

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
TEXAS STATE HOUSE OF REPRESENTATIVES
HOUSE SELECT COMMITTEE ON IMPEACHMENT
AUSTIN, TEXAS
VOLUME XI

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TRANSCRIPT OF PROCEEDINGS

BEFORE THE
TEXAS STATE HOUSE OF REPRESENTATIVES
HOUSE SELECT COMMITTEE ON IMPEACHMENT
AUSTIN, TEXAS

IN THE MATTER OF HSR NO. 161
CONTINUED HEARING -
JUDGE O. P. CARRILLO

CONTINUED HEARING

VOLUME XI

BE IT REMEMBERED that on Wednesday, June 11, 1975, beginning at 1:30 p.m., in the Old Supreme Courtroom, State Capitol Building, Austin, Texas, the above-entitled matter came on for hearing, having been continued from Tuesday, June 10, 1975, before the HOUSE SELECT COMMITTEE ON IMPEACHMENT, the Honorable L. DEWITT HALE, Chairman, Presiding, and the following proceedings were reported by Hickman Reporting Service, 205 West Ninth, Austin, Texas 78701.

HRS
HR2

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MEMBERS PRESENT

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2
3 **REPRESENTATIVE HALE - CHAIRMAN**
4 **REPRESENTATIVE LANEY**
5 **REPRESENTATIVE KASTER**
6 **REPRESENTATIVE HENDRICKS**
7 **REPRESENTATIVE SLACK**
8 **REPRESENTATIVE MALONEY - VICE CHAIRMAN**
9 **REPRESENTATIVE NABERS**
10 **REPRESENTATIVE DONALDSON**
11 **REPRESENTATIVE THOMPSON**
12 **REPRESENTATIVE CHAVEZ**
13 **REPRESENTATIVE WEDDINGTON**
14

APPEARANCES**FOR HOUSE SIMPLE RESOLUTION NO. 161**

15
16
17 **REPRESENTATIVE TERRY CANALES, P. O. Box 730,**
18 **Premont, Texas 78375.**
19

FOR THE RESPONDENTE, JUDGE O. P. CARRILLO

20
21 **MR. ARTHUR MITCHELL, MITCHELL, GEORGE AND BELT,**
22 **1122 Colorado, Westgate Building, Austin, Texas 78701.**

FOR THE WITNESS, MR. RODOLFO COULING

23
24 **MR. CHARLES E. ORR, 609 Fannin, Suite 629,**
25 **Houston, Texas 77001.**

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1 WEDNESDAY, JUNE 11, 1975

2 AFTERNOON SESSION

3 (The hearing was reconvened at 1:30 p.m. pur-
4 suant to the recess on June 10, 1975.)

5
6 CHAIRMAN HALE: The Committee will come
7 to order.

8 The Clerk will call the roll.

9 (The Clerk called the roll.)

10 THE CLERK: Seven.

11 CHAIRMAN HALE: Seven? There is a quorum
12 present.

13 Mr. Mitchell, the Chair is ready to recognize
14 you on any other witnesses you have.

15 MR. MITCHELL: Yes. Thank you.

16 Mr. Chairman, I would like, initially, if I
17 might, to call to the attention of the Committee a
18 matter of dealing with Exhibit No. 45. I have it in
19 front of me as it has been introduced into evidence. I
20 have taken the liberty of securing one as it appears of
21 record. I note that there is a page appearing in my
22 45 which it appears officially that does not appear in
23 the official exhibit as introduced.

24 With leave of the Chair, I would like, first of
25 all, to add that page, and to call to the attention of

1 the Committee the difference and why I feel it is
2 significant that the exhibit— It is one that Mr. Hendricks,
3 I believe, questioned some of the witnesses extensively
4 on. The first page, so that the record is accurate, it is
5 the Claim No. A-2664, Claim of the Factory Outlet Build-
6 ing Materials, Alice, Texas, \$3,714.06. The first page
7 that is not in the official exhibit, which I want to
8 tender, with leave of the Chair, reflects that the Customer
9 is Duval County and that it is noted here, "Delivery to
10 City Hall," commencing 10-2-74.

