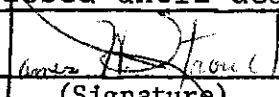


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Interview with
James W. Stroud
June 28, 1971

Place of Interview: Dallas, Texas
Interviewer: Dr. Ronald E. Marcello
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Oral History Collection

James W. Stroud

Interviewer: Dr. Ronald E. Marcello

Place of Interview: Dallas, Texas Date of Interview: June 28, 1971

Dr. Marcello: This is Ron Marcello interviewing Representative James W. Stroud for the North Texas State University Oral History Collection. The interview is taking place in Dallas, Texas, on June 28, 1971. I'm interviewing Mr. Stroud in order to receive his reminiscences and impressions and experiences while he was a member of the regular and first called special session of the Sixty-second Texas Legislature. Mr. Stroud, the first thing I want to talk about is some of the revenue measures which were introduced in the House, and I suppose we should start off by talking a little bit about Governor Smith's original revenue proposal. This was the one, of course, which called for a six hundred million dollar bond issue--an issuance of several types of bonds. In other words, Governor Smith was proposing that the state resort to deficit financing in order to operate for the coming two years. What was your initial reaction when you had received word of his deficit finance proposal?

Mr. Stroud: Well, as a matter of fact, when it first came out, it wasn't in any way described by his office or in the accompanying message that it was deficit financing. But all you had to do was look at it on it's face, and this was purely and

simple what it was. And my first reaction was that I could see Texas become a California or a New York where half our revenue was going to liquidate these bonds that would have to have been issued, and I think this is a very, very bad thing. And I opposed it from the first and so stated. And I can't understand a conservative--and I consider Governor Smith a very conservative man--coming out with something like this which is to me extremely radical liberal.

Marcello: Who do you think was advising him on an issue of this sort?

Stroud: Well, that's hard for me to reconcile who on his staff, would do this and I know most of them . . .

Marcello: Some people have mentioned a man by the name of Bullock. Do you think perhaps he would have had anything to do with it?

Stroud: Well, Bullock is considered very conservative, and in my mind he's a little bit stupid I think. So it could be that he thought this was something that would really meet with the public's approval since it contained no actual right-now taxes from them. And I think he was reading the pulse of the people that says, "We just don't want to be taxed period. And we're about to get into a revolt." Well, here is something he thought, "We're not taking any money from the people right now." And it was a long-range thing perhaps he did not know or understand what it was.

Marcello: Do you think perhaps Governor Smith may have been doing just a little bit of demagoging here? Do you think perhaps he was looking ahead to the next election?

Stroud: No, because I think this is pretty poor strategy in doing it this way, and I think that either he was very naive in letting this thing go, or else he just simply didn't go into it. Now he's been accused of pulling some very, very, very bad things, and his opinions have been severely criticized. And Bullock's been behind some of those, too.

Marcello: What relationship does Bullock have to Smith. Apparently there is quite a close connection between the two.

Stroud: Well, it used to be that Smith's advisor was Calhoun--former Senator Calhoun.

Marcello: I see. What was his first name?

Stroud: I've forgotten it. Sounds like an old southern gentleman.
(Chuckle)

Marcello: I see.

Stroud: But he actually was fairly young. But he was appointed to a judgeship by Governor Smith. And Bullock, who was working with Governor Smith too at that time, then became his right-hand advisor.

Marcello: I've heard one particular individual refer to Bullock as Governor Smith's "bag-man." In other words, they said he collected all the money that supposedly was owed to Smith for political favors and so on. Do you know anything about this?

Stroud: Well, he investigated all the recommendations that were made for appointments to the various boards and so on and so forth. So along with this I'm sure he went into the background of a great deal of these nominees to see how much they

had contributed, or how much they would.

Marcello: Apparently Governor Smith sprung his revenue bill upon the House without any warning. Is this essentially correct?

Stroud: Yes. This is essentially correct.

Marcello: Apparently people like Representative Atwell, for example, were completely taken by surprise by this.

Stroud: Yes. I think this is quite true because I talked to Representative Atwell, and he was sort of amazed at this thing. I think he's a very staunch pay-as-you-go person and was a very strong opponent of it. And he thought this was really wild-eyed stuff.

Marcello: Well, apparently, it got a rather hostile reception in the House, to say the least.

Stroud: Well, not only hostile, it was certainly embarrassing, I think, to the governor and the members alike. Out of respect for the governor's office, you know, it's not very often that you get this much reaction and as violent a reaction as we got on this. I know that it came to me as a real surprise, and I just severely criticized it.

Marcello: What were some of the reactions that you did get or that you heard?

Stroud: Oh, something like, "Well, he must be kidding," or "Where did he get this from--Terrell?" Similar such stuff that . . .

Marcello: Now who is Terrell?

Stroud: The insane asylum.

Marcello: Oh, I see. Terrell. I see. Right. Oh, I see.

Stroud: (Chuckle) And they just couldn't believe that any level-headed person would do this. This is sort of like his revenue plan on taxing traffic tickets.

Marcello: That was in the last term. Is that right?

Stroud: Yeah, and it was a ridiculous and met the same kind of thing. Oh, they just couldn't understand that the governor, who had all these resources at his command to study revenue measures, would come up with something as wild as this one.

Marcello: Well, then later on in the session he came back with his second revenue proposal. Now this is the one which would have raised the sales tax to 4 per cent. It would have also applied the 4 per cent tax to the sale of motor vehicles, and I think it called for a tuition increase for both residents and non-residents at state supported institutions. What were your feelings with regard to this second tax proposal on the part of Governor Smith?

Stroud: Well, I . . . that was one proposal I could support all the way. I don't quite remember exactly how much his in-state increase on tuition was.

Marcello: I think he was calling for \$125 per semester for Texas residents, and I think it was \$500 increase for non-Texas residents.

Stroud: Yes, well this I could support this whole tax program. And I don't know what it's a lot fairer than what this one is now.

Marcello: Now some of the critics of Governor Smith said it was still too heavily oriented against consumers. Did you feel that was the case?

Stroud: Well, I think any programs except a corporation income tax is oriented towards consumers. Now there's no doubt about it. There's only one way . . . you can't increase the franchise tax enough to take care of it. That's an impossibility. The sales tax maximum is 5 per cent. Some states have gone to 6 per cent, but it's been kind of a backlash on it. And you can't on single shot taxes like on gas or gasoline, something like that, pick up enough money that the state needs. Now we're just going to have to face facts that if you don't want to place this on the consumer like we did this time a corporation income tax or a personal income tax is the only answer.

Marcello: How close was the House to considering a corporation income tax. Now I know some of the House liberals did propose a corporate income tax. But how close was the tax, how close was the House to passing a corporate income tax, and how close is it to passing one in the future?

Stroud: Well, there was a twenty-vote difference, which means you only needed to shift ten votes.

Marcello: It was fairly close then?

Stroud: Yeah, it was very close.

Marcello: Who were some of the leaders of the corporate income tax forces?

Stroud: I think Representative Carl Parker was probably the leader of it, although there was . . . well, you say . . . I think most of the "Dirty Thirty" were for it. But they were joined

by a lot of members who were considered fairly conservative members.

Marcello: What was your own position on the corporate income tax?

Stroud: I was for it.

Marcello: For what particular reason--simply because it was the next step in raising the revenue that Texas needed?

Stroud: I thought it was the next step that we needed to take and not go to these other methods. And this would have given us sufficient funds in one single tax instead of a number of different consumer taxes. I think the people were prepared for it. And then when they backed off of it the lobby moved in then. I think the lobby was halfway ready to take it, to accept it--just saying that this is something we know is coming.

Marcello: I was going to ask you what the reaction of the business lobbies in Austin was to the proposed corporate income tax. Obviously, of course, they were opposing it, but do you think they were mainly fighting a holding action, knowing all along that sooner or later it's going to come?

Stroud: Oh, I think they would have accepted it. I sat right there in person. They would have accepted it and said, "This is it. We knew it. We're not going to fight it too hard. Lower our franchise taxes and this trades out with local firms." But when it was defeated both in the House and the Senate then this gave them their momentum, and, boy, then they really went in there and hit it hard. And I think that probably both houses lost a number of votes then.

Marcello: As you mentioned awhile ago, you could live with the final House revenue bill, even though it didn't contain any amendment for a corporate income tax.

Stroud: Right. We had been led all along--when I say we, the people that are probably against consumer taxes or any taxes that are weighted too heavy for instance--that if a tax bill ever got over in the Senate that they would put a corporate income tax on it. They'd had a meeting and had the votes and all we were doing was just trying to get a bill over there. And I think when they failed, this killed all of our hopes of doing it.

Marcello: Well, apparently this was the reaction that I've gotten from several of the senators that I've talked to. They said that if the Senate had passed one, that is if the Senate had passed a corporate income tax, then, of course, the bill would have had to have been eventually sent back to the House. They feel that they might have been able to get the necessary votes in the House.

Stroud: Oh, I'm positive of it. I don't think there would have been any doubt of it. The House would have passed it maybe by overwhelming measures.

Marcello: There were that many people that were wavering with regard to the corporate income tax?

Stroud: I think they were wavering and were just waiting. This was a big disappointment to me--that the Senate who has always set themselves up to find the solution for taxes, and

I found this all through the session. They talked a lot but did very little.

Marcello: Well, now apparently Mr. Atwell, however, was opposed to the corporate income tax. Isn't that correct?

Stroud: Yes. Yes, I think he was violently opposed to a personal income tax and I'd say opposed to a corporate income tax. But he has told me--and I think he would tell you--that he knows it's coming, and he was surprised that it didn't come this time.

Marcello: But I suppose that Mr. Atwell also receives quite a bit of his support from the downtown business establishment. Isn't this correct? And I would assume that that more or less dictated his stand on this issue.

Stroud: It did, very much so. Well, you talk about downtown business interest. Those are sometimes a little bit different from lobbyists. He gets most of his support from the lobbyists because . . . let's say a certain gentleman will represent a big company. He has his orders, and he carries those things out. But sometimes when you talk to the head of that company, you can win him over or find out he has some really different views. A lobbyist might represent an association of these companies, say oil companies. But each oil company might have a little bit different view on it, and some of them might be in Dallas, and some of them might be in Houston. So you could have two separate views there between Dallas and Houston.

