

# The Texas Observer

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A Window to The South

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## IN A GARDEN SOMEWHERE

It was always the dark of winter when the child in the house was sick. The thin five-year-old boy's body grew thinner, more translucent, day by day. And what do you say to comfort an ailing child?

"Everything is going to be all right."

At a time when scarcely anything was right for children anywhere. One of those times when the politicians who keep the gardens of civilization contrive to lop off the blossoms for the benefit of the grubs and beetles. Children were, as always in war, everywhere orphaned and abandoned. But progress, which brings splendid new techniques to so many human endeavors, had not neglected the destruction of the young. Now they were blown to pieces from the air in the quietude of their cribs, suffocated in suitable chambers, flayed from a distance, by irradiation. The great churning brains of scientific genius had placed in the hands of politicians doomsday devices that the small smoothly whirling brains of generals and admirals were well fitted to make effective.

The main business of the war was not, of course, the destruction of children, but of boys barely past childhood. This lopping-off was so effectively carried out, the experts were able to predict with admirable accuracy how many young men on each side would fall in one day on a certain ocean island. The officers, on one side at least, were briefed on these figures before the battle.

The photograph of a young officer appeared in his hometown newspaper—smiling, handsome, confident, in the uniform of his high school military outfit. There was the story of how he died on the beach, going to the aid of one after another of his fallen men, till he fell himself. And

Charles Ramsdell

there was his handwriting in reproduction, a copy of the letter he wrote to his family before the battle:

"My love to you sweet people. Would you, in a garden somewhere, plant a rose for me?"

Here was the American boy, radiant with good health and optimism, treated from babyhood to a rich sampling of the world's bounty, taught always to plan, to look forward to the best, always to the future. . . .

We take a child by the hand, and lead him into a garden, and show him how beautiful a piece of the earth can be made, when it is arranged with art and love and understanding. And he thinks the wide world will be like that, or can easily be arranged like that, within the brittle moment of his years. Then pretty soon he finds himself in the black night alone. There is no hand. There is no path, And it is raining.

The boy was mending. It was spring. What could be more beneficial than a walk to the nearby river that ran along ancient woods, conserved as a city park? From the bridge there was the view of a subtly symmetrical elm, on a little green promontory of its own, laved on three sides by the stream. It rose between the woods and the bluff and blended with them and with the sky in a strangely reassuring harmony. "The Worship of God in Nature." The music of Beethoven, and of Haendel, above all, that we profess to admire while destroying everything it stands for.

The elm had been removed, the stream straightened, to hurry its polluted waters to the sea. The rushing crystal river had long since been debased and diminished to the sluggish flow of a drainage ditch, creeping almost soundlessly over the worn flint scrapers and broken arrowheads of the Indian, over shards of Spanish pottery over oystershells and scraggs of bottle-glass from orgies of the century past, over quick-dissolving bits of tin and paper and rubber proofs of our civilization.

The green of a timid spring traced the branches of cottenwood, elm, and pecan. The woods were alive with birds. The palimpsest of a boy stood gazing at the river. With sudden astonishing speed his thin titubating legs moved over precarious stepping-stones toward a tiny island in the stream. It was too late to call him back, no matter what the danger of a fall or a child or contamination from the foul water. What did he see there, an arrowhead?

The Indian worshipped the river, and it bordering pleasant glades and hilltops bore witness to his intimate communion. Blood-thirsty he was, but with fierce joy in battle. Cruel, but on a small scale. What of civilization that destroys all gifts of nature even to its own youth? And now the meadow climbs the sky, shrieking with exultation at every wound he makes on the firmament. . . .

A cry, like the glad cries of the birds in the woods, and the boy came running, his spindly legs seeming to take flight over all obstacles. He held something in his outstretched hand.

Sure enough, it was a violet. One that had been cultivated in somebody's garden somewhere. How in the world did it ever come here? It was the most surprising thing.

many are unable to obtain any employment, and others a little more fortunate move from place to place, holding only such unskilled jobs—as cooks, general laborers, and construction workers.

When a youth drops out of school he appears to have little realization of the drastically changing world in which he seeks employment and the increasing need for an education in the competition for jobs. Statistics reveal that the unemployment rate is three times higher among dropouts than among high school graduates. By early 1963, youths from 16 to 21 out of school and out of work represented one in six of all unemployed, but only one in every 14 persons in the nation's labor force.