11 That page, being Invoice No. 26511 does not
12 appear in the official Exhibit 45, which I have been
13 handed— No, I'm sorry.

14 MR. KASTER: Is that Carrillo Exhibit No.
15 45?

16 MR. MITCHELL: No, the regular—

17 MR. KASTER: The Committee's?

18 MR. MITCHELL: Yes. There seems to be a
19 difference in the one page that is in the official
20 exhibit. I think it can be taken care of, Mr. Hale. It
21 reflects on page 2 of the exhibit.

22 CHAIRMAN HALE: Are you talking about
23 Exhibit 45 or Carrillo 45?

24 MR. MITCHELL: No, no. The Committee's
25 Exhibit 45. I have verified the existence of that in
the body. I think that takes care of it.

1 I have also produced the tax return that Mr.
2 Donaldson requested of Judge Carrillo. That is the in-
3 dividual tax return for 1971, which I would like to have
4 leave to mark and introduce as Carrillo's Exhibit No. 71,
5 Mr. Chairman.

6 CHAIRMAN HALE: That would be the 1971
7 tax return?

8 MR. MITCHELL: Yes, sir. That means that
9 we have now offered the 1971 and the '72 and the '73.

10 (The return referred to was
11 marked "Carrillo-71" for
12 identification.)

13 MR. MITCHELL: I have also delivered and
14 the Vice Chairman has had them since about 12:15, all
15 the input material that Mr. Maloney is examining here
16 and we'll deliver any additional matter that is not there
17 and is needed. That will be the input into those tax
18 returns. That will be the Zertuche Store tax returns
19 which were introduced yesterday, from '65 on through '70.
20 The checks, that is, where Zertuche Store is payee,
21 the maker, the depositor, all facets of those transactions.
22 I have those available.

23 I would like to call, if I might, with the per-
24 mission of the Chair, Ranger Powell.

25 CHAIRMAN HALE: That will be fine. You
have already been sworn, have you not?

1 MR. GEORGE E. POWELL
2 was recalled as a witness and testified further as
3 follows:

4 EXAMINATION

5 BY CHAIRMAN HALE

6 Q You have already been sworn, have you not?

7 A Yes, sir.

8 Q You testified at a previous meeting of the
9 Committee on June the 5th, 1975, I believe. Is that
10 correct?

11 A Yes, sir.

12 Q Your name is George E. "Gene" Powell?

13 A Yes, sir.

14 Q You are employed by the Department of Public
15 Safety as a Texas Ranger?

16 A Yes, sir.

17 Q Assigned in the South Texas area?

18 A Yes, sir.

19 CHAIRMAN HALE: Thank you.

20 Mr. Mitchell?

21 BY MR. MITCHELL

22 Q Mr. Powell, I am Arthur Mitchell from Austin,
23 Texas and I represent in these proceedings, with permis-
24 sion of the Committee, Judge Carrillo.

25 I have asked the Committee to recall you for the

1 purpose of asking you some questions, if I might, please,
2 sir, as regards property belonging to Duval County.

3 Let me ask you: Have you had cause to make an
4 inventory of property belonging to Duval County, Ranger
5 Powell?

6 A Yes, sir.

7 Q Can you tell the Committee, please, the cause
8 or necessity or the reason for making this inventory?

9 I'll ask you that first.

10 A Yes, sir. County Judge Dan Tobin, Commissioner
11 Ramiro Carrillo and Manuel Amaya, Jr. stated to Captain
12 Woods and myself— I don't remember the date—but that they
13 had numerous pieces of equipment, but they didn't know
14 where it was all located, and asked us if we would
15 assist in locating this equipment.

16 The Attorney General's office had several men
17 assigned to an investigation in Duval County whom we have
18 been working with and they also asked that we attempt to
19 locate this equipment.

20 Q Fine. So the request would be actually a com-
21 bined request, if I understand your testimony correctly,
22 from the representative of the Attorney General of the
23 State of Texas' staff, along with the Commissioners of
24 a precinct down there in Duval County. Is that correct?

25 A Yes, sir.

1 Q Ranger Powell, please tell us and you, of
2 course, having heard your previous testimony and knowing
3 of your law enforcement background and your training
4 and your experience in testifying, why don't you please
5 outline for the Committee the procedure followed in making
6 this inventory?

