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High Profile: Henry Wade

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He never considered a profession other than the law. Now, as one of the nation's toughest and longest-serving district attorneys, the no-nonsense, cigar-chewing prosecutor says he's ready to retire.

Henry Wade drawls. He drops the endings from words and says "cain't" for "can't." He chews cigars and spits tobacco juice. He plays a tough game of dominos and prefers not to travel further than Forney. Pop the ruddy face, white hair and bulging waistline of the Dallas district attorney into a seersucker suit, and it's easy to picture him shuffling around a sleepy county courthouse.

Celebrated attorney Melvin Belli, who lost the highly publicized Jack Ruby case to Wade, described the Dallas lawyer as a "country bumpkin" in his book, *My Life on Trial*. But since Henry Wade took office in 1950, his office has boasted one of the lowest acquittal rates in the country. Wade's tenure is said to be unmatched in any major city, and he has been opposed for the office only three times.

"He is not a country bumpkin at all," says attorney Phil Burleson, who has worked with both Belli and Wade. "He is an extremely experienced trial lawyer . . . Henry is regarded as the very best district attorney in the state of Texas, if not the nation."

"He's the best trial lawyer I've ever seen," says Doug Mulder, who worked with Wade for 12 years and now has a private practice. "Henry Wade has always had the most efficient, effective prosecuting machine in the country."

"We're talking no nonsense, no politics, professional law enforcement man," says Rider Scott, chief felony prosecutor in the district attorney's office, who also describes Wade as "a living legend."

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During his 35-year tenure, Wade says he never has lost a case he personally prosecuted. He has asked for the death penalty 30 times, and seen success 29 times. He has faced the glare of the national news spotlight when he prosecuted Jack Ruby for the slaying of accused assassin Lee Harvey Oswald, and more recently with the controversial case of Lenell Geter.

It has been 12 years since the man they call "Chief" at the Dallas County Courthouse has prosecuted a case. Wade now functions primarily as an administrator, overseeing 155 lawyers and 95 support staffers, and when his current term ends in December 1986 Wade swears it will be his last. But even his critics say his legacy will be a lasting one.

"I think they ought to take the new courthouse they're going to build, and name it after him," says Peter Lesser, who opposed Wade in the Democratic primary three years ago. "He, more than anybody, has left an imprint on the criminal justice system, which is, for the most part, a positive one. When people review the history of Dallas County 100 years from now, his name is going to stand out and shine."

Wade's fleshy fingers tighten around the half-eaten cigar as he rears back in his leather office chair and takes aim.

A brown stream of tobacco juice shoots from his mouth into the plastic-wrapped spittoon at his feet. With barely a pause, he continues a story about one of his first death penalty cases.

"You have kind of rules of thumb," he says, "that you don't take people under 30 (for jury duty), because they don't take it seriously enough, or you don't take people over 60 or 65, because they may have one foot in the grave, and we're thinking about electrocuting somebody, and they may be a little squeamish."

Accordingly, Wade says he did his best to disqualify an 85-year-old man from the jury.

"When you're trying to disqualify 'em, you put the death penalty to 'em differently," he says. "You for instance say, 'If you give this man death, he'll eventually go down there and walk that last mile, and they'll strap all that electricity to him and they'll shoot it to him until he's dead, dead, dead.'"

When Wade says "dead," the word is "day-ed" with two dramatic syllables and undeniable finality.

Despite strong religious convictions, the elderly juror said he still favored the death penalty, so Wade accepted him. The jury convicted the defendant and sentenced him to death, but the following morning, the juror stopped Wade outside his office. "Henry, have you killed him yet?" he asked, and Wade told him no. When the man asked to see the defendant, Wade asked why.

"I want to do my best to save his soul before you kill him," the man replied earnestly.

replied earnestly.

Wade chuckles at the memory. Though his office only seeks the death penalty once or twice a year, he has sent 29 people to death row during his career. More than half have been executed, and Wade says he never thinks twice about those people.

