."

The new prisoner is then cornered and told: "Prove you're not a cop. You're an informer. You're a cop in disguise. Show us you're not a cop. If you're a cop you'll

have a badge hidden. Strip down to show us you're not carrying a badge."

The new prisoner dutifully strips and is then told to bend over and spread his cheeks to show he hasn't hidden a badge in his rectum. At this point he is told he may have to become a lover to the crazy man, but the event does not take place.

Having shown that he is not an undercover cop, he is then told he will have to prove his solidarity with the other prisoners — and the crazy man in particular — by helping to finish off the cherry-flavored Kool-Aid-soaked victim who has just been discovered to be "still breathing" in the shower stall floor.

The new prisoner, shaking and totally terrified, agrees — at knifepoint — to help in the final stabbing of the victim in the shower, thus insuring that he will not be a witness against the crazy man.

The new prisoner and the crazy man go to the shower stall and as the two lean over the slightly breathing body the victim jumps up screaming and the new prisoner falls to the floor in a near faint.

The whole tank erupts in cheers and laughs and the new prisoner, now realizing the whole thing was a charade, is congratulated, welcomed into the group and told that he shouldn't be embarrassed because everyone got this treatment and everyone has fallen for the put-on.

Sometimes the put-on is altered. The crazy man comes out of his cell, frothing at the mouth (with churned toothpaste), and the new prisoner learns the crazy man needs his prescription to keep him calm.

Without his pills he's like a rabid dog.

Then someone shouts out that the new prisoner was seen stealing the rabid dog-man's pills and the prisoner, confronted by the rabid dog-man, protests his innocence and only learns of the charade as his neck is "bitten" by the dog-man.

I had been informed of the charade before it took place. The prisoners let me in on their secret so I would be able to observe and report it accurately.

Although I knew what was going on, the "act" drifted into reality on several occasions. It seemed as real as anything else I witnessed in the jail. For the new prisoner, it was undoubtedly a reality. But the unity it creates and the tension it releases are well worth it; it is also a sobering initiation into prison life.

**T**HE ULTIMATE punishment jail officials can mete out to a prisoner (other than direct physical abuse) is solitary confinement. The prisoner so confined is put into a small cell with no windows, no bunk, no faucets. (All the solitary cells in the Dallas County Jail are illegal under various provisions of state laws regulating jails and incarceration in them has been forbidden by the recent court order.)

There is a small hole in the middle of the cell with a grate over it. A prisoner must defecate, urinate and put any food waste

down this hole. Since there is no running water, the feces and excess food (if there is any since the diet is light — mostly bread) stay on the grate unless the prisoner uses the ration of drinking water to wash it down. The stench is horrible. To lie down, a prisoner must place part of his body across the waste hole in the floor. A tall prisoner cannot stretch out to full length and some cannot stand up to full height.

While in solitary confinement the only contact a prisoner has with the rest of the jail comes through a small slit in the door through which is passed food, water and toilet paper. A prisoner only gets water and toilet paper at the pleasure of a captain, though jail officials now say there is a regular ration of both.

Food comes once a day. The prisoner never sees the captains through the slit; he only hears a voice. No books, writing materials or incoming letters are allowed in with the prisoner. He may not have regular visitors on visiting days. Attorneys, however, are allowed to see clients in solitary.

Up until recently a prisoner was not allowed clothes or a mattress. For this reason, solitary confinement was called "bare ass on the rock" — the rock referring to the cement floor. A prisoner could be put into solitary at a captain's discretion. There were no disciplinary hearings whatsoever.

Defense attorney (and now State Representative-elect from District 33-K) Jim Mattox says he has interviewed clients who have been in solitary for a few days and they begged him to do anything to get them out of jail. "Grown men, big tough guys, have talked to me while serving solitary time and they cry, literally cry, begging me to stay in the visitation cell with them for just a few more minutes so they won't have to go back to their solitary cell," said Mattox.

To see an attorney or to receive emergency medical attention is the only thing that will get a prisoner out of solitary until the term of days assessed by a captain is completed.

**W**HILE THE JAIL is bleak, the prisoners make some attempt to humanize their surroundings. Lines are put up across the day room for drying laundry. (The jail laundry only washes the coveralls and the mattress covers.) Shelves are formed out of cardboard and taped to walls. Some of the intricate shelf designs would do a theater prop manager credit. Photographs are pasted on the walls and newspaper shades are made for the bright light bulbs.

Newspapers are rolled up tightly to form "logs" which are then tied together and braced with other "logs" going crosswise to form substantial shelves which are then hung on ropes over a bunk to form a free-floating table for ashtrays, cards, magazines, etc.

Prisoners wear their own clothes a great



deal of the time, but jail regulations say they should be dressed in the jail uniforms during the day. The jail provides no shoes and often friends or families bring the prisoners slippers which are much more comfortable.

If a prisoner wants pajamas, he must get them from the outside. They are not provided by the jail nor sold on the concession cart. Some prisoners have developed a substantial wardrobe of pajamas, sweaters, changes of socks and underwear, etc. Others wear the jail-issue jumpsuit, and whatever shoes, socks and underpants they wore when arrested.

Although the touches described above may seem little, the effect is to make the jail more of a "home." Each prisoner has his own little eccentricities and they are expressed by these touches added to the cell walls or the bunks. The appearance is similar to an Army barracks where discipline is lax.

The prisoners forced to sleep in the day room, however, cannot do this since they have no personal walls or bunks to alter and enhance.

10

The Texas Observer

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**I**F A PRISONER in the jail has medical needs, he or she must request aid by sending out a kite to the jail "hospital" where a single doctor is on duty — maybe.

If the doctor is not around, a nurse will receive the note. If the symptoms described in the kite are deemed serious enough, the doctor or nurse may visit the prisoner. If a new prisoner is brought into the jail with minor cuts or bruises a nurse is called to make a perfunctory examination, but no treatment is given. Emergency cases will be sent to Parkland Hospital only if the doctor recommends such action.

Prisoners complain that they have sent numerous kites down to the jail doctor about any number of problems and have never received an answer or a visit. A captain will not summon the doctor personally unless the prisoner appears in immediate danger of dying; right then and there. If a prisoner, for example, has severe stomach pains and keeps vomiting food and asks a captain to bring the doctor, the response will be: "Send down a kite."

If a prisoner has any dental problems they are handled in either of two ways. The tooth is pulled or the problem is ignored. If a prisoner is prone to cavities and remains in the jail for any length of time, he or she will slowly lose his or her teeth. The solution on the outside would be to have cavities filled.

One prisoner in my tank had the money to buy a new plate. He had lost his plate somehow during his arrest. His own dentist on the outside would make a new plate, but he needed a new mold. This prisoner asked the jail dentist if he could make a mold which then could be sent to the dentist on the outside and a new plate could be made. The jail dentist said the equipment for making a mold wasn't available and there was nothing in the budget for purchasing such equipment. The prisoner offered to pay for the mold-making equipment, but that couldn't be done because of the "administrative problems."

This prisoner still sits in the jail with only a few teeth and tries to chew the coarse jail food with his few teeth.

A similar situation exists for those in need of eyeglasses.

**T**HE RECENT court order stemming from the prisoners' suit (handled by John Jordan, Sam Eck and Bob Byrd of the Dallas Legal Services Project) may cure many of the jail's problems and alleviate some of the conditions.

The prisoners, however, need much more than any court order can possibly give them. A group of publicly-paid ombudsmen-lawyers should oversee the functioning of the jail.

These individuals should keep track of

prisoners' legal motions and suits and the criminal proceedings against them and see that action is taken.

They should keep watch on jail practices to make sure prisoners' rights are not violated and they should be able to cut through the red tape in cases such as dental plates or eyeglasses being needed, but the prisoners not getting them.

The prisoners need, in short, professional advocates who can make sure the things that are supposed to get done do, in fact, get done.

**T**HE PRESENT system just doesn't work. While an entirely new system of criminal justice, rehabilitation and general treatment of criminals must be developed, perhaps the best we can hope to achieve now is some sort of reform. The jail captains, although some are sympathetic to the prisoners (One told me: "I learned long ago that the reason a man is sent here has nothing to do with justice.") are custodians usually convinced of the prisoners' guilt, even before trial.

The captains and the rest of the jail staff are employees of the sheriff who is a "catcher" because he is a police official. He wouldn't be catching unless he thought the people he catches were guilty. He is also a "keeper." The attitudes the sheriff and his staff bring to their keeping function cannot be separated from their attitudes in catching. Catchers shouldn't be keepers.

The prisoners need advocates to protect their legal and human rights. Private attorneys can't do the job without remuneration and the job is much too large and beyond the limitations of DLSP.

The jail needs: training programs for jobs when the prisoners are released; an exercise and recreation yard so prisoners don't just sit in their cells for months at a time; an entirely new visitation system so prisoners can keep contact with family and friends without undergoing the indignities of the present system; new facilities so tanks don't have to hold double their planned capacity; a library and work-study room; televisions and radios; teachers and classrooms and educational programs for the un-educated.