7 A Duval County furnished us with a copy of some
8 equipment owned by them, including heavy equipment and
9 also some vehicles that they own, some list of equipment
10 that was owned by Duval County or sold to Duval County
11 was obtained from B. D. Holt Equipment Company of Corpus
12 Christi. That list of equipment was obtained by a Grand
13 Jury subpoena. There was also a list of equipment obtained
14 from Plains Machinery Company which had been sold to Duval
15 County. And some list of equipment from Lindley Interna-
16 tional of Alice, Texas, which had been sold into Duval
17 County.

18 Q Is it a fair summary of your testimony that
19 you commence the procedure of the inventory by first
20 going to the County, itself, and taking whatever available
21 data that the County could furnish which evidenced the
22 purchase of equipment?

23 A Well, at the time that Ramiro Carrillo and the
24 Commissioners requested that we look at that, at that time,
25 they gave us a list that they had already prepared, for

1 one reason or another. At that time they gave us a list
2 of it.

3 Q Then from your testimony, I understand that you
4 proceeded to go, say, to Plains, to Lindley International?

5 A Yes.

6 Q Other people who might have sold equipment to the
7 County. Is that correct?

8 A Yes, sir. And looked at some county records.

9 Q Fine. Was that for the purpose of getting
10 additional input to the list furnished you by the County,
11 or to verify that the list furnished by the County was
12 accurate, or both?

13 A Just to get additional information.

14 Q Then through that input, did you generate an
15 inventory list, Ranger Powell, of the equipment that was
16 owned, and is owned by Duval County?

17 A It is kind of my own personal list at this time.
18 I understand it and it's not exactly one solid straight
19 list. I've got it all together as to where it came from
20 in each place.

21 Q Might I ask you: Did you bring that under the
22 request of the Committee, that list?

23 A Yes, sir.

24 Q Then could you take that list, please, and go
25 down it with the object in mind of describing, first, if

1 you would, the type of equipment and then if you would
2 also, if you will follow these questions, I can turn you
3 loose without interrupting you again: the type of equip-
4 ment, how you discovered it and where it was discovered?

5 A Well, that makes it a little complicated.

6 Might I ask you something? Would you mainly
7 be interested in othe equipment and where it's been
8 located

9 Q Yes. Let's start with that.

10 A Other than the equipment that they actually own?

11 Q Let's take the equipment that's been located
12 and where it was located. And, if you would, give us the
13 description of it.

14 A Sir, some of the list of the equipment was
15 obtained by the Grand Jury subpoena. Would that be
16 available here under the Secrecy Rules of the Grand Jury?
17 The only part is the list of equipment from B. D. Holt.
18 The rest of it was obtained without a subpoena.

19 CHAIRMAN HALE: You obtained it through
20 the use of a Grand Jury subpoena?

21 A Yes, sir.

22 CHAIRMAN HALE: For the Grand Jury?

23 A Yes, sir.

24 CHAIRMAN HALE: Of course, it occurs to
25 me that the documentary material itself— Mr. Johnson,

1 check me on this. I think the documentary material, itself,
2 the same information would be available to this Committee
3 on subpoena from the same source.

4 MR. JOHNSON: I think only the deliberation
5 of the Grand Jury is secret.

6 CHAIRMAN HALE: I see nothing that would
7 be secret about that in violation of your Grand Jury
8 requirement, on the exhibit itself.

9 MR. MITCHELL: Thank you, Mr. Chairman.

10 MR. JOHNSON: And if it is a violation, can
11 we grant him immunity?

12 MR. CHAVEZ: Grant him a pardon.

13 Q You may proceed, Ranger Powell.

14 A On April 11, 1975, Sheriff Raul Serna of Duval
15 County, and myself, went to a ranch located south of
16 Benavides, which is the Atlee Parr ranch. We looked at
17 about five caterpillars on that ranch on that date. The
18 first caterpillar we looked at was an International
19 TD-25 Series "B", Serial No. 6004. This International
20 tractor has been identified as belonging to Duval County
21 by Commissioner Ramiro Carrillo, who advised this officer
22 that it belonged to Duval County. Also, an invoice from
23 Plains Machinery Company, their Invoice No. 74870,
24 dated November the 28th, 1974, where they repaired this
25 caterpillar and billed Duval County for \$30,693.20, for

1 repairs to this caterpillar.