Marcello: Before we continue on with any more questions with regard to the Legislature, there's something else that I think ought to be inserted into our record, and this is mainly because this is the first time you've participated in our program. Will you please give us a brief biographical sketch of yourself. In other words, when were you born, where were you born, your education, your occupation, and so on and so forth.

Stroud: Well, I was born on June 4, 1914, in Denison, Texas. My father was manager of Swift and Company. In 1916 we moved to Dallas, and I've resided here ever since. And I went to Woodrow Wilson High School and then attended Dallas College. Very early in my working days I started working with the Home Owners' Loan Corporation.

Marcello: This was a New Deal agency.

Stroud: This was one of the New Deal agencies, and I think personally the best agency of the federal government that ever existed. They saved almost a million homes from foreclosure. This was back in 1935. And this was when the depression was still on, and I mean it was very difficult to secure a job. And I went to work for \$74.00 a month, which was thought to be extremely good. The top job was \$200.00 a month. And I worked there through 1942, rising up from an accounting clerk to deputy regional accountant. And then I went to the Office of Price Administration where I became regional manager of their distribution center, which was in charge

of all of their rationing parts, and stayed there until 1947 and left there and went to work for the Bureau of the Census and became regional director for the six southwest states. I remained there for a little bit more than fifteen years. In between times I was president of the Liberty Packing Company for about twelve years.

Marcello: That was the Liberty Packing Company?

Stroud: Yeah. It was a processor of cattle and hogs and beef, so on and so forth. And this was in addition to my federal position.

Marcello: I see.

Stroud: And then I retired from the federal government in 1962. I had a heart attack, and it resulted in extremely high blood pressure, and I retired. The next year I noticed there was a special election for state representative. And while I was very familiar--because I had a number of contacts with the congressmen and senators in the federal government jobs--I wasn't very familiar with the state operations. And most people I knew kind of looked down on the state and thought this was where corruption . . . and the lower you got the more corruption there was. It started at the city and county and then the state. And so I saw there was an opening for a member of the Legislature, a special election. And I was a . . . I was so naive, too, to think that all you did was to present a resume of your experiences and qualifications and contacts and you'd get elected, not knowing that these people were selected by a group of men downtown. Yes, I was

very disappointed. I got 553 votes. (Chuckle) But this didn't dampen my spirit. I think it kind of made me mad. And I ran again the next year and in the primary got 29,000 votes, and I thought, "Well, I'm going up a little bit." But I lost it then.

Marcello: You increased from 500 votes to 29,000.

Stroud: (Chuckle) Right. And then they had a special selection committee to fill a vacancy, and I got 80 per cent of the votes there and filled place #9 on the Democratic slate. And defeated Buddy MacAtee, a Republican incumbent in the general election. He is from a very old pioneer Dallas family, a young man who was the incumbent--Republican incumbent. And I know that he spent \$27,000, and they said he couldn't be beat. And I beat him that first time. I think I got 155,000 votes.

Marcello: And you've been in the Legislature ever since that time?

Stroud: Been there ever since that time. I have had only one opponent in the primary, and since then once where I did not have an opponent in the Republican opposition in the general election. But it seems like the Republicans always ran the richest member of their team against me. I know that last year I had Carr P. Collins, III, who's uncle is a Republican congressman here in Dallas. His grandfather is chairman of the board at Fidelity Union Life Insurance Company. And his uncle is the richest man in Congress, they say. And I think he was very well the richest candidate for the state Legislature. (Chuckle)

Marcello: I see.

Stroud: But I was real proud. He'd spent a tremendous sum of money, and I beat him. And then the session before that . . . I have always had very strong Negro support, and the Republicans got together and decided that the way that they could beat me is to get a Negro candidate. And they got Joe Kirven, who was president of the Negro Chamber of Commerce and had been named one of the five outstanding Jaycees in the State of Texas. And a close relative was a minister in one of the churches, and I think they really thought that this was it. And I know I took a trip down through South Dallas, and in every yard there was a Kirven sign. (Chuckle) I really did get a little bit sad, and my spirits were dampened. But then they . . . a number of the Negro precinct chairmen called me and said, "Don't worry." "We're supporting you." And I beat him rather soundly.

Marcello: This is very interesting. You said that you received quite a bit of black support. How exactly would you classify yourself on the political spectrum--as a liberal, a conservative, a moderate?

Stroud: Well, I used to like to say that I'm a moderate, but I think it's more that I'm conservative as far as fiscal matters are concerned. I think my record proves that, but I'm liberal as far as human rights are concerned. And maybe those two together make you a moderate, or maybe they make you something that you should be because I despise these people that

actually label candidates without really knowing what they are. And this is what newspapers love to do. Somebody they don't like and are not going to endorse, they slap that liberal label on him, that he's an ultra-liberal. And somebody they do like and is probably so stupid that he doesn't know what he's voting on, they say, "Oh, he's an outstanding business conservative." This has really happened. We've had some members that really are stupid, and it took them four years before they knew which button to push. Somebody else would push it for them. So I just like to say that I'm just a Democrat without any label.

Marcello: I see. Let's get back again to the Legislature. This little session here on your biography I should have included at the very beginning of this interview, but it skipped my mind at the time. However, it is something that I think we need to have as part of the record. Now I guess perhaps the major addition that was placed in the revenue measure in the Senate was that two cent increase per gallon in the cost of gasoline.

Stroud: That's right.

Marcello: Among other things this was perhaps the most important change the Senate made. Eventually, of course, the House passed this bill and sent it on to the governor for his signature. Then, of course, the governor dropped his bombshell and declared that he wasn't going to sign the bill unless the gasoline tax were taken out. What was your reaction to this?

Stroud: I thought it was the smartest thing the governor had ever done. He made jack-asses out of both Gus Mutscher, the speaker, and Ben Barnes. If you remember right after Smith announced that he'd veto the whole tax bill if they didn't repeal that part of it, Barnes made a statement, "He wouldn't dare." And I said at the time, "Yes, he will dare, too." And I think that Barnes was shaking in his boots and so was Mutscher because they had appeased the lobbyists so much that if this tax bill had been vetoed and thus given the houses a chance to go back again and work, we might very well come out with a corporate income tax the next time. So I applauded him on it. This is one of the most terrific consumer taxes that you have. It's not a matter any more about having a car. Everybody had a car now. Even to our people living on social security and our poor people, this is a necessity. And two cents on that tax is a . . . that really hurts us. Of course, you have some people like highway departments, you know, who are pushing it because it's giving them more money. And some of the cities . . . well, a lot of cities were pushing it because then it would pay for the right of way that they've been paying for. But I find out that these local governments really don't care, you know, about taxing people if somebody else will do it for them. Now they don't like to do it themselves and face the voters' consequences. But if the state can do it, then they're all for it.

Marcello: Well, let me ask you this just to backtrack a little bit.
When this revenue bill came out of the conference committee with the gasoline tax on it, did you vote for the revenue bill.

Stroud: Yes, I did.

Marcello: Even though you disliked this particular feature, you voted for this bill?

Stroud: I was very much against that feature of it, but if you remember, this came out of a conference committee.

Marcello: Right.

Stroud: And you had no chance to vote on any item in it. You just had to vote on the whole thing or against it.

Marcello: Right.

Stroud: And if you vote for the appropriations bill, you got to vote for a tax bill. You've got to be responsible.

Marcello: Along these same lines, why do you think that Governor Smith did veto the bill. Do you think he vetoed it for the reasons that he indicated--that it was an unjust tax or an unbearable tax on the consumer?

Stroud: No, I think the governor threatened to veto it because he knew we didn't have the votes to override the veto.

Marcello: Right. Right. Right. He didn't veto. Right. He just threatened to.

Stroud: Yes.

Marcello: Or said he would veto it . . .

Stroud: I think that . . .

Marcello: . . . or said that he wouldn't pass it rather unless . . .

Stroud: He had two things in mind. One of them, he thought this was the vulnerable part of the tax bill. And the other thing was that this was the biggest campaign issue that he could run on. And . . .

Marcello: In other words, you think that Governor Smith was doing a little bit of demagoguing here.

Stroud: I know he was doing a little bit of demagoguing, and not only this but with lieutenant governor going to run for governor, he could slap this right back in his face. And there's no way in the world that Barnes could get away with it. This thing would be worth half a million dollars of publicity. And I think it still will if the governor runs.

Marcello: Okay, is there anything else concerning revenue that you think ought to be a part of the public record that we haven't touched on? Now again, what I've been trying to do here is ask you questions which are not a part of public record.

Stroud: Right.

Marcello: And the obvious, of course, we're simply skipping over.

Stroud: Well, I think you have one thing like . . . not many people understand the beer tax. It's very popular to vote for a beer tax. And especially when you get into the wet and dry issues, they say, "Tax these things that are full of sin and cause all the trouble." But what they don't understand--and this is the reason that I have always voted against taxing beer--

I think they more than bear their fair share of taxes. And we have more employees--employed by the beer industry--than I think any other state in the Union. Now as we well know now from establishments moving from one state to another, no industry is wedded to any particular state, that they can just get up and move out. We saw this when the Ford plant closed here in Dallas. Two days before that, they would have bet you a thousand dollars they wouldn't have moved out. They can't afford to move out. They've got too much in here. And then POP! Out they went. So we can just get to the point where we can tax them too much. And we're in that realm right now that they'll get up and move their breweries out. So I think you have to look at it from that standpoint. We can't overload certain industries with emotional taxation without realizing how much they contribute to our economics. Now I know I've been criticized for voting against beer taxes, but you have to take these things into consideration, or else you're going to ruin yourself. Now I think this cigarette tax . . . I don't smoke as much as I used to, and I think after July 1st I probably won't smoke at all with that additional tax. But you know they have counted--they, I say we have counted--on the taxes from cigarettes for a tremendous amount of money. We're counting on it in this budget, too, for a lot of money. But

I think we're killing the goose that laid the golden egg. It gets to a point . . . now you're going to go to your machines and pay fifty-five cents a pack for cigarettes. Well, there comes a time when a man can't afford to pay for it. And I think we're going to kill the cigarette industry. Maybe it's a good thing. Maybe it'll cut out cancer. I don't know, but when it does we can say this--that we're cutting off a large source of our revenue. Maybe we ought to just ban cigarettes altogether and not tax them to death.