High school dropouts can qualify only for unskilled and routine jobs at the bottom of the occupational ladder and for semi-skilled jobs. Automation and other technical advances are affecting 1.8 million such jobs a year. By 1965, the Labor Department reports, the nation will have three young people without a high school diploma chasing every two jobs available to them.

The outlook, however, is not entirely hopeless for these youths, for despite the over-supply of people for unskilled jobs, there are at the same time shortages of qualified workers in skilled occupations and professional fields. A report in October 1963 from the Texas Employment Commission in Dallas revealed shortages in such occupations as comptometer operator, bank teller, claims adjuster, refrigerator mechanic, auto mechanic, auto body repairman, aluminum polisher, electroplater, engine lathe operator, ornamental iron worker, tool grinder, furniture repairmen, upholsterer, electronic technician, and numerous others.

A survey of employment agencies and large firms by the Dallas Times-Herald in early November disclosed 52 specific skills in short supply in the Dallas area. Listed most frequently were shortages in one or more of three general fields—engineering, machine shop work, and office work. By 1965, the Labor Department reports, there will be only five high school graduates available for every seven jobs requiring that much education.

As I sit in court trying to judge these people who have committed offenses, the thought recurs: What opportunity have these men and women had to make good, who is to blame that they are unprepared for living, and what can be done now to make them self-supporting citizens?

**F**ORTUNATELY for our economy and our changing world, prison systems have also changed. The object of confinement is no longer merely custodial care, but is likewise rehabilitation of the individual. The federal system and most state systems now provide vocational training in many skilled trades, as well as facilities for high school and even college courses.

The individuals themselves frequently come to realize that a part of their trouble is a lack of educational and vocational skills that are necessary to compete in society.

On November 10, 1963, an unusual high school graduation took place. At the Texas state penitentiary in Huntsville, 375 persons who had been inmates of the prison system received high school diplomas. 203 were still inmates, while the remaining 172 had been discharged or paroled.

Dr. George Beto, prison manager, who acted as master of ceremonies, had this to say: "This graduating class is our most important statistic in the system. It has been proven that men and women com-

pleting this course rarely come back once they are released."

Important as are training and educational opportunities in our prison system, they do not reach nearly all prison inmates, and even if they were 100% effective, which they are not, prison training represents only an infinitesimal part of the answer to the dropout problem. We need to do something about dropouts long before a crime is committed.

The most hopeful sign is that there is a growing awareness by the public of the needs of the low income, illiterate people, and of the necessity to mobilize the talents and resources of the community to solve this problem. It is a test of our wisdom and our humanity. □

## The Aftermath: 1

# Oswald in Austin

*Austin*  
The Observer learned that Lee Oswald probably was in Austin this fall and tried to get his Marine discharge changed to an honorable one during his visit here.

The Oswalds had been in New Orleans last summer; on Sept. 23 Mrs. Oswald and Mrs. Ruth Paine of Irving drove to Irving, and Oswald left shortly thereafter. He turned up in Mexico City, applying for travel papers to Russia via Cuba Sept. 27. He could have stopped in Austin on his way to Mexico through Laredo.

Mrs. Mary Lee Dannelly, assistant chief of the administrative division of the Selective Service system in Texas, says Oswald called on her about six weeks before the assassination in an attempt to get his discharge changed to honorable.

Mrs. Dannelly also remembered that Oswald's visit, which lasted about half an hour, occurred on one of her paydays. She is paid every other Wednesday; one of her paydays was Sept. 25, about eight weeks before the assassination.

"He had been to the governor's office to see how to get his discharge corrected," she said. "They sent him down here because they didn't have any of the information that he wanted."

The regular receptionist in the governor's office and Larry Temple, Gov. Connally's administrative assistant who usually handles military matters for the governor, agree that they do not recall or have a record of a visit from Oswald.

"He just mentioned that he'd gone up to the governor's office to see about getting his discharge changed," Mrs. Dannelly said. She also mentioned that they had not had the forms he needed at the governor's office.

"He said he had first gotten an honorable discharge, but it was later changed to other than honorable conditions," she said. "They told him at the time that if he lived an upright life, he could make

application after two years. He'd been waiting more than two years. He said it had caused him difficulty getting or keeping a job, and it was embarrassing his family."

Oswald was released from active duty in the Marine Corps on Sept. 11, 1959, according to the Associated Press. After he tried to defect to Russia, the Washington Post has reported, he was given an undesirable discharge; early in 1962 he wrote to Connally, then Secretary of the Navy, bitterly protesting this.