"It doesn't make one bit of difference to me," Wade says. "I think justice was done. I don't think about it a second time. I never have sent someone (to death row) who didn't commit a horrible crime."

Wade firmly believes the death penalty is a crime deterrent.

"We have 400 murders here a year," he estimates. "I think if they caught all of them and tried 'em and executed 'em within a week, you wouldn't have 15 murders the next year."

The criminal justice system needs improvement, Wade says, noting that a lack of public confidence stems from the disparity between punishment for violent and white-collar crimes, the low number of crimes solved and the high recidivism rate for convicts. He has taken steps to bolster the system by starting a white-collar crime division, encouraging public participation in the fight against crime and working with community groups to help ex-convicts adjust to life after prison.

But, despite the dire statistics he quotes, not all of the news from the criminal justice system is bad, he says, offering a success story from his career to prove it.

"A guy walked into my office one day, and he said, 'Mr. Wade, my name is Joe Blow. I want to decorate your office in the new courthouse building. I'm in the furniture business. I want you to have the biggest desk. And I want you to have carpet on that floor, and I want you to have the best chairs. I want you to have the best office in the courthouse, and it won't cost you or the county a penny.' "

Wade declined the offer but asked why the man made the offer.

"You did me a big favor," the man answered. "I quit school in the tenth grade. I was walking the streets and using a little dope. I finally ran out of money and robbed a 7-Eleven store and was caught, and you sent me to the pen. I hadn't been in that pen 30 days till I knew that wasn't any life for me.

"When I got out, I got a job with a furnishing company in North Carolina. Today I have 17 southern states with 200 salesmen working under me. I paid income tax on \$300,000 last year. If you hadn't caught me and woke me up, I would be one of your worst criminals in town probably."

Wade looks pleased at the recollection. Then he laughs and says the man added: "You didn't have to give me 25 years."

As the son of an attorney and the brother of five attorneys, Henry Wade never considered any other profession.

"Frankly, I don't think it ever dawned on me that I wanted to be a lawyer," he says. "I thought that was the only profession."

Wade was the ninth of 11 children born to Henry Menasco Wade Sr. and Lula Michie Wade. The senior Wade was an attorney who also farmed the 40-acre site near Rockwall where the family lived.

As a child, Wade spent hours at the courthouse watching one of his older brothers, who served as county attorney, prosecute cases against his father, one of the few defense attorneys in Rockwall.

"I guess the reason I got into law enforcement for the prosecution was because I was always for my brother in those cases," Wade says. "I felt sorry for him. He was inexperienced, and my Daddy was pretty experienced . . . and he gave me a dime for shining his shoes."

In high school, Wade was class valedictorian and captain of the football team. His athletic prowess earned him a scholarship to the University of Texas his freshman year, but after the first year he earned most of his tuition working odd jobs.

He graduated from law school with honors in 1938, ranked second in his class. When his father died a month before graduation, Wade turned down a lucrative offer from a prominent Houston law firm so he could return to Rockwall and take over his father's practice.

After clearing his father's cases, Wade ran for county attorney. He won but, though he liked the work, Wade was restless. On a whim, he stopped by the local office of the Federal Bureau of Investigation in Dallas one day and applied for a job as a federal agent.

Wade worked for the FBI for four years, investigating sabotage and spy cases in New York and working undercover as a journalist in Ecuador. After resigning from the FBI he joined the Navy, serving as a night aircraft controller in the South Pacific. When World War II ended, he returned to Rockwall but, in 1946, he decided to run for Dallas district attorney.

"I didn't know three people in Dallas," Wade remembers of that first race. He managed to place third of six candidates and then accepted an invitation to join the staff.

Wade says he immediately began to lay the groundwork for another campaign.

"Suppose I met you at a cocktail party," Wade says of his effort. "I'd go back and write down your name and telephone number and address. I saved 5,000 names of people on 3-by-5 cards and where I'd met 'em. Then I could write you a letter and say I met you at Joe Blow's cocktail party, and I'm running for district attorney and I'd sure like to have your help."