Marcello: In other words, it's generally your opinion then that most of the "sin taxes"--the so-called "sin taxes" have more or less been taxed to the limit.

Stroud: Yes, I think the same thing is true with hard liquor. And here we're starting out with liquor-by-the-drink, one of the stiffest set of taxes of any state. And you might very well after the newness of it find out that our anticipated revenue, which really isn't so much, is going to be down. And if it goes down, well, then the next time we'll put more taxes on it. It's not trying to equalize it, but you know, put more taxes to bring it up to what our estimate would be. And I think we've run out on the sales tax. And the worst thing this state and the Legislature ever did was to authorize the cities to have a one percent sales tax. We preempted the state from the very broad based tax. And I can say that some cities took this and put it into a slush fund and never did use

it for what they were going out preaching to the public they were going to use it for. They were going to give it to the firemen and police. And they never did this. It just vanished. Maybe it's in this new city hall that they are building. But last session when they were trying to put the food tax on, here were the mayors of Dallas and Houston wiring down there, "Push for the passage of this." Because it gives them that much more. And whereas the mayor here, Eric Johnson, stood up in Memorial Auditorium when I was fighting this city sales tax, and I said, "Do you understand that if food and drugs are brought under this thing that you'll be taxing that, too, from the city standpoint?" And he said, "By God, Jim, I hope the time never comes that we'll ever tax food and drugs." And yet here a few years later you find him boosting for food and drugs to be taxed because it gives the cities a little more money. Of course, all forms of local government, I think, are greedy and swallow as much tax money as they can get. And you never, very rarely ever have what you call really surplus. It's only a surplus because we only meet every two years, and we don't get a chance to go down and spend it. (Chuckle)

Marcello : I see. Let's move on to another topic then very quickly here. Obviously one of the first things that the House of Representatives at least had to face when it went into session this time was the repercussions from the alleged stock-fraud scandal. What do you know about this?

Stroud: Well, of course, I guess I know more now than I did then. But I had just been honored by being selected a chairman of the Elections Committee for the second time. There were only six chairmen in the House that were repeaters. The speaker changed all the rest of them to increase his power. And it kind of hit me awfully hard. Of course, as times went on more and more information became available. At first I was prone to say, "Let's don't convict or condemn a man until we've heard the whole story on it." And I think there was a lot of us that felt that way in the House. And we respected the office of speaker, and, of course, he's really only so strong as the membership that support him. We elected him; he didn't elect us. And some of the speakers remember this, and some of them don't. I think Speaker Mutscher didn't remember this. This was his downfall. So then as time went on, and he made no effort to step off of his throne, so-called, and come down and tell us . . .and that's all we were asking for.

Marcello: In other words, I think first of all you're referring here to the . . . was it a resolution which was presented by Mr. Caldwell to have the speaker explain immediately . . .

Stroud: Well he . . .

Marcello: . . . his involvement in this affair?

Stroud: Yeah. Even before this members had individually gone up to him and said, "Mr. Speaker, why don't you come down and just tell the membership what happened. This is all. I think this will satisfy them. Just tell them what happened."

Marcello: In other words, in effect what you're implying here is that Ben Barnes, for example, immediately appointed an investigating committee in the Senate. And is it your opinion that this is the thing that Mutscher should have done right from the very beginning?

Stroud: I think he should have done it . . .

Marcello: Do you think he could have stopped a lot of criticism had he done this?

Stroud: Right. I think he should have done right then what he did later on.

Marcello: Right.

Stroud: Get down and say, "Look, I was trying to make a fast buck, and I just did the wrong thing. And I'm going to appoint an investigating committee and tell them "No holds barred; go all the way through." But instead of that he kept on, "No comment, no comment." And the newspapers then started putting the pressure on him. And the more the pressure was put on him the worse he got. And he got to where he didn't even remember what he said the last time. Well, finally I came around to the point of thinking that there was a lot of fire

where I thought there was a little smoke because something made him shut up. And I knew that whether it was legally wrong or not, ethically and morally it was wrong for a person of that position or even in my position to make use of my office to be able to borrow that much money. You understand that he borrowed several hundred thousand dollars . . .

Marcello: Right.

Stroud: . . . and he didn't have \$20,000 worth of collateral to borrow that much money. Secondly, it was wrong to buy this stock on a tip from the man that owned the company which was not available to other people. He was taking advantage of his office. Thirdly, he was wrong because he was taking advantage--and he must have known this--that he was selling this stock to an organization's pension fund which was religiously wrong. He was actually cheating somebody. I don't care how you want to put it--whether they can prove it on him or not--he was actually cheating the church.

Marcello: Now are these the Jesuits?

Stroud: Yes. So this is the conclusion I finally came to, and it was very hard for me to remain even partially faithful to him.

Marcello: Now up until this time, I assume that you had been pledged to Mutscher. Is this correct?

Stroud: That's right.

Marcello: And as you mentioned, you were a committee chairman.

Stroud: Right.

Marcello: You mentioned a little while ago that he had apparently changed a good many of the committee chairmen. What was the reason behind this? Do you recall?

Stroud: Well, by changing committee chairmen he retained more power because in the first place, if a chairman goes in on his first term, unless he really has the experience and the know-how, he's rather dependent on the speaker and his advisors for guiding the program through. Whereas if a chairman knows what he's doing, then he doesn't need the speaker as much. He can go right on through.

Marcello: Right.

Stroud: And not only did he change chairmanships, in my case on my committee and on almost all the rest, he changed the members around. I only had one or two men that had been there before. All these people were . . . some of them were brand new, and some of them were new to election processes. And it was just chaos sometimes. When a really important bill came up, the questions they'd ask and the time they'd take to process this bill was like a kid buying his first bicycle or something like that. (Chuckle) He didn't know. And this slowed down legislation all the way around--terrible. Very, very bad. One of the reforms that almost every candidate for the speaker and some of them are not are proposing now

is a limited amount of seniority. It must be. Of course, all this means is that if you're a member of, say, the Common Carriers Committee, as long as you want to stay on there you can stay. You don't have to be removed. And the speaker can't remove him.

Marcello: I assume then that it was perhaps on the basis of the stock-fraud case and Mr. Mutscher's conduct during the aftermath that made you have second thoughts about supporting him again.

Stroud: It surely did. I had lost the faith that I had in him. And while I can say this truthfully, I never did consider him an overly bright person. But I had thought that he was an honest person. And I think to be speaker you don't have to be overly bright, if you're honest and reasonably fair to people. But I lost this part of my respect for him, and I couldn't hold on. And then when I saw what he did to other members, which was vicious, absolutely more vicious than I could ever imagine.

Marcello: Are you speaking here primarily of the redistricting and the way he wanted to get rid of some of the "Dirty Thirty?"

Stroud: Oh, I think the redistricting was just part of it. I think it's their legislation.

Marcello: Could you give some examples of this?

Stroud: Yes. A long term member, highly respected member, professor at St. Johns University in Houston, Tom Bass, who was a member of the powerful Rules Committee, a chairman of one

of the major committees, started out after about the first month and couldn't stomach it. So he resigned from the Rules Committee and as chairman of the other committee. Well, the speaker then--and I'll tell you the truth--referred to him after that as a SOB. And he did it in my presence. Well, there could be no finer person. And I don't think that Representative Bass had anything more than wanting the speaker to tell the members . . . and he was one of them that went up there and said, "Mr. Speaker, if you will just come out and tell us this is what happened, and this is what I did, I'll support you all the way." But instead of doing that the speaker turned around and just vented his hatred towards those members that were prone to . . . they were trying to help him. They were trying to help him at first, and later when he got bull-headed and everything, well, then they started fighting.

Marcello: Do you think apparently Mutscher was receiving some bad political advice from somebody?

Stroud: I think that the speaker did receive some bad advice, and I think some of it though was that hard-headedness of his. He refused to listen to anyone. That one term as speaker--in which he was a fairly good speaker that first term--had turned his head until he became an egomaniac. Then he was all-wise and everybody else was a stupid ass. And this

is how he really treated you. I mean, for instance he'd call a member up there--he called me up there . . .

Marcello: This is up to the speaker's rostrum.

Stroud: Up to the speaker's rostrum and say, "Jim, now I want you to support me on this piece of legislation." And he says, "Old buddy, I'll go to Dallas," he says, "I'll get those businessmen together and I'll tell them to support you." Well this was a laugh to me because I've always been endorsed by the Businessmen's Association. And I knew what they were thinking. They don't hold him in high regard at all. As a matter of fact, without that cloak of speakership I don't think anybody would speak to him. And this thing kind of made me disgusted that he was trying to tell me--from Brenham, Texas--that he could come to Dallas, Texas, where I've lived all my life and have served these men and get me reelected. And he did this to almost all the members. And you just kind of had to laugh.

Marcello: Did he ever make threats against any of the members so far as withholding some legislation in which they were particularly interested?

Stroud: Oh, yes. Yes, I don't know that I heard him do it of my own ears, but I've heard from several of the members that when they voted against him--especially on these resolutions asking for an investigating committee or something like that--that he'd say, "Well, you ended your legislative career." Of course,

the worst thing was on the redistricting idea. There's nothing in the world that could hurt a man more than to pit him a friend against a friend . . .

Marcello: We'll talk about . . .

Stroud: . . . when he didn't need to do that.

Marcello: Right. We'll talk about this a little bit later, I think. We'll keep these things in some sort of a sequence.

Stroud: But he did make threats. And as a matter of fact, while he usually made them himself, a lot of times he'd use some of his aides to make them. And I had one made against me. There was a certain bill in there that I thought was a real bad bill, and it had a lot of lobby behind it. And I refused to carry it. And he had a member call up and say, "Look, we've got a witness on the throne if you don't get down here and carry this thing," he said, "We're really going to blast you in the newspapers and really ruin you." And I said, "You just go ahead and blast." As it was, nothing ever came out of it because I think like most everything else he was bluffing in this case. Of course, he's going out of his little kingdom. His kingdom is that speakership and that rostrum up there and not outside of it.

Marcello: How had this whole stock-fraud scandal affected you as a legislator? Let's say so far as your own constituents are concerned?