Mrs. Dannelly is "positive" the man who came to see her was Lee Oswald. She said he gave his name as "Oswald"; she recognized him on television. She thought he must have given her his first two names in some variation, because she could not find a card on him in her files at the time. She has since found a routine card under the name, Lee Harvey Oswald.

He told her he lived in Fort Worth, where his mother lives and he worked in 1962. He said he had registered for the draft in Florida; Oswald in fact registered in Fort Worth, but Lt. Col. Boyd Sinclair, chief of the administrative division, says registrants are frequently confused on such details.

Mrs. Dannelly said she thought, when she was talking with Oswald, "Well, that's the ugliest man I ever saw." He was just repulsive to me." He was not discourteous, however, and "he seemed very sincere," she said.

She searched in a book of Navy regulations for the provision which would be controlling as to Marine discharges, but did not find it, and finally suggested to him that the Fort Worth office of Selective Service might have the records he needed.

Two other Austin residents believe they saw Oswald in Trek's Cafe on South Congress, 30 blocks from the downtown area of Austin. Oswald could have stopped in there

while hitch-hiking to Laredo, or he might have had other business in the area.

Mrs. Stella Norman, who waited on the man "a good two months ago," but not on a Wednesday, which was her day off, said he was a person who looked just like Oswald. "It was either him or his twin brother," she said. He drank two or three cups of coffee and stayed 30 or 40 minutes.

"He came in by himself. He was worried about something. He left by himself," she said. "He looked like he was waitin' for somebody, or waitin' for some time to get there. He coulda been waitin' for someone—I'm not sayin' he was. . . . He was a

nervous kinda fellow. Didn't seem like he wanted to talk to anybody. I left him alone.

"He scribbled somethin' on two or three napkins. He didn't leave those—he took 'em with him," Mrs. Norman said.

A pressman at the local daily newspaper, L. B. Day, said that he was in the cafe the same day and also was convinced the man was Oswald.

"I just got to lookin' at him," Day said. "I wouldn't forget him. I thought he was one of these cedar choppers come in from

the country, you know, those boys out there who rough it.

"Seem' like he had a napkin in his left hand, with a pencil, dottin' around on it, kinda scramblin' around on it, not payin' much attention to what he was doin'," Day said.

The cafe was almost empty, and the afternoon half gone; passing the time, Day recalled, he told Mrs. Norman to joke with the man they think was Oswald, and try to draw him out; but when she did, he didn't respond to her.

"I said things in the way he coulda answered me. I got no answers," Day said.

## The Aftermath: 2

# Questions On Oswald's Civil Liberties

Was Oswald deprived of his constitutional rights? Obviously, when he was shot dead, he was deprived of them and his life. But questions have since been raised by John Pemberton, the national chairman of the American Civil Liberties Union, that go to the issue, did the Dallas police deal with him unfairly?

Four representatives of the Dallas chapter of A.C.L.U. went down to city hall to look into the question the night of the assassination. They were Greg Olds, the chairman of the chapter, and three Dallas lawyers, Otto Mullinax, L. N. D. Wells, and Grier Raggio. They had been moved to inquire after having received a call from Rev. Brandoch Lovely, chairman of the Austin A.C.L.U. chapter, that he had heard Oswald say on TV that he was being denied legal representation.

It was a test of their belief in civil liberties, Wells said; they went on down.

They were assured, by Dallas Police Chief Jesse Curry, Justice of the Peace David Johnston, and other officials, that Oswald had been arraigned before J. P. Johnston at 7:30 that evening, and that he had been advised of his right to have a lawyer and had said he did not want one.

Charles Webster, a professor of law at S.M.U., had been in city hall making related inquiries before the committee of the local chapter arrived, and information he had corroborated that the committee gathered.

However, the A.C.L.U. representatives did not insist on seeing Oswald, himself. They took the word of the Dallas officials. Wells says that Curry has been most cooperative with the requests of the local chapter on behalf of the rights of prisoners. For instance, Wells says, Curry has had posted, where prisoners can see it, the telephone number from which they can obtain a lawyer if they wish—that of the Dallas Criminal Bar Assn. He distributes among prisoners a pamphlet telling them what their rights are.

Olds regrets now that he did not ask to be let see Oswald. "There will always be a question, because he's dead, and no one [from the committee] talked to him," Wells says. That is, Wells meant, there will always be a question whether Oswald was notified of his right to counsel within a proper time after his arrest, whatever such a time may be—a point lawyers argue about.