But most of all, the prisoners need people who care for human beings to work for these reforms. They need attorneys and county officials and police officials and "community leaders" who give a damn about the whole stinking mess. These changes will only come about through public pressure.

Years ago public pressure did away (locally) with the "inhuman" road gangs and the practice of using prisoners for all sorts of public work outside the jail. The older prisoners say that paternalistic, demeaning system of the "farm" in Dallas County was far better than the impersonal, mechanized system today where human beings are packed into a steel and cement box and forgotten, safely out of public sight and thought. □



# Reeves County Blues

*Austin*

One of the worst places to find yourself if you have long hair or are hitching, or both, is Pecos. One of such description is apt to find himself in the Reeves County Jail for failing to meet the community's grooming and transportation standards.

During the past few months, the American Civil Liberties Union and the Texas Civil Liberties Union have received a flood of letters from Pecos inmates citing violations of their rights from mail tampering to poor sanitation and brutality.

To begin with, it seems remarkably easy to be arrested in Pecos. Though we don't know of anyone who has been arrested for spitting on the sidewalk, there are those who have been for walking on the wrong side of the street. This past winter two men, Steve Urquhart and Doug Checkmizof, who were hitching from Arizona to Texas, were arrested on remarkably flimsy charges. They spent two months in the Pecos jail.

Urquhart and Checkmizof, both long hairs, had gotten a ride from El Paso to Pecos and were getting something to eat in the Ropers Cafe, a local restaurant. The manager saw two sheath knives that were strapped to their belts, and Urquhart says the manager called the police at that time. He told the *Observer* that one highway patrolman and one city policeman came into the cafe, sat down and watched them until Checkmizof rose to pay the bill. He said they were then grabbed, handcuffed, taken outside and held at gunpoint.

Urquhart said they were not told they were being arrested, but when they arrived at the police station they were charged with carrying a prohibited weapon. He said their bonds were set at \$5,000 each.

Urquhart contends that they were not allowed to see a lawyer prior to their trial. The only counsel he says that he got occurred when they were brought before the judge. At that time a man with a western hat and cowboy boots walked up behind them and said something to the effect of "You'd better plead guilty, son." Not knowing that it is legal to carry a weapon in Texas when traveling across several counties, Urquhart pleaded guilty.

They were sentenced to 30 days, fined \$100 and \$44 in court expenses each. While they were behind bars Urquhart said the medical care they received was very poor. Checkmizof, an epileptic who also had a skin disease similar to skin cancer, was virtually neglected during a bad seizure, according to Urquhart. Urquhart presently has a case of serum hepatitis which he claims he caught in the Reeves County Jail.

It would be possible for Urquhart and Checkmizof to bring suit against Reeves

County for everything that happened from the time they were arrested until the time they were released. It is illegal to not be allowed to see legal counsel. It is illegal to be forced to serve time in jail solely because a party is unable to pay a fine. And there are certain standards of sanitation and safety set out by Texas law.

In another case a prisoner named Johnny Quick experienced major difficulties sending and receiving mail. Since all outgoing mail from the Reeves County Jail is censored, a prisoner must leave his envelopes unsealed. If the censor discovers anything "improper" in the letter or a breach of form, the letter is tossed into the waste basket. So, if a prisoner wants half a chance to get a letter out of Pecos and to an attorney, he will have to smuggle it out by way of some visitor. The Texas Civil Liberties Union people report that they have gotten letters mailed from all over the country which were written in the Pecos jail.

Incoming mail also has a hard time reaching the prisoners. Since some inmates have allegedly not been indicted, or even legally arrested, the Reeves County Jail will have no record of the prisoners' confinement, and therefore any mail addressed to them will be stamped "Return to Sender."

Quick, one prisoner whose letters managed to reach an attorney, said that the possibilities for posting bond or getting any legal aid in Pecos are virtually zilch. Quick tried to post bond himself, but the bond premium was not enough to merit it. All his requests to see a lawyer were denied, at which point he began trying to contact the ACLU in Washington. Since it is unlikely that letters from the ACLU will ever reach

such a prisoner, he is virtually helpless and at the mercy of Pecos.

All the longhairs who wind up in the Reeves County Jail either have their hair cut by another inmate or shaved by one of the deputies.

It would be a good idea if young people with long hair who are planning a trip west to California or are coming back east would route themselves around Pecos. This can be done if one gets off Interstate 20 at Big Spring, taking 87 north to Lamesa, and then continues west from there, going through Hobbs and Carlsbad, New Mexico.

Paul Stone

*Washington, D.C.*

Rosemarie King, wife of *Observer* contributing editor Larry L. King, died on June 8, of cancer, at the National Institute of Health in Washington.

A native of the District of Columbia, Ms. King worked on Capitol Hill for some 15 years before retiring about six years ago. She was private secretary to Sen. Jacob Javits (R-NY) in the early 1960's and also to Congressman Hugh Carey (D-NY). Active in liberal causes, Rosemarie King marched on crutches in a demonstration for women's liberation only a few months before her death. She was also active in the Civil Rights movement and in the cause of peace.

The Kings were married in 1965, the second marriage for each. They met while both were working on Capitol Hill in the 1960 Kennedy campaign. Memorial contributions may be made to the American Cancer Society.

July 7, 1972

11

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# Robinson smells worse than poverty

• After one hackle-raising session with five appointees to the Air Control Board, the Senate Nominations Committee decided to call the five back for a second interrogation.

The men were questioned as a group, and two controversial nominees received most of the senators' attention. E. W. Robinson of Amarillo and John Blair of Kountze seemed destined to get thumbs down by the full Senate.

Robinson, a retired vice president of Southwest Public Service in Amarillo, has actively campaigned to keep an ancient Amarillo zinc smelter open, despite the fact it has been violating state air standards for five years. Robinson read a prepared statement peppered with phrases like "laws that can be realistically implemented" and "socio-economic factors." "I want to walk down the middle and treat each case separately and come to an unbiased conclusion," he said. Sen. Barbara Jordan of Houston attacked Robinson for using "weasel words," and told him there are times one should forget about "socio-economic factors" and worry about people's health.

Robinson said he would oppose giving variances in cases "that would prove very harmful" to health.

"How about a little harmful?" Sen. Joe Christie asked.

"What I'm talking about is lead poisoning..." Robinson answered.

"What about allergies and asthma?"

"Well, you seldom die of it..." Robinson said.

Sen. Charles Wilson of Lufkin, an asthma sufferer, muttered, "God damn," and threw his pencil down on the table. It didn't look good for Robinson's confirmation.

• John Blair of Kountze did little better with the committee. He was questioned about saying at a recent air board meeting, "I can assure you poverty smells a lot worse than pollution." He also came under fire for saying after a trip to Amarillo's endangered smelter, "I don't see a problem. I'm not a technician, but some of the uproar borders on being ridiculous."

• Fun on the Industrial Accident Board. One of the P. Smith's appointees is in for hard times in the Senate during his confirmation hearing. Harold Harvey has managed to make himself loathed by workingmen's representatives: settlements have gone down by about 15 percent since he was appointed. The funniest possibility of all is that board will, if unchanged, appoint Ed Burris as its new executive director. Ed Burris used to head the Texas Manufacturers Association.

## Political Intelligence

• A special Senate subcommittee on busing met to vote on two resolutions and one letter to be sent to Congress. In effect, the resolutions call for an end to forced busing as a means of bringing about desegregation in public schools. There was little contest given the resolutions. Sen. Barbara Jordan was the only member to voice opposition.

• Lame Duck Sen. Don Kennard requested that each of these resolutions and the letter be read aloud to the committee. Upon realizing that the chairman was becoming annoyed, Kennard just noted, "There are some of us who ain't back here this session simply because they didn't know what they were voting for..."

• While the House was waiting for the appropriations bill to be written, Rep. Jim Earthman whiled away the time passing memorial resolutions. At least six of his seven resolutions solemnly honored men who recently were buried compliments of Earthman Funerals, "Serving Houston Since 1905." Perhaps the Earthmans are offering a new exclusive burial plan in which the customer gets a fancy casket, a full choir and a final official farewell from the Texas Legislature.

• The *Observer* has not been able to obtain a copy, but has been told by several sources that some friends of the recently indicted Rep. Tom Holmes of Granbury are circulating Xeroxes of a proposed bill. The bill would grant an automatic change of venue to any legislator accused of any crime — the automatic venue would be the legislator's home district.

## Grover rebuffed

• A new departure in Texas politics.

The Republican convention was almost as interesting as the Democratic convention. In brief, Hank Grover the Republican gubernatorial nominee, who's on the right hand of Houston's Nancy Palm, tried to take over the convention. He didn't make it. The Dallas faction, which is generally considered the more civilized branch of the Texas Republican Party, lined up firmly behind Sen. John Tower. National Committeewoman Ms. Tobin Armstrong thumped on Grover and reaffirmed her commitment to Tower as the state party leader. That left Palm on less than good terms with Tower a breach which probably will be healed before November.

The specific point at issue was a minority report out of the resolutions

committee calling for a meeting of the state executive committee "for purposes of replacing the state chairman and vice-chairman." Chairman Rudy Judeman would not permit a roll call vote and ruled that the ayes won on a voice vote to table the minority report. Angry Grover supporters accused the party leadership of ignoring or working against Grover's candidacy.