Stroud: Well, I think it's been very detrimental to me. I think the public has a tendency to group people together and condemn the whole in rather individual respects. They say, "they're all in on it. They've all got their hands out, and they're all crooked." As a matter of fact I received mail asking me to support specific pieces of legislation and then to have that little motto down on the bottom of it "All new in '72." So what they were telling me, "Help me in supporting this, but, boy, we're going to replace you in '72." And I think that it makes very little difference whether it was me or Dick McKissack, who I consider one of the most conservative members in the whole place and probably Mutscher's strongest friend. He was quoted in the newspapers as saying, "I'll go down with him." And me who renounced him and withdrew my support from him. I think this would make very, very little difference when the voters are going to the polls. I think their tendency will be to throw out all those that are in there. And I'm not quite sure it will be a Democrat versus Republican either. I think it will be the old and the new. And I'd say that right now at this moment that Gus Mutscher has defeated every representative in Dallas County.

Marcello: Now it was also around this time that the "Dirty Thirty" received quite a bit of publicity. Now obviously they had already been forming even before this, but I think this gave them a real issue. I mean they could all unite in

their opposition to Speaker Mutschler. What do you know about the "Dirty Thirty?" Describe it. Tell me a little bit about it.

Stroud: Well the "Dirty Thirty," of course, was a coalition of Republicans--and I must say ultra, ultra-conservative members--and some liberal members, and some moderate members. I know the speaker used to call them a bunch of liberals, but this is not really true.

Marcello: Especially the Republicans. There wasn't anything liberal about the Republicans.

Stroud: No. Well, there were several of the others that there wasn't anything extremely liberal about. I think they possessed probably above average intelligence for the whole House. I think you have some real, real good brains in there. I think Representative Tom Moore of Waco is just extremely able. He's probably the finest speaker in the House. Mrs. Farenthold from Corpus, I think, is a brilliant lady. Intellectually I'd rate her right at the top. But they were persistent. And by his being extremely aggressive against them, this molded them closer together. Actually they vacillated so far as numbers are concerned. They might be thirty-nine, or they might drop off to twenty-two depending on particular issues.

Marcello: But this is one thing they could all unite against.

Stroud: That's right.

- Marcello: That was their . . . I shouldn't say their hatred of Mutscher--that isn't a good word--but their attempt to get rid of him, I suppose you could say.
- Stroud: I think really it was their attempt to force Mutscher to concede that he was wrong. Now this is what they wanted him to do. And while other hypocrites--and they might even call me a hypocrite at first--knew he was wrong, but would refuse to get up and voice it publicly.
- Marcello: Who were some of the hard-core members of the "Dirty Thirty" that you could expect to be a member of this group on practically every issue?
- Stroud: Oh, I think Mrs. Farenthold, I think Tom Bass, I think Tom Moore, Ed Harris. There were quite a few of them.
- Marcello: How about David Allred?
- Stroud: David Allred. All the Republicans, especially Fred Agnich, who as you know is a very able person. I like Fred and I think he's very capable. And all of the Republicans from Houston, Republican Tom Christian, and . . . let's see, Bill Bass--very able person and honest as they come. I thought very highly able--all of these people were really closer friends of mine than some of the others. It was sort of a death to be seen with them though. I mean, it was sort of like they had leprosy, and the speaker's henchmen would report you, you know, if you went to one of their meetings which they had every once in a while. But it was

a group of . . . they were good people. I mean . . . Curtis Graves was in there. And I want to tell you that there wasn't a single person in there that I would really consider a better member than Zan Holmes, the Reverend Zan Holmes from Dallas was one. There's not a person in there that I'd consider a really red-eyed, left-wing, liberal-radical. They're sensible people, and I don't know of any issue we had up there or any issues that they tried to propose that were revolutionary or anything like that. Some of them were sticklers for human rights, but I certainly don't think that's anything to be critical of.

Marcello: In other words, it's your belief then that most of these people were very sincere, and there really wasn't too much demagoguery among them.

Stroud: No, I don't think so at all. Matter of fact, I can see right now that they were right. After having my program hatcheted in the last few days--like the speaker did to me-- I can reminisce and wish that maybe I had done the same thing. But I thought I was doing the best thing that was good for election bills . . . I was the only one that understood it, and I thought I couldn't be replaced, you know--not in the future but I mean at this time. And I just kept on and I took a lot of stuff. I have never been supposedly on the speaker's real team, you know. That consists of about four or five members.

Although I was the second member to pledge to him on his first term. But I was never that close. Of course, I was the one that supported him on most of his legislation. I was the one that was invited into his apartment for drinks every once in a while. So I wasn't on the outer fringes. I'd say I was on the second echelon. I don't know. Of course, this whole session to me was the worst I've ever seen.

Marcello: In what regard?

Stroud: In everything--in it's organization, in it's operation, on the bills it passed, the reputation we had, what we've done to the history of Texas, the impressions that we've left with the citizens, the fighting between the speaker and lieutenant governor. And don't think there wasn't fighting between those two also. Mutscher was so jealous of Barnes that it was pitiful.

Marcello: Oh, is this correct?

Stroud: Oh, my gosh, he was so severely critical of him.

Marcello: On what particular issues or over what?

Stroud: Mutscher was like a little spoiled child. You know, you had to go in there and say, "I think you're wonderful," every day to build him back up. Overnight he'd go down. You have to pump him up every day. And he was so jealous of Barnes' popularity. And he'd say in front of me, "Why can't the newspapers give me good write-ups like they do Barnes? I'm as good as he is. I run this shop as good as

he does. Why do they always have to give him the best write-up? Why can't they take my picture?" I know one time the Times-Herald was critical of him and everything. He asked me if I could call the Times-Herald up, if I knew somebody down there, and get them to stop writing those bad articles about him. Well, of course, it got on at the last there that every columnist in every newspaper in the state was just taking one blow after another at him. And I understand now he won't even talk to reporters. He just issues press releases. But then, of course, Barnes and the governor, it was almost as bad as Smith and Connally because Barnes was a protégé to Connally and still within Connally's camp. And then Mutscher and the governor--this was little known.

Marcello: I didn't realize they had a whole lot of trouble between them.

Stroud: Oh, yes. As a matter of fact, the governor issued a proclamation on some emergency legislation, which I thought everybody knew what he was talking about. He didn't specifically spell it out one, two, three, four. But I knew what he was talking about, and I knew a lot of other people knew what he was talking about. And I took it up and showed it to the speaker because it concerned some legislation which was in my committee. And he said, "Well, hell, he sure wandered all around about that. I could write something better than that myself." You know, critical when there was

no reason to be critical. I don't know. It just goes back to say that he wanted to be the thing that everybody talked about. And he wanted to be the public hero. And I think at one time he had aspirations to run for lieutenant governor this time. As a matter of fact, I know he did. Of course, this has killed him off on that. At one time he was going to run for congress. But I have never seen a man in my life--and I say this, I'm fifty-seven years old-- I have never seen a man in my life who had to have a group of people pushing his ego up every hour. And, you know, it became a joke. He got third term pledges about every ten days. It was like, "Well, I'm afraid they don't love me now." And he'd go around and get another bunch of them. Then he'd go around and everybody coming around giving him another bunch of them. There's no telling how many pledge cards he had. But it was sort of a pitiful case.

Marcello: Who were some of the people that he had gathered around him and who did more or less stay with him throughout the session?

Stroud: Oh, I think Bill Clayton, James Slider, Bill Heatly, Jim Nugent. DeWitt Hale broke away from him once or twice but generally was . . . Charlie Jungmichel, and believe it or now, a fellow that was running for speaker--Jack Ogg from Houston. Then he had Ray Lemmon from Houston. We had four from Dallas, I'd say, who were very strong for him, and that was Atwell, who now has become a little bit disenchanted, Joe Golman, who I

don't think ever did understand what was going on, Dick McKissack, and Joe Hawn.

Marcello: In the face of the obvious here, why do you think these people continued to support Mutscher? Some of them certainly were committee chairmen, and I think that dictated their stand perhaps.

Stroud: Yes, some of them were committee chairmen. Some of the Dallas ones were.

Marcello: Right.

Stroud: All of the others I mentioned were. I think it was with the thought of building up their power, that he was a shoo-in as speaker the next time.

Marcello: In other words, they didn't feel that this movement started by the "Dirty Thirty" was going to get very far.

Stroud: That's right. Nor did they . . . they got swept up in their own web really. It's kind of saying, "I had no one to go to except him. You know, I've attached myself to him for so long and so desperately and defended him so much that I can't quit because where would I go?" And you take a person like Bill Clayton that comes from Springlake, Texas, gosh, if he wasn't in with the powers-that-be in Austin, what would he be--nothing. And that's the same thing with Slider of Naples, Texas, or Jim Nugent from Kerrville. Really most of these people are people who generally were against the urban areas.

Marcello: These were rural representatives.

Stroud: Rural dominated representatives. And Speaker Mutscher was a rurally dominated representative, and he thought that way. And I noticed one of the newspapers the other day quoted Mutscher saying that, "Although I come from a small town, I want everybody to know that I dedicate myself to the urban areas, to the legislation which will improve and help them out." And they said, "Well, Mr. Mutscher, let's see what you've done for the urban areas." And of course, it is practically zero. He had to do something because we supply most of the money to run the state. Well, you take the five metropolitan areas' contribution to the state budget, heck, you wouldn't have much to go on. (Chuckle) You couldn't support the rest of them even. And I think this is what is tied down to with these people, and there's some people that were in there that turn on and off. In other words, they were Byron Tunnell's devoted chairmen and supporters. And when he left and Barnes went in, boy, then they were Barnes'. Then they dropped Barnes and now they're Mutscher's. And when they drop you, you know, they also criticize you, too. Before that they loved you: "He was my hero." But then when the new speaker comes in, boy, goodbye. I never could quite do that. I always thought even though a man went up, if he was a good speaker and he was a good lieutenant governor, he ought to have your loyalty and support all the way. I

think this is what's wrong with the Senate. They only think of the Senate and not of the state.

Marcello: Now I guess it was sometime into the session and certainly after the stock-fraud scandal had broken, Representative Farenthold had proposed that some form of general investigating committee be formed to bring out into the open exactly what did take place. Did you support that motion on her part, that resolution on her part?

Stroud: Well, actually there wasn't a vote on the resolution itself, if I remember right, and I think I'm right.

Marcello: No, it never did reach a vote, did it?

Stroud: It was on a motion to force it out of committee.

Marcello: Right.

