

A Sad Day For Austin

The tragedy of mass murder is the most shocking experience any community can suffer.

The violence on the University of Texas campus and elsewhere Monday resulted in the deaths of 16 persons and is without question the most bizarre incident in the history of Austin.

This wanton destruction of life on a scale that is nearly comparable to that of full-fledged battle activity in wartime simply cannot be rationalized by the usual explanations that seem to have sufficed in the past.

For one thing, incidents of this type, while not common, are not rare. In less than a month's time, Chicago and Austin have come to have a common denominator. The slaying of eight student nurses in Chicago and the slaying of 16 persons in Austin are incidents taxing the credulity of nearly all citizens.

The impact of the tragedy came slowly, for even the scale of death and injury was difficult to detect for some time. But there was swift and positive reaction on the part of the Austin police department and other peace officers, the staff of Brackenridge Hospital, and a host of others in public and private services.

To those who shared in performance of duty or mercy, the community tenders a heartfelt commendation.

To those whose grief is personal, the community can only offer condolences.

His Memory Will Endure

A strong link in Austin's heritage from the long past moved from the stage of human activity to the living pages of Texas history in the death of Needham Avery, at the age of 91.

Avery, native of Alabama, was one of the last of the truly authentic, chivalrous, courtly Colonels in the Old South, his characteristic spirit infused with a generous dash of the expansive Texas spirit. He was a man of infinite jest, of humor and good humor; a sparkling, witty conversationalist; a man of substance in thought and achievement.

He came to Central Texas 67 years ago, living first in Williamson County, then in Austin. His career encompassed public service in state and city office, and many years in business in the development of Central Texas resources.

He served in state office as early as 1912. Then in 1917, when the Texas Highway Commission floundered in the first few months after its creation, he became one of the first state-office appointees of the then new Governor W. P. Hobby. He and associates got the commission in operation, their first meeting place being the floor of the House of Representatives, their first job to replace the complicated maze of city auto registrations with the uniform state license system, their staff office a House committee room.

Col. Avery later on served as a member of the city governing board, when the members of the board headed the various administrative departments. He became an officer of a large firm engaged in the production of stone building materials from Central Texas quarries, and his was the distinction of being the business ambassador of the region and the salesman who extended the market for the Texas limestone to almost the entire nation.

He was the acquaintance and friend of just about every person in Texas public life in this century. Even in his advanced age, he kept up his friendships and contacts and his lively interest in daily affairs and his boundless fund of humor.

He was a real part of Austin's past; his memory is an enduring monument.

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Inside Report Viet Nam's Crucial Election

WASHINGTON — No matter how much the critics may ridicule it, the Sept. 11 election in South Viet Nam may well give President Johnson his first important break in the agonizing war in Southeast Asia.

One major reason for this bright assessment is the murderous sabotage and terror campaign that the Viet Cong has now begun in an effort to undermine the entire electoral process. This means the Viet Cong regards the election as potentially disastrous.

Consider, for example, well-authenticated reports to Wash-

ington of a Viet Cong attack on the party headquarters of the Vietnamese QDD party, a strongly nationalistic, anti-Communist political party in Quang Tri province in the northern part of the country.

On July 14 or 15—the date is uncertain—a number of officials of this party, which is running several candidates as delegates to the constitutional convention, were murdered in a Viet Cong attack which could have had only one purpose: to terrorize the party and frighten it into boycotting the election.

One of the prospective candi-

dates lost both his legs in the attack. He still intends, nonetheless to be a candidate in the election.

This incident is not isolated. The South Vietnamese government is now studying intelligence reports from at least five other provinces that the Communist Viet Cong are planning campaigns of sabotage.

The Viet Cong, of course, is working so hard to hold down the vote in the election, a big turnout will constitute a major defeat for the Viet Cong.

Thus the conclusion is inescapable that for the Viet Cong and its political arm, the National Liberation Front, the election is a Trojan horse.

It will reveal for the first time the weakness of the Viet Cong.

And this revelation will dramatize the essential correctness of President Johnson's conviction that the overwhelming majority of South Viet Nam's population of 16 million has no tie of sympathy, ideology, or loyalty to the Viet Cong.

The unofficial U.S. estimate of the number of South Viet-

namese citizens who would willingly support the Viet Cong runs to around 5 or 6 per cent.

Well-informed estimates from Eastern European Communist sources are not much higher—around 8 per cent.

Up to now it has been difficult for the President to illustrate this basic fact. But if the election goes as expected, that in itself will dramatize what Mr. Johnson has been saying for so long: that the United States is in South Viet Nam to stop aggression from the North and that left to its own device South Viet Nam would over-

Only Pebble on Beach?