2 Q So the ownership may, if I might be permitted
3 to interrupt you, Ranger, of that was verified both from
4 the Commissioner of the Precinct, as well as you going
5 back to the source of the sale?

6 A Yes, sir.

7 Q And it was found, I believe, on the Atlee
8 Parr ranch?

9 Q Is that a well-known— You say Atlee Parr
10 ranch—to folks that don't come from down there? Is
11 there any mistake where the Atlee Parr ranch is located?
12 Is it a fenced ranch?

13 A Yes, sir.

14 Q It has barbed wire and fence posts around it?

15 A Yes, sir.

16 Q What size, reputed in the community— What size
17 ranch is it?

18 A 15,000 acres.

19 Q 15,000 acres?

20 A Roughly.

21 Q Where is it situated, using as a point of
22 reference, the City of Benavides?

23 A It would be about five miles south of Benavides
24 on Highway 339.

25 Q Thank you. You may proceed, please, sir.

1 A We also looked at a caterpillar— Some of
2 this equipment hasn't been identified as to who owns it.
3 Are you interested in that?

4 Q Just let the record speak. Yes, sir. I am
5 sure the Committee wants to hear it.

6 A Caterpillar D8, Serial No. 2U8335. The
7 caterpillar was on that ranch on that date. Then on May
8 the 15th, 1975, Captain John Wood and myself observed
9 this same caterpillar in Laredo. We are still not
10 exactly sure who does own this caterpillar at this time.

11 Q It went from the Atlee Parr ranch, where you
12 initially observed it, to Laredo?

13 A Yes.

14 Q Can you tell the Committee where it was in
15 Laredo?

16 A At Humberto Garza Flores, Export Agent, I
17 believe is the way it was listed.

18 Q Export Agency did you say?

19 A I believe that's correct. Humberto Garza,
20 Flores in his yard in Laredo.

21 Q Let me ask you, do you know of your own
22 knowledge, the relationship between Atlee Parr and
23 Archer Parr, if any?

24 A I understand that Atlee Parr was Archer Parr's
25 uncle.

1 Q Is Archer Parr a citizen of the country of Mexico?

2 A That's what I have been told.

3 Q He was born there, wasn't he?

4 A Yes, sir.

5 Q Did you make inquiry of why the tractor that
6 was deemed to be owned by Duval County was in an export
7 yard in Laredo, which is in Webb County?

8 A When you say "deemed to be owned by Duval County,"

9 I—

10 Q You don't know?

11 A No, sir.

12 Q Well, did you make an investigation of what a
13 tractor was doing in an export yard in Laredo? I will
14 just ask it that way.

15 A Yes, sir. Rene Martinez of San Diego told me
16 that the tractor had been given to him by Atlee Parr, or
17 Mrs. Atlee Parr, and that he had moved it to Laredo, to
18 be sold.

19 Q Who is Rene Martinez, if you know?

20 A He lives in San Diego. I understand at this
21 time he has leased the Atlee Parr ranch from Mrs. Atlee
22 Parr. He, at one time, did operate some heavy equipment,
23 and I understand still owns some other heavy equipment.

24 Q Mr. Martinez, I suppose, upon being questioned
25 by you stated that Mrs. Atlee Parr made a gift to him of

1 the machine?

2 A Yes. I think it was in reference to some work
3 he had done on the ranch that he hadn't been paid for,
4 and this was part payment of the ranch, as I understood
5 it.

6 Q What year was the gift purported to have been
7 made?

8 A I couldn't tell you.

9 Q Go ahead, please, Ranger Powell. I am sorry
10 to have to interrupt you.

11 Was there any other equipment down there at
12 that yard?

13 A Yes, sir. At that yard in Laredo there were
14 three other tractors.

15 Q Describe them, please. Or, am I getting ahead
16 of you?

17 A Just a little bit.

18 Q Don't let me get ahead of you. Take it in
19 continuity, the way you can present it without being
20 interrupted by me further.