As long as the so-called Dallas group retains state control of the party, one can anticipate that Tower will get the lion's share of Republican resources this fall, with Grover dependent on Palm's shock troops in Houston.

• Out in the West Texas town of El

Paso, everybody just got madder than hell and screamed and yelled and all kinds of awful stuff happened. It was, natch, a liberal/liberal fight, with the McGoverns and the Humphreys squaring off in a senatorial district convention without peer. The old lib forces were headed by George McAlmon, the party chairman, who appointed luckless Buddy Hicks, the parliamentarian, to take over as temporary convention chairman while McAlmon tried to make sure that Colbert Coldwell was elected in his stead. But the McGoverns put up Tony Petry for the job. They all voted. Then the chair refused to announce the vote. They all hollered for 45 minutes, while poor, nervous Hicks kept looking to McAlmon and Coldwell and they kept telling him not to give out the vote "because it was too close."

Finally Frances Ortega got a look at the results and simply announced them on her own: Petry, 522; Coldwell, 498. With that, Petry took over.

But the district's at-large delegates were thrown out by Roy Orr's credentials committee at the state convention. The credentials committee accepted the Humphrey-weighted at-large slate from El Paso despite the fact that the district convention had voted for a McGovern-weighted slate, apparently on the logical grounds that it must be right because it wasn't McGovern.

Meanwhile, Coldwell, undaunted by his defeat at district level, showed up in San Antonio and calmly told the authorities at the credentials desk, "I'm the head of this delegation." With which, he was given all the credentials. According to McGovern on the spot, Coldwell unilaterally added an extra member to the delegation.

All of which more or less explains why Humphrey-fan Judge Woodrow Bean rose at the San Antonio convention and spoke warmly and sweetly of Roy Orr while referring to the irate members of his own delegation behind him as "jackasses."

• A fun committee at the state convention was that on the selection of delegates-at-large. After the committee



was told that Briscoe and the new national committee members from Texas were to be on the delegation, that left zero room for maneuvering and left the Wallace faction down one delegate and the McGovern faction down two. The question after that was not who would get how many, but how to come up with enough blacks, browns and women to make the Texas delegation legal (unchallengeable).

The majority of the balancing had to be done in the McGovern caucus, since McGovern was due more delegates than the other candidates and because the Wallace people had no particular interest helping balance, although they eventually did help.

The McGovern caucus had subdivided itself into black, brown, women and youth caucuses, each of which was to have come up with a list of preferred nominees. It didn't quite work out that way. The blacks and *chicanos*, deep into their Uncle Tough Talk act, barged in and demanded the works. Terry Weeks, one of the McGovern folk on the committee, gradually gave up more and more "old men" and student slots to the blacks and browns. Mickey Leland, the newly elected black representative from Houston, said at one point that he didn't want to have to put women on the black slate because they wouldn't provide any leadership. The *chicanos* were on a paranoid trip and wouldn't let anyone else see their list. The blacks tried to change theirs after they had already turned it in. By that time, it was so late that the entire committee, which had originally agreed to let each caucus try to balance its own slate as an experiment, wearily accepted the results as final.

After the mind-boggling convention was over at 3:40 in the morning, things moved right along briskly for those who had been elected or selected as delegates to the national convention. B. L. Parker of Briscoe's office had been put in charge of convening the national delegates. He made the mistake of consulting Roy Orr. Orr told him the meeting of the national delegates had to be held as soon as the convention adjourned. It didn't.

As the numbed delegates wandered in, a slate of names was read to them: just names, not who they were or where they were from or what they were on the list for. It was asked that the group approve the list since it was the governor's (Briscoe's) wish.

"We elected him governor, not king," called a voice.

The list of 15 names turned out to be Briscoe's or Orr's or somebody's idea of who should be on the national convention committees from Texas. There were three women on the list, one *chicano*, one black and no identifiable McGovern supporters.

Farenthold and Bernal started researching the rules the next day and discovered that the whole meeting, according to the O'Hara rules, was illegal. Farenthold sent a letter to Briscoe,

detailing the assorted illegalities. She has never received a reply. Instead Briscoe consulted the Democratic National Committee and was told by counsel there that he could straighten out his committee appointments with respect to women by a telephone poll. So he did. And is now pretending that there's nothing else wrong with the slate and the liberals are too discouraged to fight anymore.

Parker told Farenthold that he asked Roy Orr if the slate had to be balanced by age, sex or race and that Orr told him no. Orr had received a memo from Larry O'Brien reminding him it was necessary to have minority balance on the committee appointments.

## DMN Strikes Again

Which paper do you read? On June 18, Robert Baskin, chief of *The Dallas Morning News* Washington Bureau, informed the readers of the *News* as follows: "Miami Beach's tough police force will face its severest challenge during this summer's national conventions. The militant youth groups who plan to invade the city are likely to find that the Chicago police in the 1968 row were mild by comparison."

Meanwhile, *The Miami Herald*, somewhat closer to the scene, describes Rocky Pomerance, chief of the Miami Beach force, as follows: "he is to the police chief profession . . . what Tom Wolfe is to journalism."

*New York* magazine, in a recent lead article on the convention, said Pomerance is, "The thinking man's police chief." *New York* reported that the Pomerance is having his officers study "The Philosophy of Dissent" at Florida International University as part of their training for the conventions. City officials are setting up dozens of areas around the city where street people can occupy their time including an area for demonstrations, bordered with a fence covered by hibiscus flowers and a Free Speech area a la Hyde Park. There will be youth ombudsmen and housing counselors on 24-hour duty, black, ethnic and youth festivals, rock and country-and-western music fairs, all free.

Mild by comparison.

*The Houston Post* is still suffering fallout from its near-miss to unionize editorial employees under the American Newspaper Guild (*Obs.*, April 28). The National Labor Relations Board protects the jobs of those who voted in the Guild election: they cannot be fired for having voted pro-union. However, on June 23, the *Post* fired three employees in managerial positions who do not come under the NLRB rules. Owen Johnson, head of the photography department, Dan Schults, sports editor, and O. D. Wilson, assistant managing editor, were all summarily canned.

The sin of both Johnson and Schults seems to have been not exerting sufficient control over the people in their

departments: both sports and photography were heavily pro-Guild. Both editors were replaced by anti-Guild men. O. D. Wilson's is a more complex case. There seems to have been considerable friction between Wilson and managing editor Ed Hunter. Wilson is described by reporters as "fantastic" and "the only one at that level who cares about editorial quality, who is on the reporters' side."

Wilson said, "I am egocentric enough to think I did have good rapport with the reporters. I really don't know what happened. They told me it was for peace and harmony at *The Houston Post* because I had no rapport with the managing editor. I don't think this was in retaliation for the Guild because I wasn't pro-Guild. There was a personal problem between Hunter and me. I think they felt under pressure after the Guild election, that they had to do something. I think this was the aftermath. I just got caught in the middle."

There will be two new managing editors in Wilson's stead — Jim Holley, the city editor, and Al Shire, the "Spotlight" editor, are both moving up. Both anti-Guild. The new conspiracy theory at the *Post* is that Wilson was fired in an effort to make all pro-Guild reporters resign en masse. Tch. More likely, several people will begin quietly looking for new jobs over the next several months.

Jake Jacobsen, the former LBJ aide who had numerous financial deals with Frank Sharp (*Obs.*, Oct. 22, 1971), has filed a voluntary bankruptcy petition in San Antonio. The Texas State Bank of Austin and the Security State Bank and Trust of Fredericksburg have filed suits seeking to garnish Jacobsen's assets in more than 12 state and national banks in Texas.

Jacobsen and his former business partner, Ray Cowan, received millions of dollars in loans from Sharp enterprises. And in the waning days of the Sharp empire, Sharpstown Mall was mortgaged to banks under Jacobsen's and Cowan's control. Sharp, needless to say, was unable to pay off the \$3.6 million mortgage when it came due last October.

A reliable *Observer* source says that 95 percent of the defaulted loans under the U.S. Office of Education's tuition loan program are coming from students who enrolled in proprietary vocational schools. Yet only about 10 percent of the federal loans go to students in profit-making trade schools.

The government is blaming the defaults on the students rather than on the high pressure sales techniques and the not so high pressure curriculum provided by many proprietary vocational schools.

Former Atty. Gen. Waggoner Carr, addressing a Young Democrats convention a few years ago: "Never before in the history of mankind have things been more like they are today than they are right now."



# A fairly fair convention

San Antonio

9 a.m. — Desks at which the delegates could collect their credentials were to have opened at 8:30. There are still no credentials available. Thousands of anxious delegates are jammed together in a huge, sweating pack, waiting.

*It's Roy Orr's revenge.*

*What an orrhouse.*

9:30 a.m. — The credentials lines begin to move slowly. It takes 45 minutes in the steambath to get the precious card and plastic pin-case. Foul-ups galore. Anger-red faces at the press desk, shouting, "Goddamnit, lady, I wrote in a month ago." And rumors, rumors everywhere.