AP News Analysis

Associated Press

The Soviet Union long has sought a "united front" of Communist-bloc nations to deal with the situation in Viet Nam, but signs today are that the Red-ruled nations are far from unified on the issue.

The curious behavior of the controlled press in Communist Czechoslovakia and an announcement by Communist Romania seeming to go counter to Soviet views on a Viet Nam solution raise strong doubts that the Russians will be able to hold any solid line.

In Prague, Czechoslovakia, about a week ago, the publication Literarni Noviny republished a series of articles from the conservative French newspaper Le Monde.

These articles, dealing with Viet Nam, for the first time told

readers of a Communist newspaper in a Communist country that the Viet Cong commit cruel atrocities against villagers of South Viet Nam. Up to now, Communist audiences have been told only that atrocities were committed by Americans and their South Vietnamese allies.

The Czechoslovak paper —

such information by any organ of the Soviet press.

The answer may be that the Czechoslovak Communist regime may want justification for supporting a route to peace in Viet Nam which might not square with Soviet views, or might fall far short of the all-or-nothing demands of the Communists in Viet Nam.

Red Front United?

Romania has come forward with something which also arouses suspicion that it is straining hard at the Moscow leash over the Viet Nam question.

The Romanian Communist government, in a note to the United Nations Security Council, has said that "examination of acts of war in Viet Nam is within the competence of the 1954 Geneva Conference on Indo China."

This stops short of agreeing with the U.S. stand that the Geneva Conference — which decided Viet Nam 12 years ago — should be reconvened to seek peace.

But it seems to come close in asking for such a convocation. The Soviet Union, on the other hand, has rejected the appeals of both Britain and India to support reconvening the Geneva meeting. The U.S.S.R. and Britain are co-chairmen of the conference, and the two would be empowered to call it into session.

Toward the end of the governor's conference, those who were retiring for various reasons this year made their swan song speeches.

In turn, each stepped to the microphone and briefly mentioned how pleasant it had been working with such a distinguished group for the last two, four or eight years.

Just as the session appeared to be over, the familiar voice of Alabama Gov. George Wallace came booming out:

"I forgot that I wasn't going to be back next year."

This brought the house down. Wallace, barred by state law, from succeeding himself, is masterminding his wife Lurleen's campaign to take his place. She is an overwhelming favorite to win. So Wallace added:

"But I will be back next year. I'll be in charge of highway beautification programs in Alabama."

Washington

WASHINGTON (AP) — "You're already prejudiced without one word of evidence against Speck brought forth," Louisville attorney John T. Balantine told the delegates to the National Association of Legal Secretaries last week.

"That's exactly what the press and bar are trying to avoid," he added.

Two-thirds of the 400 delegates, meeting in Louisville, had raised their hand when Balantine asked how many thought Richard Speck, indicted in the slaying of eight student nurses in Chicago, should be sentenced to at least 10 years in prison.

The rest, the Louisville Courier-Journal reported, had raised their hands when he asked how many thought Speck should be committed to a mental institution on the grounds of insanity.

The incident points up the difficulty of assuring the accused in a widely publicized criminal case a fair trial.

What makes the Speck case particularly significant is that it follows two historic Supreme Court decisions.

In one, the court cited "prejudicial news accounts" in ruling

that Dr. Samuel H. Sheppard did not get a fair trial in the bluejean slaying of his first wife.

In the other, the court imposed a series of restrictions on police questioning of suspects, including the rule that the suspect must be told of his right to remain silent and to have a lawyer at his side.

As a result, Chicago authorities

Prejudice?

ities have been trending very carefully in their dealings with the 24-year-old seaman and with the press. Speck has been secluded from reporters and even the state's attorney's office has been careful not to talk to him.

However, Police Supt. O.W. Wilson's statement at a news conference 15 hours before Speck's capture that "as far as I'm concerned, there is no question he's the murderer" has brought criticism.

Harvard law professors Paul A. Freund, Mark DeWolfe Howe and Albert M. Sacks said Wilson had prejudged the case. Warren D. Wolfson, a criminal attorney who figured in the landmark Escobedo confession case, said

the publicity would hinder Speck's chances for a fair trial.

After Speck's arrest, Wilson defended himself. Asked at a news conference if he should have called Speck the murderer, Wilson replied: "He is. He is."

"The information about Speck that I gave the Chicago public was information that we determined they should have had. This was our justification for announcing that Speck was the killer."

"I saw no reason for concealing those facts from the public," Northwestern University law Professor Fred Inbau said. Wilson not only was within bounds in making the statement but "was under a duty and obligation."