21 A On the Atlee Parr ranch and this would be back
22 on April 11th, an International TC24, Serial No. 9414.
23 This tractor was identified by the Commissioners as
24 belonging to Duval County. Also Plains Invoice No. 76167,
25 dated April the 3rd, 1975, showed a bill for repairs

1 to this caterpillar of \$2,663.87, which is billed to
2 Duval County.

3 This tractor was observed yesterday at the
4 County Dump Ground, just south of Freer, Texas.

5 Q Do you know of your own personal knowledge who
6 is moving this stuff around after you take a look at it?

7 A After we located this and what we identified as
8 belonging to Duval County, we advised the Commissioners
9 and the County Judge and what we identified as positively
10 their equipment has been picked up by them or moved to
11 a location to be used or stored in a County yard.

12 Q From the Atlee Parr ranch?

13 A Yes, sir.

14 Q You may proceed.

15 Pardon me. Who accompanied you on these visits,
16 Ranger Powell?

17 A On this first one was Raul Serna.

18 Q All right. Go ahead.

19 A There also was a Cat D6, Serial No. 9U18269.
20 This caterpillar also was again observed in Laredo, on May
21 the 15th, 1975 by this officer and Captain John Wood.

22 Q Did you make an investigation to determine the
23 ownership of that piece of heavy equipment?

24 A Just recently, I obtained a list of some
25 equipment that back in 1963, I believe it was leased by
Goldthorn Equipment to Duval County. Mr. Barney Goldthorn

1 of San Diego who is president of the bank there in
2 San Diego, advised me Monday that at that time, he owned
3 Goldthorn Equipment and that at the end of the lease
4 agreement with the County, all of the equipment that
5 belonged to Goldthorn Equipment went to Duval County.
6 He said that he would have records and give me the
7 name of an auditor in Corpus Christi that I could talk
8 to, which I have not had time to check and verify. But,
9 according to that list, this particular serial number does
10 show on that list of equipment as being rented by Duval
11 County from Goldthorn Equipment back, I believe, in 1973.

12 Q But Mr. Goldthorn, upon being confronted by
13 you as to the ownership, stated, if I understand your
14 testimony, that it really was Duval County Equipment?

15 A Yes, sir. That at the end of that lease, it
16 went to Duval County.

17 Q And he, of course, is the officer of the bank
18 there at Alice, is he not? San Diego?

19 A San Diego. Yes, sir.

20 Q I believe that bank's general counsel is Mr.
21 Archer Parr, isn't it, or do you know? If you don't—

22 A I don't know.

23 Q You may proceed, please, sir.

24 A There was also a caterpillar D8, Serial No.
25 36A470. This caterpillar has been identified as belonging

1 to Judge O. P. Carrillo. I was furnished a copy of a
2 note from Plains Machinery Company to Judge Carrillo
3 from Red Kirks, who is an officer of Plains Machinery
4 Company. This note here is in reference to insurance
5 on this caterpillar.

6 Q Out of fairness to you, I believe the record
7 will reflect that there was introduced yesterday as
8 "Carrillo's—" I can't recall— "security agreement,
9 financing statement, insurance" on the purchase of such
10 a vehicle. Can I see the document you have? This is
11 a D—?

12 A A D8.

13 Q —a D8 caterpillar, yes. 36A143?

14 A No. 470.

15 Q 470. Yes. There were two machines.

16 A There are two on this list.

17 Q Did you undertake the investigation of the
18 ownership of those? I suppose you did?

19 A Yes, sir. Judge Carrillo told me that that
20 caterpillar, this one, the particular one I am talking
21 about at this time, 36A470 did belong to him and that
22 he had loaned it to George Parr. Checking Plains Invoice
23 No. 76947, dated 3-28-75, it shows repair of \$1,002.50
24 billed to Duval County.

25 Q During the time it was loaned to George Parr?

1 A Yes, sir.

2 Q Now, you may proceed.

3 A With reference to that caterpillar, I had
4 talked to Judge Carrillo. He advised me that he did
5 own the caterpillar and had loaned it to George Parr
6 and that George Parr was to make certain payments and
7 repairs to it. I talked to Mr. Red Kirks at the Plains
8 Machinery Company in Corpus Christi, who advised me that
9 Judge Carrillo had made all the payments on this
10 tractor and that those repairs— Well, he didn't comment
11 on the repairs, as to who authorized them.