Oswald's mother, Mrs. Marguerite Oswald, and his wife and brother Robert were present at the jail from the first day, and they made no apparent attempt to get him a lawyer.

When, at her press conference recently, his mother was asked what he had told her in the jail, she said she had started out by expressing concern about the bruise on his face, which officers had said he got when he resisted arrest in the Texas Theater and apparently tried to shoot the first officer who grabbed him.

"No, no," Mrs. Oswald told the press her son had said about the bruise. "I got that in a scuffle."

With a smile, his mother said, he told her then:

"I am just fine. I know my rights. I'm going to be all right. I'm going to have a good lawyer. So don't you worry about a thing. That was my conversation with my son," she said.

(The president of the Dallas Bar was quoted widely that Oswald had told him that he wanted John Abt, a New York lawyer who has handled the legal defense of communists, and that if he could not get Abt, he wanted an A.C.L.U. lawyer. Finally, bar president Louis Nichols said Oswald told him, if it was his only recourse, he would accept a local lawyer, if one could be found who believed him innocent.)

Mrs. Ruth Paine, at whose home Oswald's wife Marina and the Oswalds' two children were staying at the time of the assassination, said that Oswald telephoned her three times Saturday, first in the afternoon to

give her the work and home phone numbers of John Abt—she did not know where he had gotten them—and second in the afternoon to make sure he had asked her to place the call to Abt; then a third time about 9:30 Saturday evening, on which occasion he expressed surprise that his wife Marina was not there and wanted Mrs. Paine to convey to her that she should be. Mrs. Paine said she made the call to Abt for Oswald.

In light of the additional fact that the night before, Olds and the three A.C.L.U. lawyers had been satisfied that Oswald was not being denied his right to a lawyer and had been arraigned, it would seem that whatever questions remain about Oswald's rights to an arraignment and a lawyer having been observed are not major ones.

I saw the A.C.L.U. group standing behind a row of policemen at the foot of a stairwell Friday night as the press coursed around a bend in the basement of city hall on the way to a "showing" of Oswald that raised obvious questions about publicity and justice.

A HUNDRED or 125 members of the press jumbled together in the lineup room. "Anybody got 100 feet of 16 millimeter for cash?" somebody asked. A man from Time at my left observed, "First time a presidential assassin ever went before a press conference." We were not lawyers, but we sensed that this was extraordinary procedure, questionable legally—to bring this accused man into this mob of journalists and submit him to questioning there.

After a fairly long wait, Police Chief Curry said that if there was any rush toward Oswald when he was brought in, he would be hustled out. Then officers filed in, Oswald in handcuffs between two of them.

Bill Alexander, first trial assistant to Wade, told me later that he had seen Jack Ruby in a hallway of the city hall after

the assassination. (I heard, but did not ascertain, that Ruby was among us in the line-up room, asking questions as though he was a reporter.)

Oswald was greeted by the visual pyrotechnics of flashbulbs. His left eye was still swollen. He didn't look like much, the sort of guy you'd pass on skid row and think nothing of.

Very few could hear what he said. I was about four rows back, and could not. There was no amplifying mike. It does not seem to me he was before us for more than a couple minutes. When Bo Byers of the Houston Chronicle shouted; "Louder," the officers hustled him out. There had been no audible questions as far as most of us were concerned.

This had been our chance: there he stood before us, the assassin, so we all did feel; yet no one got from him an answer to the question, "Why?" He wouldn't have said anyway, but it seemed, especially later it seemed to be a terrible miss that none of us got to try.

A radio or TV man had put a mike under Oswald's jaw and told me, in the crush at the front of the room after Oswald had left, that he had said he didn't know what it was all about. He wanted some sort of representation, and didn't have any. As far as he knew, all he was charged with was murdering a policeman.

The young newsman, who was not referring to notes as he recounted this, said he had replied (melodramatically, judging from his re-creation of his own question): "You're charged with murdering the President." Oswald was represented as replying that he didn't know anything about that, all he knew was, a reporter asked him a question about it in the hall.

In retrospect it was even a stranger scene than in prospect: bringing this man before us, letting him have a private conversation with the few people adjacent to him, hustling him away before we could ask him the hundred questions we needed to, the thousand.

During the ensuing questioning of D.A. Wade by the press, I asked if Oswald had a lawyer. "I don't know . . . his mother has been here, and his brother has been here," Wade replied.