"Keep in mind that this fellow isn't going to be tried next week," Inbau, a member of the Chicago Crime Commission, said last week. "What the police department said is not going to prejudice his rights."

More typical of the walking-on-eggs approach of authorities in the Speck case was the response of John Stamos, first assistant state's attorney, when newsmen asked if the state would try to send Speck to the electric chair.

Said Stamos: "No comment."

Capital Scene

WASHINGTON — Among the last words uttered to former Indian Prime Minister Lal Bahadur Shastri before his fatal heart attack last January in Tashkent were some spoken by Soviet Prime Minister Alexei Kosygin. He confided that he

was sending Alexander Shelepin to Hanoi to arrange a peaceful settlement of the Viet Nam war.

Shastri's aides passed the word along and for months the few top officials in the Johnson administration who were privy to this information be-



Today in National Affairs

WASHINGTON—What has become of the "civil rights" of the American people as a whole? Why should they be subjected to financial damage and interference with their travel plans because of a big strike on the nation's airlines?

And why should the Congress discriminate as between big business and big unions, forbidding a monopoly in one and permitting it in the other?

The electorate is entitled to answers to these questions before it is called upon to pass judgment this November on the candidates for Congress in both parties.

It is an open secret that the labor unions furnish big sums of money to help elect a majority of the members of the Senate and the House. Plenty of time

is given to hearings on questions of ethics involving inconsequential contributions in political campaigns, but no investigation is undertaken that tells the people the facts either to confirm or deny the growing belief that congressional elections are regularly won nowadays by the financial contributions derived directly or indirectly from labor-union members.

The enactment of a law forbidding labor trusts or monopolies is long overdue. The theory imbedded in existing anti-trust laws is that there shall be no price-fixing or cost-fixing by competing companies.

Not only is it forbidden for competitors to act in concert in deciding on their prices, but the anti-trust division of the Department of Justice has filed suits to

block mergers even when as little as eight or ten per cent of the volume of business done by grocery chains in a given area would be the total resulting from a consolidation of two or more companies.

Yet, by means of industry-

isn't done on an industry-wide basis, the union sees to it that all contracts expire on the same date. This makes it possible to select one company for a crucial negotiation, which naturally has a direct effect on the contracts with the other companies.

Wage costs, therefore, eventually are fixed by the consensus of employers and labor-union leaders. This, of course, violates the spirit, if not the letter, of the anti-trust laws.

If the anti-trust doctrines imposed on business during the last half-century or more were adhered to, it would not be permissible for labor unions to exercise control over the employees throughout an industry.

Collusion between agents of employees of one company with agents of employees of another company in fixing wage rates

Rights of Public?

If industry-wide bargaining were banned by law, it would not be possible for a whole industry to be tied up by a strike. There are employers who prefer industry-wide bargaining, but they would be far better off in the long run if unions were required to bargain separately with each company.

In the case of the auto manufacturers, while the bargaining

David Lawrence

would be as unlawful as concerted action by employers' representatives in fixing prices.

Whenever industry-wide bargaining is outlawed as a violation of the "civil rights" of the consumer, it would be logical also to prohibit the formation of any national unions.

When it is required by law that only the recognized union or group of unions within each plant shall have the right to deal with the employer, and when one union is forbidden to conspire with any union in other plants, the concept on which the anti-monopoly statutes of the country have been built would at last be fairly applied. American businesses would then be able to enjoy, as would individual unions, the "equal protection of the laws."

That's what "civil rights" for all the people is supposed to mean.

Russ Path

would further agree that if, in such a genuine free election, the Vietnamese people chose the Viet Cong Communists or union with North Viet Nam, the United States would respect that choice.

The North Vietnamese greeted Khrushchev with contempt and literally threw him out of the country.

Yet, the Soviet Union, by word and action, may be doing more to keep Hanoi away from the peace table than Communist China. There is ample evidence that Hanoi still fears domination by China and that Ho Chi Minh probably would choose negotiation to total reliance on Peking.

But it is Russia that is providing the sophisticated anti-aircraft machinery, including modern planes and missiles sites.

The Soviet Union seems to have convinced itself, if not others, that the United States is rapidly becoming isolated in development which, if true, would redound to the benefit of world communism.

In any event, Soviet leaders seem to have concluded that they have a world to gain and virtually nothing to lose if the war just rucks along and does not really get so far out of hand that Soviet cities are threatened.

Kosygin went to Tashkent to tell Pakistan's Ayub Khan and the late Mr. Shastri what a dangerous game they were playing — and how they owed it to mankind to stop fighting. I wonder if Mrs. Shastri, alive to day, would be able to convince Kosygin that the Russians "are now playing with fire."