12 Q You may proceed, officer.

13 A Now, there is other equipment on the Atlee Parr
14 ranch, if you want it in dates that we looked at it. On
15 the 29th, we looked at some more there and also some at
16 the Race Track there at San Diego.

17 Q I would like—

18 A The way I have it listed here is first the
19 Race Track and then the Atlee Parr ranch.

20 Q Just go right down your notes then.

21 A On April the 29th, 1975, Ray Bravanec, with
22 the Attorney General's Office, Joe Coudert with the
23 "Corpus Christi Caller" and myself in the DPS helicopter
24 looked at some equipment in Duval County. We looked at
25 some located at a Race Track, which is west of San Diego

1 on Highway 44. We looked at a caterpillar motor grader,
2 Serial No. 8T6348. I am unsure at this time as to who
3 owns that caterpillar.

4 Q I notice you are looking at Goldthorn Equipment
5 Company list.

6 A Some of this equipment is possibly going to
7 show on the Goldthorn Equipment list. And Goldthorn
8 does, from his information to me, have a better list in
9 Corpus Christi, which I haven't had a chance to look at.
10 And some of this equipment, and which ones I don't know—
11 I have been told—came from Goldthorn Equipment. This
12 particular caterpillar, at this time, I don't know who
13 owns it. Rene Martinez told me that the caterpillar be-
14 longed to him.

15 On April the 29th, 1975, Archer Parr stated
16 to me that all of the equipment at the race track belonged
17 to him.

18 Q So that we have Goldthorn Equipment with a
19 list of it, including it as their equipment, Rene Mar-
20 tinez saying it's his and Archer Parr saying it's his
21 and you're still trying to find whose got the ball.

22 A I haven't found this particular caterpillar
23 on Goldthorn Equipment list yet, though I haven't really
24 checked out Goldthorn yet. I haven't had time.

25 We also looked at a Jaeger Air Compressor which

1 had an International Motor in it. The Serial No. was
2 UDFM12575. There was a Plains Invoice No. 76003, dated
3 2-6-75. It showed a repair of this motor billed to
4 Duval County in the amount of \$239.

5 We also looked at a D8 caterpillar which we
6 never were able to locate a serial number on this
7 caterpillar.

8 Q Had it apparently been removed?

9 A It's an old caterpillar. We never did find
10 the serial number. I didn't find any evidence that it
11 had been intentionally removed, either.

12 Q All right.

13 A I believe this caterpillar is claimed by Archer
14 Parr at this time.

15 Q Was it on one of the Parr ranches?

16 A Yes, sir. It's at the Race Track. I believe
17 the property is owned by Archer Parr and the Race Track
18 is leased by Rene Martinez, is my understanding.

19 Q I wanted the record to reflect that the Race
20 Track is owned by Archer Parr, is it not, Mr. Powell?

21 A That's my understanding.

22 Q When you say "Race Track" or "Archer Parr,"
23 you are talking about the same owner?

24 A Yes, sir.

25 Q You may continue.

1 A We looked at a caterpillar and I don't know the
2 size of it for sure. Serial No. 1H277. This caterpillar—
3 I am not positive at this time, but I believe is going to
4 be one of the caterpillars that at one time belonged to
5 the Goldthorn Equipment Company. I still have some
6 further checking to do on that, to be positive. I did,
7 in some of their repair bills back in 1963, to the County,
8 which I understand the lease agreement was so much rental
9 for the tractor, plus the County maintained the equipment,
10 was the least purchase agreement.

11 Q Did you inquire of Mr. Goldthorn whether or not
12 he had a copy of the documentation of any of these
13 lease agreements of equipment which he apparently owned
14 and leased to the County, so we can have the benefit of
15 those, that flipped that title back in to the County at
16 the end of a certain period?

17 A Mr. Goldthorn advised me to check with an
18 individual in Corpus Christi and I have his name. I
19 don't believe I have it with me, who is a CPA and kept
20 the books for Goldthorn Equipment. He advised me that
21 this individual should have all of that information,
22 which I haven't had a chance to talk to.