*Roy Orr asked for Carrin Patman's head in return for his support of Briscoe.*

*They'll nominate Patman from the floor.*

*Billie Carr is on an ego trip.*

*You can't get visitors' passes unless you're on the right side.*

11:15 — They run out of plastic holders for the credentials cards.

11:30 — They run out of credentials cards. So they try Xeroxing one with a special stamp on it. Then they try Xeroxing them and stamping them afterward.

11:30 — Inside the convention hall. Whatever the band is, it is not Procul Harum. The color guard is from TMI.

*I trust you noticed that the 14th [Travis] is back in the boonies.*

The invocation is delivered by the Rev. Bonn of Palestine, a black. He prays for peace.

*Barnstone is taking petitions to nominate Johnson for vice-chairman.*

*Who's Johnson?*

Roy Orr welcomes us. Dolph Briscoe pleads for party unity. Bill Hobby pleads for less ideology and makes everyone mad. Barefoot Sanders pleads for unity. John Hill pleads for unity. Bob Armstrong pleads for unity. Bob Strauss asks for money.

District caucuses are called to elect representatives to the permanent credentials committee. District 20 (Nueces and San Patricio) has its first fight of the day.

*Roll call vote! Roll call vote! Roll call vote!*

*What's happening here?*

*Anderson won't give us a roll call vote. He's violating his own rules.*

*Why won't he?*

*He's afraid of us. He knows we'll win if he calls the roll.*

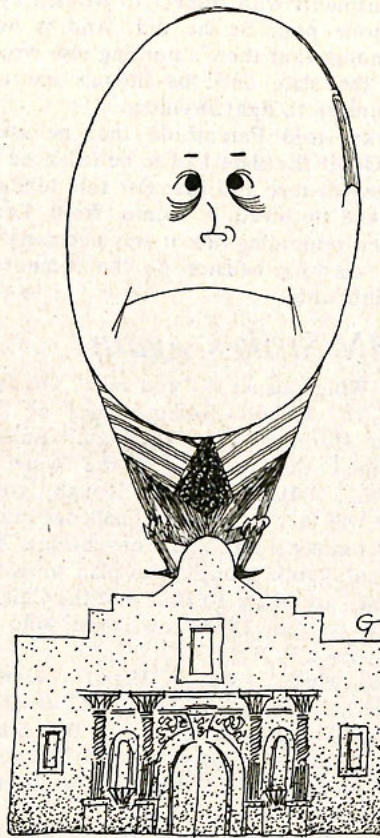
*Actually, he hasn't got a roll.*

*Watch out!*

*He pushed me!*

*Why you long-haired creep. You can't push this lady around.*

*I didn't push her. And don't yell at me like that.*



**Humpty Dumpty Orr ... and all of Dolph's horses and all of Dolph's men couldn't put Roy back together again.**

*You think you're tough, uh? You wanna just step outside and prove it?*

The McGovern leadership has already had an in-group fight or 17.

*Just what is the problem here?*

That Terry Weeks [Travis delegate] said Billie Carr was not the leader of the McGovern forces. Right in front of Briscoe. He disgraced us. Just who do you people from Travis think you are?

We'll stay in this convention. They think we're going to walk out. For God's sake, we know better than that. We haven't been able to go to the bathroom without clearing it with the Travis delegation. They think that Billie and I are the Devil, that we're going to walk out. We've told them 5,000 times we're not going to walk out. We know we have to stay. Now we've got a going thing and they want to take it over. We've done all the work.

Roy Orr tells us that Dolph Briscoe is a man who takes the bull by the horns.

I'll tell you what the problem is. It's a conspiracy of competence. The Peter Principle is in force. Some people have already reached their level of incompetence and we're just trying to reach ours. This leadership was imposed on us. The McGovern people have never had a chance

to vote on it. That caucus last night was a shambles. There's no communication. There was supposed to be a meeting this morning no one knew about. Billie objected to having our people at the other two mikes. The students are furious about it. We're just trying to get some efficiency into this operation. We've tried to do it friendly.

The results of the delegates' presidential preference poll are announced: for Wallace, 33 percent; for McGovern, 28 percent; uncommitted, 22 percent; for Humphrey, 16 percent.

Wallace supporters are ecstatic. Orr asks us to please attempt to squeeze a one-day convention into six days. Rumors of irregularities in the presidential preference poll. Careful check. Unfounded. There is a youth problem. If you consider young people is proportion to their number in the entire population, they can come out as much as 19 percent worse off than if you count them in proportion to the voting population. Or maybe 30 percent. Or maybe 40 percent.

*How are we counting them?*

*The worst way, of course.*

*Those people from Travis just think nobody else can do anything. And Roy Evans is behind it, let me tell you. He just wants to be at the head of somebody's parade.*

Rumors, more rumors.

*The deal in the 8th District is falling apart.*

*Hall Timanus has ordered the Wallace people to go for everything they can get and to hell with fair play.*

*Evans says Don Gladden is screwing the Wallaces in the Fort Worth district.*

*The Briscoe people say they'll balance it all in the at-large delegation so it really doesn't matter.*

*The Briscoe people, ha! That Phil Patman, Briscoe's man from Travis, is just running around stirring up trouble and rumors everywhere: we're spending all our time putting out the fires he starts.*

*The Travis people can't get credit no matter whose side they're on.*

"The real problem," said Boyce Hornberg, a Travis delegate, "is that they're closing the chingaderas before the hoochies have been officially delineated."

Some kids from the 25th District (Uvalde) attempt a personal appeal to Janey Briscoe in the face of a "conspiracy to deny fair representation." J. Briscoe's response unknown.

4 p.m. — The epic Orr-Johnson struggle begins.

Calvin Guest, Briscoe's man and the newly-elected convention chairman, is not overwhelming. But Will Davis and Neal Spelce, those old pros, are backstage







do not think highly of Blumberg. Patman suffers.

Meanwhile, the committee meetings drag on and on. (See stories this issue.) The crowd becomes alternately surly and jolly. In some parts of the hall, the Wallace-McGovern forces develop delightfully funny shouting exchanges. In other parts of the hall, ugliness prevails.

1 a.m. — The Wallace folk start a good natured floor demonstration. But then someone breaks out a Confederate flag. Objection. Pandemonium. Police called. Eventual calm. Singing of "The Star-Spangled Banner."

Cheers. Chants. Catcalls.

"Free Gus Mutscher!"

Calvin Guest gavels for order, which invariably produces tidal waves of boos.

"Free Calvin Guest!"

Wallace delegates are ugly to Farenthold. Wherever she goes on the floor the voices call out:

*I'm no Sissy.*

*I'm no Sissy either.*

*Go home, Sissy.*

*Sit down, Sissy.*

*Get out, Sissy.*

*We don't want you, Sissy.*

Farenthold appears not to hear.

A McGovern makes a sick joke about Wallace not being able to "Stand Up for America" anymore.

1:45 a.m. — The galleries break into the Mickey Mouse Club song. Strange discussions are in progress: under the effects of exhaustion, dialogues begin all over the hall between odd couples.

*Just been listenin' to that long-hair kook down there. He's crazy, but he's no Communist.*

*... but the people in Highland Park ain't telling you that.*

*... well, do you want the children to starve?*

2:45 a.m. — *Last person to go to sleep gets to be a national delegate!*

*When they come in, let's suspend the rules and demand a roll call vote on everything.*

*Let's table the convention.*

3:15 a.m. — The committees are ready to report. Selection of delegates at large are announced. Hall Timanus pronounces himself satisfied, saying, "When we came into this convention, we considered only presidential preference. We were not binding ourselves by any of the so-called other criteria such as the sex and age and race."

*How the hell can they get away with agreeing NOT to go by the rules before they even come in?!*

*They've got the votes, that's how.*

Billie Carr and Terry Weeks pronounce themselves satisfied.

Bang, all in favor, and the thing is done.

Report of the resolutions committee is tabled.

3:40 a.m. — The convention stands adjourned. M.I.

## Be it resolved...

San Antonio

The value of the resolutions that come out of a political convention generally ranks right up there with John Nance Garner's estimation of the vice-presidency.

But the Resolutions Committee of the State Democratic Convention this year raised itself into a category of singular interest and importance by virtue of sheer outrageousness. The meeting tottered along between insanity and fascism for hours, eventually taking on the quality of a play written in Dada by DeSade out of Dali.

The majority of the members of the committee were Wallace supporters, which should in no way be taken as a reflection on the governor of Alabama, who deserves better. The chairman was Robert W. Smith, who once distinguished himself by co-authoring, with John Brunson, a wretched set of "reform" rules which Roy Orr tried to stuff down the SDEC's collective throat. Smith and Brunson were eventually foiled on their rules, but in San Antonio Smith finally got to demonstrate his concept of participatory democracy in action. Inaction was in fact the key to the committee's work.

SMITH SHOULD not be overly blamed for what happened. Poor fellow clearly had orders from Briscoe not to let anything controversial out of the committee. The stupefying aspect of the meeting was what got defined as controversial. Equal employment opportunities in state agencies. Asking for an end to the war in Vietnam. Thanking Carrin Patman for her service as national committeewoman. Reminding delegates to the convention that they are pledged by party rule to support the nominees of the Democratic Party. Supporting the farm-workers. And more. Much, much more.