Stroud: And as a committee chairman, I don't care what it was, I couldn't support a motion like this because I'd be destroying part of the committee system. If I supported that, they could turn right around and force legislation out of my committee, which I think is wrong. I think each thing should stand on it's merit.

Marcello: Uh-huh.

Stroud: Now I think the committee was wrong--Rules Committee--which her resolution was in, in not giving her a hearing on it.

Marcello: Apparently there was quite a hostile reception to any sort of an investigating committee in the Rules Committee. Isn't this right?

Stroud: That's right.

Marcello: Now this is the one chaired by Nugent.

Stroud: That's right. And I might say this. Mr. Nugent is a strong supporter of the speaker. And he was very critical of the "Dirty Thirty." Now that the session's over with . . . right before the end of the session he slipped in a resolution making the Rules Committee a standing committee to make recommendations for reforms in the rules, which was really the basic thing. And you ought to see the papers he sent out on the stuff that he wants to change. My gosh, this is exactly opposite from the whole concept of the Mutscher plan. He wants to reduce the number of committees. He wants to limit the conference committee. He wants to have seniority in the system. He wants to change the way that the chairmen are picked. This is just exactly what the "Dirty Thirty" had wanted all along. But now Mr. Nugent as Chairman of the Rules Committee has his own program which it looks like he just picked up from them and put out and said, "Look what I have done. This is what we should do."

Marcello: In other words, here again we see a little bit of demagoguing on Nugent's part.

Stroud: (Chuckle) Demagoguery all over! (Chuckle)

Marcello: Not on this same subject, of course, eventually Mutscher was forced to appoint some sort of an investigating committee. In fact, I think it was called a House General Investigating Committee. Isn't that correct?

Stroud: That's correct.

Marcello: Now he received quite a bit of criticism because of the people that he selected for this committee. Apparently they were all committee chairmen. Isn't that correct? And people who were close to Mutscher.

Stroud: That's correct.

Marcello: What do you think he could have done differently about this?

Stroud: Well, I think he could probably have selected a committee of seven members and put three of his opponents--so-called opponents-- . . .

Marcello: Do you think perhaps a couple members of the "Dirty Thirty" should have been included on this committee?

Stroud: Yes, yes, I certainly do and then maybe three of his supporters, and let them select a chairman. The chairman himself, Representative Menton Murray, I have all the confidence in the world in, but I think that he was appointed by the speaker, and he will probably run the committee along the lines that have been set out beforehand. Now you must know that the way this committee was set up and what they were charged to do is a little bit different because they were supposed to take the findings of the attorney general, you know, and consider these things. Well, the attorney general to my knowledge as of this date hasn't made any findings. If he has he hasn't reported them to them. So

the whole set-up of the committee and its responsibilities as it was set out in the resolution that formed it were so made up that it would be a long time before anything came out. And I think this was the whole basis all the way through the whole session--everything was based on time. They didn't want to divulge anything.

Marcello: And, of course, the committee was charged not to begin its investigation until after the session had ended. Isn't that essentially correct?

Stroud: Essentially that's correct.

Marcello: In other words, here again this perhaps might have given . . . time, you know, has a way of dulling some of the issues, perhaps. And do you think this was perhaps one of the reasons why they were charged to wait until the end of the session?

Stroud: Well, I think it was either that, or they were afraid that some of the issues that might be brought out would lead to either civil or criminal charges against some of the people that were mixed up in this.

Marcello: The excuse he gave though was that an investigation at that time might impair the business of the House. Isn't this the excuse that Mr. Mutscher gave at the time?

Stroud: That's correct. Of course, as I say it was so constituted and so charged that I don't think there's any way in the world with the hustle and the bustle that we had there in the last few days that this committee could have done any real investigating. I mean hold hearings and call witnesses

because there just wasn't time for it. I know its chairman-- I say was Representative Menton Murray--was one of the best members of my committee. And right up to the last--the last two weeks--he was rewriting legislation for me, as chairman of the sub-committee and as a member of the sub-committee. He absolutely didn't have any time. I think he was chairman of Higher Education, which as you know a number of bills pass through. And it was virtually impossible for him to do these other things. And I think to appease the House, they did call an organizational meeting, and they might have had one or two meetings after that, but they weren't of any importance at all.

Marcello: Is there any other way that this committee could have been chosen other than having the speaker do the selecting?

Stroud: Well, unless he appointed a committee to select the committee. I often thought that maybe to get it away from the legislature itself, which might be biased either one way or the other, that a committee possibly headed up by the Texas Bar Association would have been the wise way to do this. And not being a lawyer, I don't know whether this would have any legal ramifications affecting any cases that might be made later on or not, but certainly this would have been the fairest thing to do. Every member of that House had some interest in this thing. Now it was either pro or against.

Marcello: Did you ever hear much said about the involvement of any of the other House members in this alleged stock-fraud scandal? I'm referring now to Mr. Heatly or Mr. Shannon.

Stroud: Why, yes. I think the thing that made it look so terribly, terribly bad was that you had the speaker of the House, his strongest and longest-time supporter and the one that he named speaker pro-tempore, which I thought he made terrible mistake of it--Tommy Shannon--his two administrative aides that are paid for by him--Rush McGinty and Sonny Schulte, I believe, and Heatly, who was his, I guess, top advisor. They were all mixed up in this thing.

Marcello: Well, apparently Heatly had advised that there not be any investigation at all. Wasn't this his advice or essentially his advice to Mutscher?

Stroud: Yes, well, Heatly was the one saying to slow it down. There's no doubt about that. He advised that the least said the better off Mutscher would be, and he told the speaker to avoid any questions and avoid any answers and so on and so forth. Of course, he was deeply involved in this himself. And it remains to be seen what real place that he plays in this. But these were the closest ones to the speaker, that have his confidence, and that he would say, "Look--my buddies." And he'd put his arm around his real, real close buddies, "and here's where we can make a killing." And if one would say, "I don't say the money," he'd say, "Well, I know where we

can borrow the money. This is an old time friend of mine-- Sharp. I've put up a resolution memorializing him as such a wonderful man, and I've talked to him." And Tommy Shannon, who carried the bill that caused most of this mix-up in this thing--banking bill, the insurance . . .

Marcello: I was going to ask you about these banking bills. Why don't you finish what you're going to say here, and let's talk about those a little bit.

Stroud: Well, Tommy Shannon, of course, his closest associate, is the one that carried this bill. So it just all ties in. I mean there's no loose strings really.

Marcello: What do you remember about those banking bills. Now they were passed in the House when? During the last session?

Stroud: Well, they were introduced by Tommy Shannon at the end of the 61st Session, and they were passed in the first called session.

Marcello: This was the session of the 61st Legislature? Is this correct?

Stroud: Right. And I think they were passed in the last two or three days. I must confess that I look back and I voted for it. And as I said earlier that I had a lot of respect for the speaker at that time and I just couldn't see anything like this happening. I know the speaker's trust was misplaced a lot of times and I guess I was fooled on this. But it had a . . . I don't know. I don't think over seven people

voted against it. And I bet you if you talk to those seven people, they wouldn't really know why they voted against it. It probably was just something that they were voting against. And then . . . you know it didn't get all the way through. And then when we had the special session, the governor mysteriously, for some reason or another, opened it up to the call for this thing. You know, a special session can only consider those items that the governor wants it to consider. It can't consider anything else. And for some reason he opened it up to this particular bill again. And it was passed.

Marcello: Explain exactly what that bill was.

Stroud: Well what it would have done . . . it would have left . . . you know now that the F.D.I.C. insures the deposits.

Marcello: Right.

Stroud: And this bill would allow certain supposedly non-profit insurance companies to insure deposits up to I think \$100,000 or something like that.

Marcello: These would have been at your state banks and so on.

Stroud: Your state banks which would actually circumvent the Federal Deposit Insurance Corporation.

Marcello: And their rationale was that by having the insurance companies insure these bank deposits it would perhaps attract outside money to these smaller banks. Wasn't this one of the rationales that they used?

Stroud: Well, this is the whole rationale. And it was fixed so that there would be a very limited number of insurance companies that participate and a very limited number of banks.

Marcello: Among which would be Banker's Life, I assume.

Stroud: Right. And also the Sharpstown Bank.

Marcello: Right.

Stroud: But it would mean, of course, that a company who limits its deposits to say \$20,000 because this is all it can . . . or an individual if you want to put it that way, could go in there and say, "Shoot, I can get insured up to \$100,000." And there was really no basis for this because it allowed companies who couldn't financially really take this kind of risk. You know, it takes the federal government to do it now. And if you . . . I think I remember now that this Sharpstown Bank is the largest payoff they've ever made. And then, as it turned out, Governor Shivers, who owns interest in several banks, read this bill and saw immediately where it would hurt banks like his and other national banks and urged Smith to veto it. And, if I remember, he called him three or four times. And it must have been of such importance that he was following up very close on it. And it must have been of such importance that Smith finally reconciled to that fact and went ahead and vetoed it.

Marcello: Well, now about the same time that the stock-fraud scandal had broken and the House was debating whether or not and the type of committee that was going to be formed to investigate the activities of some of the members, there was also quite a movement for ethics legislation in the House at the same time, was there not? Or maybe this broke even a little bit before the stock-fraud scandal.

Stroud: Well, of course, we've had this ethics with us for a number of sessions really.

Marcello: And I assume everybody wanted to jump on the ethics bandwagon, is that correct?

Stroud: Oh, yeah. Once this popped out, well, of course, ethics was the most . . .

Marcello: Like motherhood and apple pie and the flag.

Stroud: Yeah.

Marcello: You really can't be against it, I suppose.

Stroud: That's right. And this went too far in some of the phases of it. And I think they're going to find some serious repercussions on it. And of course, you had . . . also, to be for a strong ethics bill, it almost had to restrict the attorney, who are almost 50 percent of the House, in their right to represent companies before state commissions, this is cut into their income. And attorneys didn't even want to limit their partners to doing it. This is, I guess, a source of a lot of their income. I don't know, but I'm sure it is.

Marcello: Well, how did you feel about this ethics legislation?

Stroud: Oh, I voted for it before. I think for the last three sessions we have voted an ethics bill out of the House that died in the Senate.

Marcello: Now this was being sponsored by Mr. Nugent. Isn't that correct?

Stroud: Right.

Marcello: And he had been sponsoring it for some time as I recall.