23 Q You may continue.

24 A There is also—and I don't have the information
25 handy—but I do remember this particular serial number—

1 where Duval County has paid to have this caterpillar
2 repaired in 1973 and also in 1974, and I don't remember
3 the amounts or who did the repairs. I don't believe I
4 have it handy right now. But I do remember seeing that
5 information.

6 Q You are continuing, so the record establishes
7 some continuity, with the Race Track—with the equipment
8 found at the Race Track location, are you not, Ranger
9 Powell?

10 A Yes, sir.

11 Q All right.

12 A We looked at a Holt Root Plow, Serial No. M1292,
13 Model D8RP-12. Rene Martinez stated that this was his
14 root plow and that he had it on a lease purchased from
15 Plains Machinery Company. Later, it would have been
16 the last part of May—I don't remember the exact date—
17 I looked at this root plow again, at the B. D. Holt
18 Equipment Company in Corpus Christi. The root plow was
19 there and they stated that they had picked up this root
20 plow from the Race Track as a repossession.

21 Q Pardon me. Did they tell you that Mr.
22 Rene Martinez had defaulted somehow in the contract or
23 purchase of it or how they came about it?

24 A They just stated that they had repossessed it.

25 Q All right.

A We also looked at an International Payscraper,

1 Model 2s751, Serial No. 734.

2 I haven't found anything definite on this here
3 yet, but it's possibly— I have been told that this pay-
4 scraper was originally Goldthorn Equipment property.

5 We looked at a caterpillar motor grader,
6 Serial No. 9K1807. I'm not positive at this time who
7 owns that caterpillar, though I have been told by
8 individuals that they believe it belongs to Duval
9 County.

10 Q And it is on the Race Track property?

11 A Yes, sir.

12 Q And you haven't had a chance to see whether
13 Mr. Goldthorn is claiming it?

14 A No, sir. I have not.

15 Q All right. Go ahead, please.

16 A On this same date, April 29, '75, we again went
17 to the Atlee Parr ranch and looked at a TD24 caterpillar
18 tractor, Serial No. 4391. We looked at a Plains Invoice
19 75194 dated 12-19-74 in the amount of \$956 which showed
20 repairs to this caterpillar billed to Duval County. I
21 understand that this caterpillar has been picked up by
22 Duval County at this time.

23 Q Did you report the fact that the equipment was
24 on the Parr ranch to the county?

25 A Yes, sir.

1 Q You are back, apparently, to the equipment now
2 that was found on the Atlee Parr ranch. You went from
3 the Atlee Parr to the Race Track and then back to the
4 Atlee Parr, as you told us you would?

5 A Yes, sir.

6 Q Continue, please, sir.

7 A We also looked at a Galion motor grader, Serial
8 No. 160-CD-01925. According to information I obtained
9 through county records, this caterpillar was purchased
10 from Jess McNeel, who was the International Dealer in
11 Corpus Christi on May the 13th, 1964.

12 I understand this motor grader has been picked
13 up by Duval County and is either being used or stored
14 at the shop in San Diego at this time.

15 Q It was one then that was apparently owned by
16 Duval County and was found on the Parr ranch and when
17 brought to the attention of the authorities was taken back
18 by Duval County?

19 A Yes, sir.

20 Q Go ahead.

21 A On May the 5th, 1975, Captain John Wood,
22 Constable Alonzo Lopez of San Diego and myself went to
23 George Parr's residence in San Diego. We looked at a
24 1968 blue Chevrolet, License No. FPT315, vehicle identi-
25 cation number 164698S234461. This vehicle was registered

1 to Duval County and has since been picked up by Duval
2 County.

3 Q Now, we have shifted to George Parr's personal
4 residence. Is that right?

5 A Yes, sir.

6 Q And that was May 1st, 1975. Did you observe
7 the County pickup, did you say?

8 A No. It was a car. I don't remember whether
9 it was a BelAir, Impala, or what.

10 Q Oh, a regular personal automobile?

11 A Yes, sir.

12 Q It belonged to the county, and of course, the
13 county now has taken possession of it again?

14 A Yes, sir.

15 Q Is that your testimony?

16 A Yes.

17 Q Did you find any other equipment at the George
18 Parr residence?

19 A Yes, sir. We looked at an International Cub
20 Lo Boy tractor, which is a riding lawn mower type of
21 tractor, Serial No. 2000111U009977. This tractor was
22 bought from Lindley International of Alice by Duval
23 County on June the 4th, 1969.