Equally stupefying was what little got through that vigilant body. A little goodie that would have made it a felony to assault a police officer but for a quick amendment. They settled for supporting our police forces. And busing. They came out against busing.

The sergeant-at-arms was a black from Houston named Houston. He liked to get tough. Anyone who talked for more than his allotted 45 seconds was threatened with expulsion.

Smith made up rules and changed rules or just declared the matter out of order and went on.

The discussion, when allowed, was high level. (Discussion on a motion is permissible if you are a Wallace; if you are a McGovern, discussion on a motion to

table is not permissible nor is discussion before a motion to table nor after a motion to table nor during a motion and all points of order are discussion and all points of inquiry are discussion and you'd best sit down and shut up.) For example, there was a resolution favoring de-criminalization of marijuana usage:

"Now wait just a minute there," said a Wallace. "It hadn't been proved that marijuana doesn't cause chromosomal twisting and brain damage."

"I can't take this without a joint," said Dean Rindy of Austin.

"I have worked with narcotics agents of the Los Angeles Police Department," said a crewcut. "And every single one of 'em tells me that every single heroin addict is started on marijuana. Every one."

"Young man," screamed a Wallace at some fool who'd gotten up to make a reasonable statement, "young man, do you realize what this would do to your insurance rates?" Pot heads on the road. Behind the wheel. God help us all.

DURING THE course of a discussion of the war and whether ending it would or would not get our p.o.w.'s back, a woman who is a direct descendant of the Red Queen said, "It is a proven fact that there are hundreds of thousands of our men being held in North Vietnam."

Resolution to make any assault upon a police officer a felony and urging greater respect for law and order.

"Given the lack of reliance on rules and fair play here, I think it would be gross hypocrisy to pass this resolution," said a young McGovern.

"I am a policeman's wife," said a Wallace lady, and there was a hush of respect. Everyone thought of the three sheriff's deputies murdered in Dallas and the Houston cops who've been shot in the line of duty and all those ghastly stories out of New York and Chicago about cops hit by snipers. The policeman's wife became somewhat emotional about how she had personal reason to know how it is when a policeman can be tried in civil court for arresting someone, which is his job, and how awful that is. No one had liked this lady much before, since she kept voting down all the good resolutions with a gloating little smile, but there was real feeling for her situation now, having to live in constant fear for her husband's life and all, and some feeling that maybe here was a good law'n'order job everyone could unite on. But some lawyer stood up and pointed out some legal difficulties with the felony part of the resolution so that was removed and everyone voted for the condemning of



attacks on policemen and urging more respect for law and order.

What almost no one there knew was that the woman who introduced that gem is the wife of one of San Antonio's more notorious cops, a dude who rejoices in the name of Duke Harlow. Harlow showed up for the convention dressed in an ice cream suit with a black shirt, white tie, diamond stickpin and his hood hair-do combed into a spit curl on his forehead. He was elected a Wallace delegate to the national convention. He has indeed been sued in civil court because he shot a man on San Antonio's West Side under odd circumstances.

Then there was the matter of the cosmetology board, a resolution by Mr. Houston of Houston. Not a bad resolution, in fact, it pointed out that a lot of cosmeticians are black and there are no blacks on the board and very few black inspectors and something should be done about it. But by that time, they'd already tabled equal employment opportunities and every other attempt to deal with racism and to suddenly spend all this time on the cosmetology board after...

Jeff Friedman, Austin city councilman, sprang to his feet and to the front of the room and started shouting. "I want to speak in favor of this resolution. I want to urge you people to pass this resolution. Go ahead and pass it because you can find no issue more important to consider here tonight. For this group, this great, burning question of who is on the cosmetology board is the most appropriate thing you could possibly concern yourselves with. It is important that this group go ahead and make itself the complete farce it has set out to be from the beginning and pass this piece of garbage and disband.

"Because you wouldn't give two seconds consideration to the war or to racism or to drugs or any of the real problems in this country with which you are supposed to be concerned. But you spend 20 minutes on this piece of asinity because you have no guts and no compassion and no justice and no sensitivity and above all no brains. I urge you to pass this resolution because it is so fitting that you should."

They tabled it.

IT WAS AT the end of the meeting. It was 2 a.m. or later. They had tabled 9,690,627,000 resolutions and Smith tried to adjourn the meeting. A lady stood up, her cheerful red, white and blue Wallace boater perched rakishly on her blond beehive French twish, her face screwed up in distress and voice near tears. "I came here for one reason and one reason only," she said. "It was the only reason I wanted to be on this committee and I got myself elected for it from my district. I only brought one resolution here. And I gave it to you, Mr. Smith. And you promised that

every resolution would get a fair hearing [boggle, went everybody] and you promised that and you haven't brought out my resolution. It's against busing."

Poor Smith. Briscoe's henchman was standing in the doorway making urgent signs to hurry it up and for God's sake don't bring anything controversial back to the floor.

"Every resolution that was presented to me has been brought up and heard tonight. Your resolution isn't before me so it must have been discussed already and tabled. Meeting adjourned."

"No," wailed the lady. "It hasn't been brought up. It hasn't been heard. And you promised."

"You must have lost it," said Smith desperately.

"I did not," said the lady. "I laid it right in front of you. Right there on that little podium right in front of you. I gave it to you and it hasn't been heard."

"I must have lost it," said the defeated Smith.

"Well, look for it, find it," she said, and so he did. He fumbled around on the table, flipping over this and that and lo, there was the anti-busing resolution.

Any attempt to stop it would have been futile. The Wallaces in the audience swelled with satisfaction, the libs shrank with dejection.

"How about an anti-boating resolution?" inquired Ed Mallett of Houston. "I've been bused all my life and that doesn't worry me at all, but do you realize that the government is *boating* young people. And I mean for thousands of miles. All the way across the ocean to Vietnam. It's awful and there should be a constitutional amendment."

The Wallaces did not chuckle. They passed the anti-busing resolution. As she left the meeting, the gimlet-eyed Ms. Harlow remarked, "Why do they always bring up busing children ten years ago? When they bused children ten years ago it was because they lived way out in the country." M.I.

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A. I am a communicator.

Q. What do you communicate? Scarlet fever? Apprehension?

-A. J. Liebling

A city with one newspaper, or with a morning and an evening paper under one ownership, is like a man with one eye, and often the eye is glass.

-A. J. Liebling

July 7, 1972

17

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# The great S.A. shaft

By Paul Stone

San Antonio

By now it's evident that the firing of the U.T. San Antonio Medical School dean, Dr. Carter Panill was not related to the charges of misuse of funds and breaches of confidence brought against him by the U.T. regents. He was relieved of his position for his failure to get rid of Dr. Leon Cander, chairman of the Department of Physiology and Medicine.

Cander was literally hated by the majority of San Antonio's medical establishment, which was christened the Medical Mafia by one of Panill's supporters. Cander had become the symbol and focal point for all the Medical Mafia's resentment of the school. Their dislike of the institution predated the school itself. In 1967 when the Legislature decided to locate a medical school in San Antonio the practicing physicians of the Alamo City feared the incoming faculty would cut into their revenues by attracting patients who had previously been theirs. It happened. The faculty physicians, who are, for the most part, well-trained specialists with numerous degrees and ample experience outside San Antonio, quickly acquired patients. The work load of the Medical Mafia was significantly cut down. Panill had turned the recruiting responsibilities at the school over to Cander, and since Cander was responsible for bringing in the super-star staff, the Medical Mafia focused their ire on Cander.

**A**SIDE FROM the fact the staff doctors were cutting into the practice of the "Natives," there was also a basic personality clash. Most of the native practitioners are family doctors and closely associated with the chamber of commerce way of life. The faculty, on the other hand, was concerned with a variety of intellectual matters, some pertaining to, and some not pertaining to the practice of medicine. San Antonio's Medical Mafia considered this new breed of doctor suspicious and offensive. Since the new breed was also a financial threat, the Establishment doctors found them intolerable. Again Cander became the scapegoat.

However, the most high-minded aspect of the San Antonio medical establishment's hatred for Cander has to do with his being a Jew. Their anti-Semitism was not overt, but according to several persons who were party to the Establishment's discussions about Cander, it was always present. The fact that Cander was also responsible for obtaining some federal funds designed to helping San Antonio's poor further aided in casting him in the role of, as one doctor put it, "a typical HEW Jew, helpin' to bring on socialism."

When the San Antonio doctors began to clamor they found the willing ear of Dr. Joe Nelson, a U.T. regent and a member of the TexPAC, the political action group of the A.M.A. in Texas. Nelson readily found support from Frank Erwin and Charles LeMaistre, veteran fire-ors.

They set about trying to force Cander to resign on his own accord. In addition to the hostility he was already getting from the medical community in San Antonio, Cander began receiving complaints from the regents. Charles LeMaistre, chancellor of U.T., demanded two letters of resignation from Cander, one dated Jan. 1, and one dated July 1. When he refused to submit to this tactic the pressure shifted to his superior Dean Carter Panill.