Stroud: Yes. For a number of sessions.

Marcello: Now at one point in there I noticed in the debates over the House ethics bills he was quite upset. I'm referring now to Mr. Nugent. He apparently was upset because there was an amendment calling for the public disclosure of income sources. Is that the way it was worded? And apparently he was arguing that this was unconstitutional.

Stroud: Well, I think that the . . . and I don't know whether this is what you're referring to. One amendment called for you to file a copy of your income tax return. And a lot of people thought this was unconstitutional.

Marcello: Now this was supposed to be a public . . .

Stroud: That's right.

Marcello: . . . disclosure.

Stroud: That's right. Not with a commission or anything, but a public disclosure. And the people argued that . . . you know, the Internal Revenue maintains this as a confidential document and supposedly won't show it to anybody.

Marcello: Uh-huh.

Stroud: And that this is unconstitutional to require it to be made a matter of public information.

Marcello: Well, then eventually, as I recall, what happened was that the income tax statement still would be filed, but it would be done so privately or confidentially, isn't this correct, with the secretary of state.

Stroud: Well, it's filed, I think, with the secretary of state, and there's a commission that can take action on it. But I'll tell you there was so many amendments--and I think the Senate put some on there too--that I don't believe anybody really knows what this ethics bill has in it right now. I know that they say it will effect 55,000 people.

Marcello: That is all those having an income over what is it--\$11,500.

Stroud: Right. And they're afraid that this is going to make a lot of people that are offered public office decline because they just don't want this information filed. But, you know, this would exclude some members of the Legislature. I think they'll do it anyway because it certainly doesn't prohibit you from doing it. And as you know, I think most of the "Dirty Thirty" filed this thing with the secretary of state already, even before this bill was passed.

Marcello: Now apparently, like you pointed out, another one of the controversies in this ethics bill was the idea of prohibiting lawyer-legislators from practicing before state agencies. Now that was eventually voted down, was it not, in the House?

Stroud: Taken out, yes.

Marcello: Well, I think it was Representative Hale in fact who proposed that such an amendment be stricken out.

Stroud: Right. He was very much against it. As a matter of fact, Representative Hale, I think, was against this type of ethics bill anyway.

Marcello: This is what I gather also. How do you feel about ethics legislation? Do you think it is a good thing? Do you think it will perhaps lessen the chances of a Sharpstown scandal reoccurring or anything like that?

Stroud: Well, I think, we got involved in an emotional issue here, and we lost our reasoning when it became emotional. I think the newspapers to a large extent were to blame for this because they kept on pushing up a real meaningful ethics bill. But when you got down there and said, "What do you mean by a meaningful ethics bill?" "Well, a good strong one." Actually, I think a good ethics bill needs only just a few points covered very strongly, and that's all. And leave out all the rest of this. I think people want to know, first, the amount of your income and where it came from. I think they want to know your indebtedness. Have you received any long-term big loans that your assets indicate that you don't deserve, and you're getting this on the basis that you're a state representative, or you're a state senator, or lieutenant governor or whatever it might be. And think the next thing is that there should be a list of all your stocks you own. Are you voting on issues that could affect the value of the dividends of those stocks? Outside of that, I don't know why some of these other things were really

necessary. They kind of embellish the thing and maybe impress people that this is strong by it going into a great mass of detail.

Marcello: I guess it's a great thing to take back to the voters at home, isn't it?

Stroud: Oh, yes. As I said, I don't think this is going to make any difference. They're going to say, "Well, why didn't you shut this door last time?" And you say, "Well, I voted for this ethics bill last time." "Yeah, but it didn't go through." "Well, the Senate killed it." "Well, we still don't care about that. It didn't go through." And you know, the electorate are fickle people at the most. And most of the electorate vote against and not for something. And here you are as a prime example of something that they can vote against. So I just think it's a good thing to have. I'm glad that we have some type of ethics bill at least for the people that come on and are elected in the future. Of course, it's going to make it harder to get good candidates because you can't find them for \$4,800 a year. You have to pull money out of your pocket to live on. But I think it's a good thing. I'm for it. I think we should have had it before.

Marcello: Okay, let's move on to another topic then. Let's talk a little bit about appropriations. Now in particular, one of the big hassles in both the House and the Senate--at least among the conferees--with regard to appropriations was the

idea of a pay raise for college professors. Apparently, Mr. Heatly and Mr. Mutscher were rather adamant in not wanting to approve any sort of a pay raise for teachers. What was the reasoning behind that?

Stroud: Well, I really don't know on that part of the appropriations bill. It's hard for me to believe that they were sincere in thinking that they were making too much money anyway. And I think it was . . . to me, the way I viewed it was that this was just one way of telling them--I'm talking about the professors--"Boy, watch your step, because we've got you by the neck. And we can squeeze you, and we're showing you that this is the way we can squeeze you." Showing and exercising their power, because, you know, they're always saying if you don't exercise your power every once in a while nobody will know you have it. Well, nobody can accuse Mr. Heatly of not exercising his power because he does it every chance he gets. And I think this is really what it boils down to.

Marcello: Well, this is what I gather. Is there anything else about appropriations that you think ought to be a part of the record?

Stroud: Oh, appropriations as we know them now . . . they're fantastic. First place, you shouldn't ever have a two-year appropriations. You can't tell four years back what you're going to need. And once you get it out, there's no way of changing it back until you go into session again. Most agencies over-request on their budget purposely, just saying, "Well, you know, in case we get in a hole, we'll have this." And they go to

a lot of trouble to pad this thing and pad it to where they can hide it. The next thing is that we have about three budget boards that look this bill over, and that's really too many. We don't need all of this. We ought to have joint hearings by the House and the Senate on the budget. Why have separate hearings, and here they go right back over the whole thing again. Of course, the reason they do it is because the Senate, you know, likes to pat certain people on the back and the House likes to pat certain other people. But they ought to do it jointly. Next thing is they should never have conference committee reports on budgets unless they're limited to the items that were in the original bill. This is where the really the riders get put on.

Marcello: Well, this is another one of the reforms that the "Dirty Thirty" was advocating, was it not?

Stroud: Absolutely. As a matter of fact, when Ben Barnes left the speakership in the 60th Legislature, we voted these rules--bring the committees down to twenty-five, limit the conference committee, seniority on the committee members. Everything that the "Dirty Thirty" wants. These were the rules. And when Mr. Mutscher took over as speaker in the 61st, the first thing he did was propose a new set of rules which knocked out all of these. So really what we're bringing up is what was voted in back there anyway. But it's been customary, I think, for each new speaker to change those

rules to suit his power. Now as I say, I think we ought to have one-year appropriations. I would like to see all money go into the general revenue fund and all of it be appropriated. You know, we only actually appropriate about half of the money.

Marcello: Uh-huh.

Stroud: The rest of it is dedicated funds. And you've got some agencies sitting back there with a tremendous amount of power to spend money that you have no control over. And I think this should all go into one general revenue fund and be appropriated out. I think we could save millions and millions maybe hundreds of millions of dollars.

Marcello: Okay, while we're on this subject of certain recommendations that you might possibly have, how do you feel about welfare? Obviously that caused quite a bit of anguish in some quarters of the state during the past year.

Stroud: Yes. This state is basically an anti-welfare state. You just have to recognize it. They have made welfare a very dirty name and a very unpopular thing for anybody to vote for. And this is unfortunate because we do have needy people. We do have to take care of them. We have put unreasonable limits on our welfare funds. And I tell you that when they voted down this one the last time--even though the newspapers gave support for it--people had been fed so many stories by the news media that here was a woman with two or three husbands and she had fostered five or six children by each one of them

and she was getting all of this money from welfare, and the ole boys were sleeping in all the time. We know some of this is done, but some of this is done in every kind of thing. But it gave a bad name to it, and they voted it down, and as a result it will be necessary to call another special session unless one thing happens, that is a change in the national welfare program.

Marcello: Do you see this happening?

Stroud: I hope so. I have changed my views on local control--which I used to be in favor of--now too, I think that because we have so many different programs between different states that you have no uniform method, and you have people flocking from one state to another as their welfare rules change. And I would like to see--and I'm in favor of it 100 percent--that all welfare programs be handled by the federal government. I think this is the only way for us to be uniform. I think another thing is that this is the only way that the states are going to get some of what we call revenue sharing that will cut down on our need for new taxes.

Marcello: Okay. Let's talk about another one of the more controversial issues that came up in the last session and perhaps one of the last things that the Legislature had to grapple with. And that was the whole problem of redistricting. Now obviously, being a urban representative, you were not entirely in favor

of the way that the redistricting was done during the last session. Is this a fair statement to make?

Stroud: Well, you might put it this way: I think it was the worst redistricting job they've ever done in the history since they've started. I think the House redistricting plan was just atrocious. I mean they were so inconsistent. And it was done by the rural representatives.

Marcello: Now this was done by Delwin Jones. Is this correct?

Stroud: Right.

Marcello: And I assume he worked very, very closely with Mutscher.

Stroud: Altogether with Mutscher.

Marcello: Altogether with Mutscher.

Stroud: The meetings that they held of these redistricting committees-- one in Houston and one in Dallas . . .

Marcello: You were not a member of the Redistricting Committee, were you?

Stroud: No. Almost 95 percent of the people that appeared before the committee were in favor of single-member districts for Dallas and Houston. Seventeen of the Nineteen House members in Houston were in favor of single-member districts. They turned around and ignored it because Mutscher wanted as many to run at large as he could. In Houston they divided it up into four parts. In Dallas we all run at large. They weren't consistent. This, I think, is unconstitutional because you have to treat like things alike. You can't say we'll put this under this set of rules and this under this set of rules.

Marcello: Why are you in favor of single-member districts?

Stroud: Well, I think that we're under-represented in minority groups. Now you just look at the population. And I think we're under-represented in the minority party. The Republicans have enough registered Republicans here to have more than one member. Plus the fact that I don't think that we have really representation from the divergent views of people that live in this city. Now I know out here--this area where I live--there's a lot of elderly people. I guess the average age in my precincts around here is probably sixty-five years of age. It might have gone up more except that we had some apartments built up for younger people. Most of them are on social security and are retired people. And they have no one that really represents them. I'd say perhaps I come the closest to it because the other representatives are . . . we have one at DeSoto. You know, it couldn't really afford a representative by population. He's in a separate school district--certainly not in our city taxing district. And I mean . . . he could vote for things that he shouldn't be voting for that affect me and my people here. They have one in Hutchins--the little old town, you know--Hutchins. They couldn't do it. They have one in Carrollton. This just doesn't make sense. Then we have four or five from University Park and Highland Park. And they couldn't . . . together they could just manage one representative. So the old cry

of ward politics, I think, is just a scare cry that they use all the time because this isn't true. As I said before, cliques have run this city and this state for a number of years.