Where had he gotten the bruises? someone asked. "There was a struggle at the time of the arrest in the Texas Theater," Wade said. Oswald had snapped his gun, but it didn't fire. (The arresting officer, McDonald, said Oswald slapped the gun against the side of his head, leaving a four-inch gash, before he was subdued.)

At some point, the four representatives of the local A.C.L.U. went on home that night. "We felt at that time there was no real desire on behalf of the police department to deny him counsel if he wanted it," Mullinax said. His wife, mother, and brother had been with him all evening and had not tried to get him a lawyer, Mullinax said.

ONLY WEEKS LATER, on Dec. 5, after consultations with the Dallas chapter, did the national A.C.L.U. come forward with Pemberton's statement on the matter. In sum, it said that Oswald had been tried by radio, TV, and newspapers and could not have gotten a fair trial, and that the Dallas police were derelict in letting Ruby shoot Oswald.

The statement tossed off, in a muddily worded sentence inside a paragraph muted

### The Aftermath: 3

# Oswald and Others: Persisting Suspicions

Observer readers will please take this as an advisory merely, on the question of Oswald's associates, which opens into the question of whether he had accomplices, which bears on the question of conspiracy, unnerving to everyone, but necessary to pursue relentlessly.

Jack Ruby's alibi at the Dallas News is represented as air-tight, permitting no suggestion that he was present in Dealey Plaza during the assassination four blocks away. Although this would seem to preclude the possibility that Ruby in any way assisted Oswald if and as Oswald shot Kennedy, it of course does not bear on whether Ruby might have known Oswald, in some way, in advance.

I have not been able to rub from my mind my memory of seeing Oswald gaze directly at Ruby in the city-hall basement, and then turn his gaze forward again, whereupon Ruby stepped forward and shot him. Was Oswald's gaze caused by an animal sense of danger? Or was it, as seems plausible, from my reactions as I watched it on TV, a surprised gaze of recognition, followed by a recovery designed to protect a pal or an accomplice?

I was able to report first to a daily newspaper, for which I have written some special articles, that Oswald was overheard to say that he had attended the Walker rally Oct. 23 and the Stevenson rally Oct. 24 in Dallas, and that two Dallas women say they saw him leading a group of five or six or so pickets before the Stevenson meeting opened, although they do not remember what these picketers' signs said. If the two ladies saw what they think they saw, who were the other picketers?

In Irving, a lady in a furniture store recalled that Oswald had come in, asking about something pertaining to a gun, and that his wife and new baby came in subsequently, and that then they left in a blue

in brackets, the fact that local A.C.L.U. people had satisfied themselves that Friday that Oswald had been arraigned and given the chance to have counsel. Pemberton said Oswald should have had counsel from the time of his arrest. In resentment that their key report to their national office had not been stressed, the local A.C.L.U. met and resolved to ask A.C.L.U. to issue a supplementary statement commending the Dallas police for having been cooperative in protecting prisoners' rights.

and white 1957 or 1958 Ford. They had driven a little way the wrong way on one-way street toward a sports shop when an "Oswald" had a scope mounted on gun. Where did they get this car, since Oswald did not have one of his own?

The gunsmith at the sports shop, Di Ryder, says that his records indicate the "Oswald" for whom he did work had the scope mounted on a rifle that had to be .303 British Enfield of an O3A3 Springfield, Army Surplus. The rifle with which the President was killed was an Italian gun. Was there a second rifle in Oswald's life, and if so, why, and where is it now?

That Oswald was a Marxist seems well established. That he was a pro-Russian Marxist on Nov. 22 is not clearly established. Ten months or so before that, told Sam Ballen, a Republican petroleum geologist in Dallas, that Russia was "credibly boring"; the well known fact reflect that he had not been in Russia year when he started trying to get out. He allowed, in his argument with our informant at the A.C.L.U. meeting Sept. that a man is freer in the U.S. than Russia, and he told the Paines he had sent being ordered around there. Well, then, did he go to Mexico to try to get travel permit to Russia? Because he expected sanctuary in Russia, after he killed the President? Or because he wanted finger of blame pointed there? Yet, if was a double-agent, why would he take pot-shot at Gen. Walker, if he did?

These are but questions, and there many more. The FBI, it now appears, do not assert there were no accomplices, only said they had no evidence of any, continue to investigate. So do respond colleagues of ours in the press; so do your faithful servant.

Anyone who knows anything about has a duty to history to come forward