But Panill held fast, contending that there was no reason to fire someone who was doing a good job. When the pressure became more intense, Panill made it clear that if Cander was to go, he would have to be fired also. From that point it only became a matter of finding excuses to axe both men.

Before it was determined what evil thing Panill had done so that he might be fired, the hatred of the San Antonio doctors for Panill and Cander began to manifest itself more overtly on the conversational level. Panill was often referred to as "Little Lord Fauntleroy" since he dresses well and condescending remarks were made about his "style."

Apparently not much care was taken in choosing the reason for Panill's firing. Frank Erwin came up with one, and LeMaistre came up with another. These reasons — that Panill had misused \$54,000 in state funds to supplement the salaries of two faculty members, that he had made contributions (again from state funds) to three candidates for the state Legislature and that he had failed to keep in confidence remarks that he and LeMaistre had made to one another, were all dug up from the lower reaches of their excuse bag and had as little basis in fact as the contention that the world moves on the back of the turtle. They were simply excuses found by men who were too embarrassed to make their real reasons known.

**I**T MIGHT SEEM that this whole issue is just another case of whose ox is gored, i.e. the specialist faculty of the medical school or the general practitioners of San Antonio. However, it's a bit more complicated than that, since this is, in effect, another instance of the upper income population of San Antonio protecting its position of power and lucrative enterprise. Now, the *chicanos* and blacks have been joined by the professors and their administrators as outsiders who must be kept in their place, and a new type of medical practice has suffered a serious

setback in San Antonio.

The man who has been appointed acting dean is causing a certain amount of excitement himself. Dr. Dan Crawford, who has been transferred from Galveston to take Panill's place, has become the current topic of conversation. Crawford is a pediatrician, and pediatricians are never, but never, made deans of medical schools. However, the San Antonio medical establishment doesn't seem to mind. They're going around saying, "We've got one of our own in there now that Panill and Cander are gone."

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# Quaker cunning

Austin

John Thomas Flower, an official of the American Friends Service Committee in San Antonio, and his attorney, Maury Maverick, Jr., have won an important victory over thick-head totalitarians in the Army who forbade Flower from passing out peace literature on the open-to-the-public streets of Fort Sam Houston. The U.S. Supreme Court reversed Flower's conviction without a hearing. Friends of the customarily saturnine Maverick figured he'd find some way of finding bad news even in this lawyer's dream of a significant victory, and sure enough, Maverick quipped, with a half-grin, "Flower's probably going to sue me for malpractice — he really wanted to go to jail."

## Cesar & Saul

A friend of mine, whom I have not met, Athia Hardt, covered Cesar Chavez' fast in California and sent these quotes from Chavez, upon his ending of his fast:

It is possible to become discouraged about the injustice we see everywhere. But God did not promise us that the world would be humane and just. He gives the gift of life and allows us to choose the way we will use our limited time on this earth. It is an awesome opportunity. We should be thankful for the opportunity to do something about the suffering of our fellowman. We *can choose* to use our lives to bring about a better and more just world for our children. People who make that choice will know hardship and sacrifice. But if you give yourself totally to the non-violent struggle for peace and justice, you also find that people will give you their hearts and you will never go hungry and never be alone. And in giving of yourself you will discover a whole new life of meaning and love. . . . The greatest tragedy is not to live and die, as we all must. The greatest tragedy is for a person to live and die without knowing the satisfaction of giving life for others. The greatest tragedy is to be born but not to live for fear of losing a little security or because we are afraid of loving and giving ourselves to other people.

Our opponents in the agricultural industry are very powerful and farmworkers are still weak in money and influence. But we have another kind of power, that comes from the justice of our cause. So long as we are willing to sacrifice for that cause, so long as we persist in nonviolence and work to spread the message of our struggle, then millions of people around the world will respond from their hearts, will support our efforts . . . and in the end we will overcome.

Nicholas von Hoffman has written a remarkable memorial to the late Saul Alinsky. In part, he wrote:

Saul Alinsky, a man of no illusions and many ideals, was dead . . . at 63 . . . Alinsky didn't expect much from life, he

## Observations

made no plans, and, although he was seemingly well till the moment his heart stopped, each day he was ready to die.

That made him a free man, for expectation of a long life is its own form of indentured servitude. He did not have it so he could go ahead with his work of organizing the powerless to take control of their own lives. This he did in many ways with many different kinds of people, packing-house workers in Chicago, Mexican-Americans in California, blacks in half a dozen cities, Puerto Ricans, and, yes, middle-class whites who suffer from their impotencies also . . . he must have organized two million stifled people into unions, community organizations, special interest pressure groups, into associations of any and every sort that could convey power to their numbers to make richer, freer, and more unbosomed lives. . . .

[He] died happy in the knowledge that he had not accomplished what he started out to do, that his life's work was not complete, that the job was not over. Saul Alinsky knew that when it was over, America would be over too.

## Doorstep babies

The Establishment in Texas has its own kind of hero, exemplified by State Welfare Commissioner Raymond Vowell, who said (in a *Corpus Christi Caller* interview June 9) that he is going to "cleanse" Texas welfare rolls of ineligible recipients.

Let this man Vowell describe himself by the metaphor he chooses and the statistics of which he is proud:

"I am not ready to place this unwanted child, the ineligible welfare recipient, where it belongs — on the doorstep of the U.S. Department of HEW in Washington, D.C.

"Since January, 1971," Raymond Vowell said, "our legal division has referred to county and district prosecutors a total of 254 cases of suspected welfare fraud. So far, 97 felony indictments or misdemeanor informations have been returned by grand juries in 17 counties. Twenty-nine convictions have been obtained. There will be more."

## Good old politics

Even in Texas, the McGovernized Democratic convention system is better than the old boss-run, winner-take-all system. Without the reforms, the Texas conservatives, who gave Wallace 35 percent of the Democratic delegates this year, would have been shaping up deals with the Humphrey people to deny McGovern all of

his 28 percent of the delegates. It was mind-blowing, an inspiring return to democratic principles, to see the McGovern delegates at the state convention in San Antonio painfully restraining their own majorities in order to let Wallace people elect delegates, and then to see the Wallace people doing the same thing in reverse.

Briscoe showed himself unwise by presenting the convention a hand-picked slate of party officials and expecting the delegates to rubber-stamp them. Except for the rejection of the notoriously high-handed Roy Orr, that is exactly what the convention did.

The McGovern forces showed their inexperience by failing to fight for even one of the permanent party positions. In league with Humphrey forces, the McGovern people could have saved the national committeewomanship for Carrin Patman, whether she wanted to defy Briscoe's rejection of her or not; or they could have elected Bernard Rapaport or some likewise liberal person national committeeman. In my judgment, they were wrong, too, in not calling for a record vote on at least one of the delegate contests (probably the one from El Paso). A McGovern-Humphrey coalition could have controlled the convention. Instead, a Briscoe-Wallace coalition controlled it.

The truth of it was told by Sissy Farenthold, who said of the Texas Democrats, "They still have it up here" (she pointed to her head) "that it's the governor's convention." As the late Alinsky said, every solution creates new problems. Evidently the democratization of the convention process has created, as its new problem, convincing people that the conventions in which they are the delegates belong, not to the gubernatorial nominee, but to them.

## Preston's worst

Only in Texas would the chairman of the Texas Vending Commission, Raymond B. Williams of Dallas, defend his right to regulate the juke box-coin machine industry on grounds that, as the owner of coin machine companies in five Texas companies, he was "very much interested in smaller operators because as a distributor I sell to small operators."

Only in Texas would that same high public official say in public, during the hearing on his confirmation, that he had been involved with coin machines for 38 years, and "this is the first time the coin machine industry is on the track to making a business out of it instead of a racket."

Williams may be Preston Smith's worst single appointment. Why doesn't the discredited governor try to do something



to reclaim a shred of his standing with the people of Texas by making three really distinguished, academically and intellectually inspiring appointments to the disgraced Board of Regents of the University of Texas?

## Promises, promises

In his "reform" campaign for speaker of the House, Price Daniel, Jr., says he is opposed to the old system of members giving a candidate their "pledges" to vote for him. This system is rotten and corrupt because it formalizes and validates the seeking of favors in exchange for votes. And what is Price Daniel, Jr.'s, system? Instead of getting "pledge cards" from members of the House, he gets "written commitments." The reform candidate continues the rotten and corrupt system of electing speakers on behalf of his own candidacy and then he compounds its rottenness and corruption with misrepresentation and deceit about what he is plainly doing.

## Speedy trials

John Onion, Jr., presiding judge of the Texas Court of Criminal Appeals, testifies that many people are "vegetating" in prison up to five years because the Legislature won't put up enough money to expedite the processes of justice. Onion said there is now an average lapse of six months between the time cases reach his court and the time they are ruled on. This reminds me of a line I once before quoted, in this column, from a Texas lawyer: "What if we gave the politicians justice?"

R.D.

## Sightseeing

What! Are you sure that this is a fig tree? I thought fig leaves were larger.