Wade resigned from the district attorney's office in 1949 and ran against a former district attorney and a county judge, beating both by a wide margin. In 1950, Henry Wade stepped into the office he still holds today.

Several times a week, Wade walks from his courthouse office to the downtown Holiday Inn several blocks away. His doctor prescribed exercise after a mild heart attack in 1979 and, though Wade tries to keep his weight down, he admits he hasn't been able to get rid of his paunch.

"According to me," he says, "it wasn't a heart attack . . . I really never had any big pain, just a general ache. They claim one of the small blood vessels was blocked. I don't know that I had a heart attack."

Still, he walks two or three miles a week, including the short jaunts for lunch at the Holiday Inn. In the hotel lobby, he waves at familiar faces and greets the waitress by name as he enters the restaurant.

Settling into a booth, Wade pulls a creased card from his wallet and waves it triumphantly. The brightly colored card with holes punched around the edge shows Wade is a member of the "Lunch Bunch."

"We won't pay anything for our lunch today," he says with a pleased smile. "You get a punch on this every time you eat here and, when you get it all punched out, you get two free meals.

"They have little goodies every day," he continues. "On Monday, your meal's half-priced. On Tuesday, you get a free dessert. On Wednesdays, your guest gets half-price. On Thursday, they have little ping pong balls that you draw (for discounts).

"I never eat here on Friday," he adds. "But Friday, you get free champagne."

On Fridays, Wade usually can be found at the golf course. He has a 12:30 p.m. tee-off time at Lakewood Country Club for which he is invariably late, he says. He makes no claim to being a good golfer, adding if he breaks 100, it's a good day. Though he is usually a stickler for playing by the rules, friends call him "twinkle toes" on the golf course because he has been known to move the ball to get a better shot.

But Wade gets serious when it comes to the domino game that follows the round of golf.

"He's a competitor," says longtime friend Tom Unis. "He likes to win. He likes to win elections. He likes to win lawsuits. He likes to win at dominos."

When Wade isn't playing golf or dominos, he relaxes by working on his farm. In 1964, when his five children were young, Wade bought 140 acres in Rockwall and Kaufman, where he has 150 cattle and

140 acres in Rockwall and Kaufman, where he has 150 cattle and raises hay.

"I like the farm life," Wade says. "I don't want to live on this place, but I like the soil, and I like to fiddle with crops, and I like to fiddle with cattle and horses and animals."

Wade says he bought the farm, partially to keep his kids busy, but as a result, he can't coax them to join him there anymore. Despite their dislike for the farm, they still spend a great deal of time together.

"He is a total family man," says Yvonne, his wife of 37 years. "He never missed a (school) ballgame. He never missed a drill team performance. And as many times as he could, when he got off work, he went to practice."

Whether Wade is at home, on the farm or in the office, he almost always has a cigar nearby. He says he switched from smoking to chewing them years ago.

"I have waiters who had lit 'em in restaurants before I knew it," he says. "I break off the end where the fire was and put the rest in my mouth."

Wade's son Kim remembers when his father was cutting down trees on the farm with a chain saw several years ago. The saw slipped and cut Wade's leg between the knee and hip, all the way to the bone. "They took about 200 stitches. They said he lost a lot of blood and all that kind of stuff," Kim says. "But when he went into the operating room, he was still chewing on his cigar."

From the battered pick-up truck to his Texas drawl, Wade's country ways are not a pretense, say family and friends.

"It's a part of Henry Wade," says Rider Scott. "But underneath that facade is a highly intelligent mind. People who don't know him make that mistake.

"Never underestimate Henry Wade."

Wade first came to national attention when he prosecuted Jack Ruby for the killing of Lee Harvey Oswald in 1964. Wade's opponent was nationally noted attorney Melvin Belli, but it took the jury only one hour and 50 minutes to return a guilty verdict with the death penalty.