Marcello: Why is it the benefit of the downtown business establishment to favor the multi-member district?

Stroud: Because it's easier for them to maintain control. In other words, most of the time to be elected from Dallas County you have to be on what they call the "businessman's slate." This is the one the newspapers usually endorse. The newspapers alone can't do it; but these men put up money for your campaign, and they put it in a pool. And expenses are paid for all of us to run on this slate. Now if you came from individual districts, they couldn't afford to put up individual money for each one of them to win. See, as a pool they can, it's much cheaper then. You can cover it all on one television strip or all in one newspaper. Plus the fact it would be much harder to control these representatives. But I can't see that they would do any different except represent the county of Dallas. I can't see them saying, "Oh, they just represent the old people here. They just represent the Negro people." Because you're saying our congressmen can't do it because you've got our congressmen broken up into member districts.

Marcello: Uh-huh.

Stroud: You remember this. And another thing, it's not quite fair for me to go to the House of Representatives in Austin and say I represent 1,300,000 people. And here this guy is sitting across from me that represents 74,000, you know. And I say, "Look, you nut, I represent more people than twenty times what you do. You don't know what's going on in this world." And yet, he gets just as much expense money as I do. He gets just as many secretaries, which is one and a half, which can't possible handle me mail, which is more than can handle his mail. Because I can have a hot issue and get 5,000 letters. If he gets 500 the whole session, he's doing good. I think it's unfair to him and to me. Plus I think the general feeling in the House is that they don't like the big urban district representatives.

Marcello: Is there quite a bit of rural-urban antagonism in the House?

Stroud: Oh, there's more rural-urban antagonism than there ever was liberal-conservative.

Marcello: Why would it be to Speaker Mutscher's advantage to favor multi-member districts?

Stroud: Well, because Mutscher depends upon these same businessmen to supply him with money. And he can tell them that they control their members to support him, see. It's a base of power for him.

Marcello: Okay. Let's talk just a little bit about the news made by this Redistricting Committee allegedly under Mutscher's direction to eliminate as many of Mutscher's enemies as possible.

Stroud: Well, of course, you know they held the redistricting bill up until the very last moment. And I think it was for this reason. And everybody--and I think even some of the speaker's close associates--really were astounded at what he had done. And this is where he really had a big fall-out. People who had protected the speaker, who had taken up for him generally in the fact of saying, "Nobody's proved anything against him. Let's give him a chance to defend himself," looked at this House redistricting where every member that was paired against another member was one of his enemies or so-called critics.

Marcello: Uh-huh.

Stroud: And it was just hard to believe. And they gerrymandered to do this. They weren't compact representative districts. They were done especially with this in mind.

Marcello: Now obviously this isn't the first time this has ever happened, but in the past from which I can gather there was never such a brazen attempt. Is that perhaps a good word to use on the part of the speaker to do that? Now I'm sure every speaker would like to eliminate some of his enemies if possible when it came to redistricting, but apparently it was never carried on in such a scale before.

Stroud: Well, I think that the most it was carried on before was perhaps when it was very convenient to do it, I mean without being obvious on it. And it would happen on a person who is, say, a leader who was very critical and was in somewhat of a position of responsibility, say, of the opposition. And he could, because of the fall-out in population, just combine the districts. But this is the first time that I've ever known or ever read about that where he just took in every one of them. I mean he didn't exclude anybody. There's no way he could cover this up. There's no defense for it. Absolutely no excuse at all. Just for this one reason along, without there ever being any scandal of any sort or anything else, I could never support him. Just for this one reason.

Marcello: Apparently this is the way that many other members of the Legislature also felt. This is, I think, where you really see the beginning of the big switch or exodus away from Mutscher. Isn't this correct?

Stroud: Oh, I think this was a final capping on it. I think the appropriations bill was one item that led to a lot of defections.

Marcello: What particular issue of the appropriations bill?

Stroud: Well, I think there was a lot of things in there. I think the one of them adding \$122,000,000 that wasn't in there before, the rider prohibiting the Department of Public Safety

from using helicopters for traffic control, and the item where they set up special institutions in Representative Heatly's district, or even to the fact that they put a million dollars in there for L.B.J. State Park, you know, when they hadn't asked for that at all and where they were saying that they had to have chandeliers in all outdoor privies to spend this much money. So I think the appropriations bill was one part of it. I think maybe the tax bill to a smaller part. But the worst part was this redistricting plus the fact that he killed so many members' legislation, and he did this through the Rules Committee. There was 700 bills in the Rules Committee at one time. And it was deliberately planned from the very first. You can tell that because we didn't do any business.

Marcello: When you say he killed members' bills, do you mean those who voted against him perhaps throughout this stock-fraud scandal and on other issues could reasonably expect that their bills wouldn't receive any consideration from the Rules Committee.

Stroud: This is exactly right. I don't know of any of them that really passed anything. They were just dead. They might have passed a few local bills like water district bills or something like, but they had a lot of power behind them back home who maybe got on the phone and called the speaker and say, "Look, we've got to have this." Most of the members that I know that had legislation gave it to somebody else to carry.

Marcello: When you say gave it to somebody else to carry, you mean gave it to somebody who perhaps had not earned the antagonism of the speaker as much as that member had?

Stroud: That's right. He didn't have that black mark against his name.

Marcello: And obviously I think you can see this happening then at the end of the session like you pointed out because here is when the big exodus took place when these members had nothing to loose.

Stroud: Right.

Marcello: The session was virtually completed, and this is when you did see the big switch taking place.

Stroud: Well, I think this is the reason for waiting to bring the redistricting bill out too. We knew we were going to have to do this all the time. You know, this wasn't something that just happened during the session or somebody thought, "Well, we should redistrict." This was mandatory and it'd been known for the last twenty years, especially the last ten years. We could have done this the first part of the session.

Marcello: But this was just an extra club that the speaker could hold over the heads of the members.

Stroud: To act as a club to hold over them until the last thing. And matter of fact, this was the poorest planned session because we had a list of priorities of what we had to do. There was no reason, there's no rule, there's nothing in this world that said that we couldn't do this in the first sixty

days--except to perpetuate the power of the speaker to hold it as a club. We could have ended this session before this time. We could have gotten out of there in seventy-five days.

Marcello: Now apparently there was also quite a bit of controversy over congressional redistricting. Here again, there was quite a bit of animosity between the rural representatives and the urban representatives. Isn't this true?

Stroud: This is absolutely true.

Marcello: Now apparently as an urban representative, you apparently wanted to extend the congressional districts from the cities outward. Isn't that correct? That's essentially what you would have preferred, I assume.

Stroud: Originally thirteen of the fifteen members from Dallas signed a statement saying we wanted to work from the center out to assure us three full members and the dominating part of another member.

Marcello: Right.

Stroud: And we signed this beforehand. But, of course, it never worked out that way. And the congressional redistricting started with Congressman Mahon, who is Delwin Jones' congressman.

Marcello: Up in Lubbock.

Stroud: And worked from there on out. And, of course, the big fights were taking Congressman Graham Purcell, who I thought got extremely bad treatment, and I like the congressman. I think he's one of the better congressmen that we have. And here they take most of Bob Price's Republican territory and tie it to Graham Purcell, which would make it almost impossible for

Graham to win. And then on the day before the final day of the session they come out with another version of the congressional redistricting and put this odd-balled shaped district in the bill . . .

Marcello: This is the mid-cities district.

Stroud: The mid-cities district is it, which I haven't been able to find out to this day who did it.

Marcello: Well, now apparently the Dallas members were not consulted at all about this mid-cities district.

Stroud: Oh, no, not at all. This came out of some midnight drawing the day before the final session.

Marcello: I had heard that there's a possibility that Tommy Shannon might have had quite a bit to do with this. It was a way perhaps of getting a congressional seat for . . .

Stroud: Vandergriff?

Marcello: . . . Mayor Vandergriff of Arlington.

Stroud: It could have been except that it has such strange lines like running out and taking in Bishop College. And I can't understand this. Why would Vangergriff of all people want to go out and take in Bishop College? I don't know that he's extremely popular in the minority neighborhood. I can't think of any conservative man wanting this, although in relation to the entire population it's minor. But it could be kind of a swing vote in there sometime. And certainly what this did is put all the Regional Airport in the Fort Worth congressman's district. And here's Dallas, who's paying eleven parts of it, doesn't get any representation of

the Regional Airport. Now I attended several meetings where we were very dissatisfied with this, and we asked Governor Smith to veto it and add an alternate plan that . . . you know, it wouldn't take any ground-shaking thing to change it up. Of course, I plan to see Graham Purcell say that maybe he'll come over here and run in it. I'd certainly support him in it. Now this is not an Oscar Mauzy district. Couldn't in any respects be his district. And they didn't change Cabell's up. A lot of people thought that they'd changed Cabell's up to give McKool more of a chance to win over there. So what they did was really cut off some of McKool's supporters. This is another one of those mysteries of who did this to what and why. And it was another mystery to me that that big and able Senate, who were supposed to be, you know--we will be the big equalizer this time--failed to do anything. And I criticize the lieutenant governor that he didn't accept his responsibility in this. He certainly wasn't a leader in this respect. He just couldn't even get his own Senate redistricting through. Now you can't tell me that this is the exercise of leadership that he's using for the basis of his platform right now throughout his campaign for the governor. He's half-way lost me. These petty politics that I suppose leaders play for their own benefit is . . . I knew it was to a certain extent prevented me from thinking that our public officials are on a higher plane.

Marcello: Well apparently some of the legislators also had in mind carving out congressional districts for themselves or ones in which they could perhaps stand a good chance of winning. I'm referring now primarily to . . . oh the . . .

Stroud: Haynes.

Marcello: . . . the Haynes-Wilson controversy concerning Dowdy's district.

Stroud: Yeah, that was Haynes, Wilson, Dies . . .