Grace Ross

Fort Worth

20

The Texas Observer

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# The Amorous Carpet

or

## It's happy birthday time at the Bonanza Sirloin Pit

Austin

If you think you have problems with junk mail, you should see how much unsolicited trash an editor gets. At least one tree sacrifices its life each week only to be transferred particle by particle to my trash can.

I hear regularly from the French ambassador in New York, from the East Germans and from the Congressional Medal of Honor Society.

In an average week I receive 20 unwanted pieces of mail, including pamphlets, brochures, cookbooks and photographs, from the federal government. Now, I have written to the departments of commerce, labor, agriculture, the General Services Administration and a passel of other governmental departments explaining that the *Observer* is mainly interested in Texas politics. I have asked and I have demanded to be taken off their mailing lists, but they continue to send stuff. Most of it goes to our old address and has to be forwarded, compliments of another government agency, the Post Office, which I am delighted to say, sends the *Observer* no handouts of its own.

Molly Ivins and I have been saving some of the better items in our "Amorous Carpet" file, named after one of the choicest pieces in the file, a photograph of a carpet named "Amorous." Among my other favorite photos is one entitled "Electric fence posts added to Armco's Sheffield Line." Another glossy, this one untitled, shows a demurely dressed young woman sitting on a floor, surrounded by iron pipes. I don't have the slightest idea what the pipes are used for or why the girl is posing with them or why someone chose to mail this particular photo to the *Observer* in the first place.

Thanks to General Mills, Inc., which persists in sending releases to our nonexistent "women's editor," I know that Margaret Colette Laue, a senior at New Braunfels Senior High School, was chosen Texas' 1972 Betty Crocker Homemaker of Tomorrow. I know, but have never deemed it worthy to announce in political intelligence, that Douglas Frost, born in Doddridlo, Ark., and now residing in San Antonio, was named to the Top Ten Salesmen Group of the Institute of

Business Planning.

A Tunagram sent by Dudley - Anderson - Yutzy, a New York public relations firm, keeps me up to date on how to prepare tunafish 155 different ways. If I hadn't been so busy trying out my new recipes, I could have celebrated the first anniversary of an Austin hamburger emporium. "It's 'Happy Birthday' time at the Bonanza Sirloin Pit," Daniel F. Roberts Public Relations group happily announced in a release mailed all the way from Chicago.

The Insurance Information Institute of Dallas keeps me posted on "Cars and Insurance: An American Romance." No kidding. "The automobile and the American public have endured one of the longest and most precarious love affairs ever," the Institute writes me. "And despite lover's spats about noise and exhaust pollution, the ever increasing cost of repairs, the terrible toll taken in human life on our highways and, of course, the current auto insurance controversy, there is no reason to think that the affair will not continue."

Now, I have tried to get off these mailing lists. I saved mailing labels for more than a month and then I sent an individual plea to each of my unwanted correspondents, explaining what the *Observer* is and suggesting that perhaps we didn't have too much in common. It didn't do any good. Apparently few P.R. firms or government agencies update their mailing lists. Sen. Mike Gravel of Alaska failed to take note of our from-one-good-guy-to-another whyn't-ya-save-trees-and-take-us-off-your-list plea.

For the next round, I'm going to send copies of this column to the top executives of each of the offending mailers, to the president of France, perhaps, to Agriculture Secretary Butz and to Betty Crocker, herself. Even if it does no good, I will have the satisfaction at least of plying them with as much junk as they ply me.

K.N.





# IN REVIEW



## The Will to Live

By Michael Anderson

### *Eagle Pass*

Friends, here I am. In my Oldsmobile. This here's your proto-typical dusty Texas town about which so much has been written. Over there on the left is the courthouse with a slatted wooden dome and beacon arrangement on top. Down to the right is the Palace Theater now showing *Rio Bang Bang* with Dean Martin and Ursula. Parenthetically, I understand that in her most recent filmed gesture Ursula opens her blouse wide enough for the audience to see *both of her breasts in their entirety*.

Well, the stoplight don't work so good over there and the sheriff he spends most of his time standing in the center of the street waving at his friends and they spend their time driving back out to the house. I sit here in the square on this eighty thousand year old iron bench and watch the residents go about the business o' shaping this great land of ours. Two of the less savory citizens are behind me there, on the wrong side of the square discussing what appears to be from this distance the techniques of knife fighting. They swoop and dodge and indicate to each other where the best place to carry your blade is (backside right, just behind and over the hipbone).

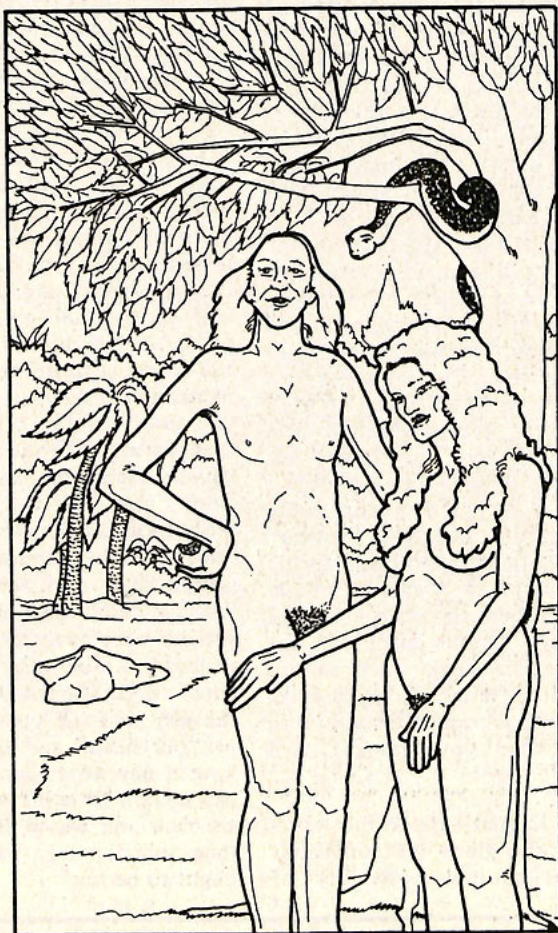
Now and then I feel the urge to stand up and cry "Oh Jesus oh Jesus," just about as loud as I can, just to stand there with the dust blowing and yell it right out loud because we all know what kind of hairy shit is going on behind them screen doors and beneath them porches; we know all about the basketball coach; we know about Mary Jean Williams; we know about Mr. Prescott and that "colored" — we just know! But I don't do any yelling. A film director, a book writer, let them yell. Like the Chamber of Commerce here, they might think it important.

I CLEARLY don't; it seems only mentionable. I am here laying back. And for that Eagle Pass is terrific. A lot of big city decisions don't even come up for the count. You buy the food that Ike sells at Ike's or you buy what you can get from the U-Tote'M, and you eat it. No bitchin' about its unnaturalness. You get *Time* or *Newsweek* at Ike's, too — if you're quick. And if you're interested. And for the moment I am not. I have heard the "we only kill because we have to" act often enough for awhile; let me rest.

So Eagle Pass offers certain pleasures, not the least of which is a considerable physical and spiritual distance from the hard and fast nationally advertised uptown life we sometimes convince ourselves is *real* life.

What I'm doing is using the distance to let me think about some things that have been bothering me, but which I haven't as yet put a thumb on. The first thing comes to mind is literal mindedness. Seems like everybody is pretty damn literal minded so far as I can see. From freaks right on up or down to media kings — all of 'em. They don't want to allow any vagueness, no uncertainty. That whole game can be run on the principles of addition and subtraction — feeling, meaning, intuition, everything fits a pattern. For the young it's eat right, sleep right and pray to God. For the old it's buy right, sell right pray to God.

It's a question of Deaf Smith Peanut





Butter vs. Skippy Peanut Butter. And not only does literal mindedness force a radical oversimplification of life-living, it prevents life-living to an extraordinary degree. Reduces it to a question of whether or not this here corn had — now you're sure? — any crazy-ass fertilizer put on it in infancy. And of course discussion is out of the question because in discussion you have to have a latitude to consider whatever might come up, you have to be able to say "what if..." and seems to me the number of people I've met who could begin to deal with a thought so nebulous as to be prefixed "what if..." is three. Maybe four, in the last year and a half. Everybody else is too busy "making it a reality" to think about what this "it" is — just gotta do it. But imagine my surprise when I came out of a fog of idealism to realize that the alternative culture was as goal oriented as that other culture. Now that's wrong, I said, dead wrong. Seems to me that it shouldn't be that way; seems to me there's something wrong there.

**H**ERE IN Eagle Pass a fellow is, to change the subject, joyously free of "input." God knows it was a bad day when that word was simultaneously wrenched from the computer science people by eight hundred million brainless but semi-stylish young moderns. I scorch my tongue with six Sure-Lite Kitchen Matches for ever having used it; and it may be a terrible prejudice, but it sounds worst on the lips of Republicans.