"I think he (Belli) kind of misjudged the case," Wade says. "He thought he was going to get a suspended sentence. So did the press.

"There were 300 press (members). They all put a dollar in. Four voted he'd get death. Everyone of them were local reporters. Shows you how much the press knew about what was going on," Wade says.

Journalism is not one of Wade's favorite professions.

"You know what I think is the most dangerous thing in this country?" he asks. "The press . . . They can report half of a story, one side of a story and people read it and believe it. I read stories in the paper that there's not a word of truth in, but they're in there.

"The Russians don't need any spies in this country. They can read the news and listen to television."

It was the press that gave Wade one of his biggest headaches, the controversial Lenell Geter case. Geter, an E-Systems engineer, had been arrested for armed robbery, convicted and sentenced to life in prison. His co-workers, who believed Geter was innocent, brought the case to the attention of the media. When the television program *60 Minutes* turned up discrepancies in the case, the ensuing public protests brought a re-examination of the case. Wade asked that the charges against Geter be dropped.

"It doesn't amount to anything to me," Wade says, dismissing the subject. "The press proved him innocent whether he was innocent or not. I still in my own heart feel like he was guilty.

"But my decision wasn't based on whether he was guilty or whether he was innocent. My decision was what was best for the criminal justice system . . . What's one man when you're talking about a whole system?"

"I think if anybody ought to be praised, it was us," Wade says. "But the press didn't see it that way."

Regardless of the public or private interest in a case, Wade prides himself on his reputation for fairness. On more than a few occasions, he says he has received telephone calls from prominent people who find themselves in jail and expect Wade to pull strings to help them out. Wade says he always refuses such requests, even when they come from his own family.

Early in Wade's career, one of his brothers was arrested for driving while intoxicated. "They got me in jail, Henry," his brother said in a late-night telephoned plea.

"I told you not to call me," Wade replied. He refused to get him out of jail, but offered to call his brother's law partner the next day.

"Okay," his brother replied. "But you know, it's cold up here in jail, Henry."

According to Wade's wife, her husband's reply was terse: "Tell them to get you a blanket."

Next year, Henry Wade will step down from his job as district attorney.

"There's a whole bunch of people who still think I'm going to run," Wade says. "I'm talking about people who say we're not going to let you quit. But I'm going to quit. I think 36 years is enough. I'll be 72,

you quit. But I'm going to quit. I think 36 years is enough. I'll be 72, and there are some things I'd like to do.'

Unlike many retirees, travel is not one of them.

"I'm married to a woman, I could call her right now and say we're going to Turkey, and she'd be ready in an hour," Wade says. "And I don't want to go to Turkey. I'm not in the mood for a lot of travel. I got quite a bit in. I haven't lost anything in Europe. They're not going to make a hostage out of me if I can help it."

But Wade says he won't really retire. "I think people die when they quit doing," he says.

He's considering going into private practice with his son. If he does, it will be the first time he's accepted such an offer, despite lucrative ones through the years. Though he is frugal -- pointing out most of the photographs in his office are black and whites dating back to the 1950s because he refused to buy any more picture frames when prices went over \$4 -- big money has never interested him.

"He could care less about a dollar," says Yvonne. "He is generous to a fault with his family, but he is not extravagant in any way. He is not impressed with material things. To him, a thing of beauty is a heifer that put on 10 pounds, or a blade of grass that grows a foot."

Higher office tempted him once, and he ran for Congress, but now Wade says he's glad he didn't win. What has kept him in the district attorney's office is his zeal for prosecution and the opportunity to train young lawyers.

Whatever form retirement takes, it will be an adjustment for the Chief. But Yvonne says her husband never looks back.

He has a favorite expression that expresses his philosophy, which he has passed on to associates and to his children. Yvonne remembers it best from a time when one of their sons was upset after losing an important game.

"He went up," Yvonne says, "and put his arm around him and said, 'The game is over. You did the best you could. Take a drink of water and call the next case.'"

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