Marcello: Dies.

Stroud: . . . of which Clyde Haynes was a chairman of a sub-committee who . . . and who was a very strong supporter of the speaker right up to the last. And I mean really strong, too. I know Clyde, and I know his past voting record, and his record changed this time quite a bit. And this is because he got on the Mutscher team, and he was on this redistricting thing, and I think he'd been promised something. And when he knocked that county out, he should have known that this was just as bad really as it was in the legislative part of it where they pitted people against people. And, of course, I guess this is the only place that the Senate did put the pressure on and get it put back in.

Marcello: Who are you going to support for speaker the next time?

Stroud: For the first time I am firmly convinced that a person should remain uncommitted until after the election. We may not see any of the candidates survive this. And more than that, why should I commit myself when I might not be reelected, and what good is that going to do. No, I think it's a bad

thing--this pledge card system--where a speaker uses his power to get another commitment from him. And I talked to Price Daniels, Jr., today and he has a bill that would limit the speakership to one term which I'm all in favor of. If they didn't have this added incentive, you know, to perpetuate themselves in power . . . you know, there's only been five speakers in the history of the State of Texas who served more than one term.

Marcello: Uh-huh.

Stroud: If you didn't have this incentive to perpetuate himself in power, he might be able then to divide the leadership and the fairness that goes along with the responsibility of being elected by your fellow members to sit over the House. I think it'd make an entirely different ballgame out of it.

Marcello: Mr. Stroud, can we talk for a minute about some of the personal legislation that you introduced and supported, and could you talk a little bit about what passed and what failed.

Stroud: Yes. I've been Chairman of the Elections Committee for the past two sessions and Chairman of the Interim Committee this time and the last time also and held a number of hearings which concerned legislation either that was proposed as a result of these hearings or by federal court suits that have been handed down but are still on appeal. One of these, and a very essential one that affects every voter in the state, was that the three-man federal court held that our

registration system violated the Constitution, and the requirement that you register annually was invalid. I had worked on a registration bill and carried it five times which would mean that you could re-register by voting every two years, and it would keep the registration open throughout the whole period of this time and that you could register up to thirty days beforehand. It got a committee hearing last time, but even though I was chairman I never could get enough votes on the floor. I could have gotten it out of committee. But this time was the first time that I got it out. And then it laid there, and the speaker refused to cooperate even though I'd explained this to him a number of times: "This is a must. We have to have it." It wasn't until finally late in the session that he let it pass though. In the meantime a Senate bill came over that Senator McKool had. Well, it was a four-year re-registration bill, plus it was on top so that you could register here and be re-registered for eight years without even voting. Well, this is a tendency for fraud because, you know, you do it by application and not by personal registration. Mine was by personal registration by a registrar, which I took an amendment to include roving registrars so we have plenty of people. So these things were landlocked, and finally the speaker, in order to appease somebody, took my bill and put it under McKool's name. And it went to a conference committee and came out as Senate

Bill 51 by Mike McKool. And it was my bill except we did change it to three years instead of two. I felt kind of bad because . . . not for authorship because I've fought for this thing for so many years. The next one was a three-man federal court said filing fees were too high and prevented a person from running for office that should run. So I proposed a bill which reduced the filing fee to a realistic figure that almost anybody could run for an office if they wanted to. But it provided that the state paid for 3/4 and the county paid for 1/4 of it, and you would have a unified polling place where all people voted--Republican or Democrat--to cut down on the expense which would have been really the cheapest and most economical way. And this is the one that was favored by the secretary of state. It was favored by the governor. He finally made it part of his emergency legislation. The speaker on advice of two people killed this bill.

Marcello: What two people were these?

Stroud: This was the chairman from Dallas County--Democratic Chairman Earl Luna, who is doing this only for his own personal regard. You know, the Democratic county chairman under the old system gets 5 percent of the fees that he gets to keep. Of course, if the state financed it, you don't get that money. Further, he sensed this would take the control away from the party of selecting nominees because the party does have

a lot to do with the nominees although it's supposed to be an open primary. This other one really made it open. But he killed that and made a substitute. Mr. Luna wanted 5 percent per year of the salary, which means if you had a four-year term, you'd pay 20 percent. Well, I mean you can just look at this and tell this would be kind of unconstitutional. This is just a slap in the face of the federal government. So this 5 percent fee, which was 5 percent per year for the term of office, if it was a six year term, which our court of civil appeals has, this would have been 30 percent-- around \$9,000--for a filing fee. Now the federal court had ruled on an \$8,000 filing fee as unconstitutional. And they ruled on one which I think was \$4,700. Now here this bill would increase the fee. Now what he wanted to do is put a pauper's oath in there, that a man could sign a pauper's oath and run without paying the fee. But that he, as county chairman or any county chairman--but I'm talking about him because this is his approach--would be the judge of whether he was a pauper or not. And he could institute court action. In other words, he would just have the say-so.

So we wrangled around about this thing, and I'd say that one of the speaker's closest advisors, Joe Shannon, certainly agreed with me that this bill that I had was the best bill. Martin Dies, who's secretary of state and the chief election officer, came in and said, "This is the only bill that I think will pass the court test. Please just

don't throw this away." In spite of that, they went ahead and passed this other bill.

Ben Barnes was just as guilty as anybody else. Senator McKool and Mauzy both fought it. Barnes made them bow down because he thought the county chairmen would support him for, you know, his race for governor. Actually it was just really the Dallas man and another man from San Antonio's county.

The rest of the county chairmen I talked to thought this other idea was a good idea because why should the party get involved in the mechanics--which are highly specialized--in conducting an election. What they should be doing is getting out to vote and supporting their candidates and leave this other thing alone. We would have probably put it in the hands of the county clerk, who conducts the general elections. Earl Luna said, "Why, they don't know anything about this. I have to tell them." And I talked to the County Clerks Association, and they just laughed. They said the county chairman called them to find out how to do it, which is reasonable to me because most of our county clerks have been there for years. And the county chairmen change every year or two years.

But this was the rawest, worst, I guess heavy-handedness, that I have ever seen in the election laws. I mean to flaunt

something that'd hurt the people without regard for them and to take . . . instead of taking the results of these hearings, where thousands of people testified and which I had them on tape that I offered to play back to him. No, it didn't make any difference. And, of course, we did get it cut down to 4 percent. They had to do some finagling to even get it passed right at the last. It failed to pass in the regular session. They put it on the special session.

There was a good bill on moving the primaries forward so we could consolidate the elections. A smaller part makes less time that you have to campaign, less cost, less nuisance to the public. The public gets tired of hearing all these damn candidates get on television, radio, and all this sort of stuff. But Mutscher wouldn't even let it out. I did get a bill out that let the people in the nursing homes, hospitals, vote absentee without having to have a doctor's certificate. They have to have a doctor's certificate, and then it has to be notarized, which they were charging them \$6.00. Now these are these poor old people. Six dollars to vote!! And then I had one to where that if you live more than forty-five miles away from a polling place you could vote absentee. And then, believe it or not, under our Texas law a woman with children under twelve can't take them into the polling place. In other words, if she had a little baby she can't go in there and pull the levers and vote. She has to deposit this baby someplace and this keeps a lot of young

people from voting, a mother from voting. I passed this over. It went to the Senate and got hung up there. And I got the lieutenant governor aside, gave him the full particulars . . . Oh, it did have three other things. One of them, it had the enabling legislation for the eighteen-year-olds to vote. And by the way, they only need one more state to ratify that, and it goes into effect. We have no enabling legislation now. We had the enabling legislation for people that move into Texas for the first time. They only have to have thirty days, and they can vote for the presidential election. I had that enabling legislation in there. It had assistance to the illiterate voters. Federal court said we had to give assistance to illiterate voters. It had the enabling legislation in there for that. I brought this all out to the lieutenant governor. Senator Mauzy was carrying my bill, and that thing died over there. And I don't know who sunk it, but whoever did is guilty of a crime. I can't find out. I tried to find out. I keep on telling Senator Mauzy those old people are asking me what happened to their bill and he turns red. I had a couple more items on letting some new voting machines that they could qualify with. And all I can think of is that somebody who didn't want these voting machines to come in here paid somebody off to kill that thing. But instead of eliminating it by amendment, they just killed the whole bill. I mean I can't understand . . .

this isn't a personal item. This was my legislation, I carried it, and it was a result of my work, but it wasn't something like me carrying an insurance bill, you know, that would let some company increase the cost of insurance or raise the deductible or something like that. This was just something that was for the people, and it was necessary. And then we turn around and we say, "Well, why does the federal government intervene in our business?" Well, damn it, this is the reason why they do it. We can't get up and be progressive enough and responsible enough to go ahead and put these things through. It just got me so mad, and I have worked night and day on this thing. And I said, "You know, as far as I'm concerned, I just don't care if I ever see another election law as long as I live." And you talk to half of these people, and they just don't even know what election laws are. All they know is they get elected. They don't know the processes. They don't want to change them because, "I got elected under this way . . .

Marcello: Sure.

Stroud: . . . and if you change it, well somebody else might be eligible to vote that will vote against me." This is true of all kinds of members--liberals, conservatives, urban, rural: "Don't change it. I might not make it the next time." And I hope some of these things will be brought out again and that they're not there the next time to vote against. Last

session I put through the most changes in election code that's ever been in the last fifty years. It's just like pulling eye teeth. Just like pulling eye teeth.

Marcello: I guess like you say it all boils down to the fact that well, "I won under the old system. Why change it?"

Stroud: Yeah. What's wrong with parts of Texas and what was entirely wrong in Texas for so long a time was that "this was good enough for my grandfather, and it's good enough for me. I don't want to change." You know, we were going to change from Jefferson Davis' birthday to Memorial Day as a holiday. My gosh! You should have seen the members get up on the floor: "Jefferson Davis! You can't take his birthday away as one of our Texas holidays." Others got up and said, "Memorial Day! That's a day dedicated to dead yankees." You can't believe that in this state that people on the floor in a capitol of the state will get up and put forward these thoughts. And then there was one guy who got up and went on and on about Jefferson David and everything. I couldn't help but get up on the back mike and say, "What is Jefferson Davis' birthday? What date is it?" He said, "I don't know." (Chuckle) And we didn't get it put through. But I hope that maybe with the reapportionment and everything that we can become just a little more progressive.

Marcello: Possibly.