As to free radio, there isn't any here. Suddenly a new freedom! I don't have to listen to the radio! The last I heard was passing out of Houston one evening a few weeks back, I was heading north then and I listened for half an hour while this fellow told me at some great length how he done maltreated his women all his natural born days and man! how he mistreated them and shit what a terrible weepin' god-save-him hair-tearingly gruesome experience it is to realize really *realize* it all this time later but he sure gone and done it, he treated 'em pretty poorly on the whole and he deserved just whatever he chose now to beat up on hisself with and what he choose to do is go on radio and make public confession of his terrible sin or sins and in that way he hopes to help me and all other unmindful never-think-of-a-woman-above-the-belt types out of our misery or what would be our misery if we only knew and of course he realized that, he *real* quick on the upbeat, and probably nobody ever thought of this but him but we just bear with him and he show us and assuage his rotten

liberal conscience all at the same time and golly gee thanks Mister cause you really gave me something to think about o boy howdy golly, you mean womens is people? Well I'll be a sonofabitch. Course mostly we been goin' around all this time only thing crossin' our minds how to get ourself a handful of some fine redhot backbreakin' fuck, I mean we feel that way right on through the tenth grade and—

And he was followed—spectacularly, I thought—by a cocksure wench who said that she didn't want to push a grocery cart all her life, she only wanted to push it *half* her life.

I have three things to say about all of this and before I say them I want to make public a bit of information that I in my limited experience have found to be accurate and useful. I have known some fine ladies — and I use the adjective and noun advisedly — who from time to time wanted nothing more than to roll out and act in the most irresponsible way in order that they might get their pretty white asses absolutely nailed to a kitchen floor — *any* kitchen floor — and I presume that if they can want it in that way we can want it in that way without automatically becoming badass male pigs. Fair is still fair.

Now the ideas I have are these: 1) That whatever is to be done must be done personally, quietly, individually by the person who feels he or she is offending other persons. A person who does not realize his or her offense cannot be charged and forced into the realization unless he or she is so absolutely out of line as to be intolerable. All authentic change comes from the inside out, and an applique of tolerance and equality is worthless. 2) It seems to me that the sex-object syndrome is badly overworked and, addressing the men, could well be applied in reverse. Who thought of whom first and in what way is an arguable question. Unless you happen to look at your ladyfriend like she was a four color spread-shot in MAN'S CARNAGE and *she don't like it*, you have only to deal with the minor warpage our culture has soaked into your brain, the sex object attack is refutable. And 3) It occurs to me that anyone engaged in an active "relation" who has time to think about and decide how the partner is to be "treated" isn't in the relation at all, because when you're in it there isn't any mental space left for objectivity. It is the single circumstance where your actions reflect your essence, and if your essence is fucked up you're in deeper trouble than you thought. Kill yourself.

I have always treated women the way I treat everybody else given the conditions imposed by the mutual possibility of

sexual interest. I give them every opportunity. I must say that it has been my experience that — for whatever reason, be it historical oppression or what have you — there are an awful lot of not too bright women. That's all changing now what with the new culture and all. In the new culture everybody is stupid.

**T**HE ROLLING STONES are on tour and they are an anachronism and I spit on their money grubbing souls. The tour is instant nostalgia revealing that the alternative culture is composed of illiterate, unthinking, boorish children who while giving mouthservice to life-in-the-moment-for-life's-sake in point of unassailable fact lust after the same security and status as are lusted after by members of the parent culture. With an odd predilection and appetite for "six guys scratchin' around on a tambourine." If you go you deserve the knife. I cannot even imagine who would go to see the Stones in 1972 — even if you've never seen them. It's like one of those things where you sit and watch somebody do something really ignorant, I mean just absolutely unthinkable, and you sit and watch them and by God they do it and are involved in it and serious about it and you just can't believe it but you go on watching and they go on doing and the whole thing is so amazing and so thoroughly a symbol of the lunacy everpresent in your world that you are truly amused in a sad irony sort of way and you tremble and look to heaven and tremble and tremble.

I guess my patience is wearing thin in Eagle Pass. I don't trust groups although groups are the social form of what was once my culture. When it was mine I don't remember the groups. The spirit of radical change — meaning serious change — if it existed, is gone now. No one is prepared, no one needs it. And in truth, neither does the world *need* it. We can go on as before, nothing will happen. The civilization will end after awhile — who cares? What did you expect? The end will come of "natural causes," whether man made or other. But that is still some time distant, before then we should see our "radicals" in the capitol and our "liberationists" oppressing us. We should see ourselves free only to be "radical" and "new idealism" a dogma. We should see plenty of fat and a lot of ugly children. We should see viciousness in the name of God and hatred in the street and the city and the countryside. Then it will be "our mess" and then the children will have a new solution. And maybe then we can relax a little bit — not too much — and sit back and watch the children watching their solution turn to shit. That, at least, ought to be fun.









# A vote for *La Raza*

Been looking forward for two weeks to the issue that would have all the post-election comments. And here it is. OUCH!

Started to read "Let's Glow for Briscoe" with relish, expecting maybe some serious analysis and discussion of what befell Sissy. Instead, I find not in *one* but *two* places in the piece, that we liberals "have no choice" but Briscoe. Who says?

I have no intention of prostituting my liberal convictions to get a nothing like Briscoe elected. I intend to vote for the *Raza Unida* candidate. Throwing away my vote? Who knows? But how in hell will a vote for a snurge like Dolph accomplish any of the needed things in Texas? I'm surprised at the *Observer*. This is the same kind of happy horseshit that elected fuds like Connally and Smith.

Rather than put down *Iconoclast*, perhaps the *Observer* needs a little of that paper's perception and integrity.

John Rohde, #206, 2700 W. Gravwyler, Irving, Tex. 75061.

*Mr. Rhode is perfectly correct. I remembered the La Raza alternative a few days after that article came out and have been kicking myself ever since for leaving it out. An excellent example of the journalistic effects of a white racist mind set. We hope to deal with La Raza and its candidates in some depth before long. M.I.*

24

*The Texas Observer*

## Dialogue

### Re: Barthelme

You cannot know the immeasurable disappointment I would suffer were I to learn that Steve Barthelme had developed a hemorrhoid, for it would mar what seems to me to be a perfect ass.

Gerald Higgins, 5509 Mapleleaf Austin, Tex.

### Duke replies

Bonaparte: there are creeps at 9, 1, 5 and 9. Our intelligence is ahead of yours, we have the folio on that creep you cited in your state of the nation. It seems the lady is a virgin, all she's ever offered are sunflower seeds and she gets even at registration. Three years ago, in a very public library, a seedy character in black and white placed his (left) hand on her (very right) knee — offered her another kind of seed, it seems, and she's been schizy ever since. Her rubber stamp is custom-fitted, and this is the only other high of her life. Be more considerate in the future.

Nice try on Mike Anderson, but again, our intelligence places him at the inauguration of the twentieth President of the United States. At that time — assuming no photo touch-up — he was seen to possess the normal number and arrangement of arms and legs. There was, however, a curious tattoo covering that part of the head normally bared during the practice of tonsure. He is currently engaged at the *New York Review of Books* as a solicitor.

The Duke's mailman wants to know if Tom Wolfe wrote *The Betsy*. I confess that our intelligence has let us down on this one. We will be looking forward to an answer in a future issue, along with (may we suggest) a review of Larry McMurtry's new book by Chip Flecco.

(The) Duke (of Marlborough), Galveston, Tex.

### No musty-fustiness

The *Observer* is getting better and better. You two have rescued it from its dull musty-fustiness of the 1960's, thank God. I love it, and consider it one of the liveliest mags I read. Keep on trucking.

Virginia Davidson, 1512 Rosenberg, Galveston, Tex. 77550.

## Unbiased history

We have historians who write simple dry history, which is a formidable task in itself. and others who put a touch of human feelings as they relate it, thus revealing a bit of the author's character.

If this human-touch historian fits George McGovern, as implied in *The Coal Field War*, as reviewed by James Ridgeway in the *Observer* (May 12), then that part of his character, perhaps the part that makes him "tick" is revealed.

The value of simple dry unbiased history cannot be overestimated. But to be outraged by the injustice perpetrated upon humanity is just the bit of humanity that draws us to the Senator.

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## Likes policy

Thanks for the effort to keep so-called offensive words, just short of veracity, at a minimum.

I must agree with those readers who feel that they are prevented from turning on conservative friends and relatives to *Observer* truths because of words that refer to body functions and man's mortality.

Please keep printing those other offensive words such as pollution, prejudice, corporate-state and so on.

Sharron Stewart, 328 Redwood, Lake Jackson, Tex. 77566.

## CORRECTION

In the June 9 issue, the *Observer* incorrectly reported that Joe Christie was one of the three senators who signed a favorable committee report on the Frank Sharp banking legislation. The three who actually signed the report were Sens. Ralph Hall, Wayne Connally and J. P. Word. Christie did not sign it. The *Observer* regrets the error.

## The keepers

The two brothers proffered  
Gifts unto the lord.  
Cain the agronomist offered  
Fruit; Abel the shepherd,  
A firstling of the herd.

God took Abel's word  
With the taste of a carnivore.  
Cain took the sword.  
Cain, as you probably heard,  
Became our ancestor.

The keepers' kinship babbles  
As it did before,  
And innocence such as Abel's  
Comes up at conference tables.  
And we wage war.

—BRUCE BERGER

Aspen, Colo.