24 Q As far as you know, from 1969 until you saw it, it
25 had been used by Mr. George Parr?

1 A I know that on May the 1st it was in his
2 garage.

3 Q In his garage?

4 A Yes, sir.

5 Q Where did you get the key to drive it off, or did
6 you drive it off?

7 A The last I heard, it is still sitting there.
8 And I also heard it had been used to mow the grass at
9 that residence since then. This information was reported
10 to the officials there in Duval County as to the location
11 of that tractor.

12 Q Any other equipment that was there at that
13 private residence?

14 A Yes, there was; not on that date, but on May
15 the 8th, 1975, we again went back to George Parr's
16 residence and we obtained additional information. We
17 looked at a white 1965 Chevrolet Carry-all Van, a 1974
18 license KHG860. This Chevrolet was registered to Duval
19 County and has been picked up by Duval County.

20 Q All right. You may continue.

21 A On that date, there was a Chevrolet pickup
22 parked there on the property with an exempt license
23 number which was registered to Duval County, but it was
24 being driven and used by an employee of Duval County.

25 Q But it was at the residence of Mr. George Parr?

1 A Yes, sir. I don't know what their business
2 was or anything else. I just made a note of that and it
3 will be on this list, if you make a copy of it.

4 Q All right.

5 A On may 15th, 1975, the date that Captain John
6 Wood and myself went to Laredo, the name of that place
7 will be the Humberto Garza Flores Fowarding Agent.
8 F-l-o-r-e-s.

9 Q I assume from the name of the Humberto Flores
10 Forwarding Agent, that their business is fowarding
11 equipment perhaps there to Mexico, would you?

12 A Well, I know that some equipment—they have
13 forwarded some equipment into Mexico.

14 Q All right.

15 A Whether it all goes to Mexico or what, I don't
16 know.

17 Q Well, is Laredo south of Duval County?

18 A Yes, sir.

19 Q It wouldn't be going to Minnesota. It would
20 be going down there, wouldn't you assume, Officer Powell?

21 A I wouldn't know.

22 Q Tell the Committee, please, sir, what you
23 discovered there at the Humberto Flores Forwarding Agent
24 in Laredo.

25 A One of the caterpillars, the first one I have

1 listed is one that I have previously talked to, which
2 was caterpillar, Serial No. 9U18269, which I have already
3 explained. There was also a caterpillar, Serial No. 2U—

4 Q Pardon me. That was the one that Mr. Rene
5 Martinez said was a gift from Mrs. Atlee Parr?

6 A Yes, sir, for work he had done.

7 Q Yes.

8 A There was also this other caterpillar, I had
9 previously talked about 2U8335, Serial No.

10 Q Who was the owner of it?

11 A Rene Martinez and he had gotten it from Mrs.
12 Atlee Parr, for the same reason, for work that he had
13 done.

14 Q How much are those two machines worth? Let's
15 see how much work Mr. Martinez did for them. Do you know?

16 A I have no idea.

17 Q Was the equipment in a good, poor, working
18 condition? What was the appearance of the equipment
19 when you observed it?

20 A These two caterpillars were in working condition
21 and I would say their condition appeared to be reasonably
22 good.

23 Q What do those cost new? 35, 40, or \$50,000?

24 A I have no idea.

25 Q All right. Go ahead, please.

1 A There were two other caterpillar crawler
2 tractors there and both of these tractors, the Serial No.
3 had been removed from these tractors.

4 Q Mr. Martinez claimed those as a gift from Mrs.
5 Atlee Parr, or just what did he say about that?

6 A Rene Martinez stated that he had traded a
7 Chevrolet pickup to Juan Martinez for these two cater-
8 pillars.

9 Q Juan Martinez?

10 A Yes, sir.

11 Q Did you talk to Mr. Juan Martinez?

12 A Yes, sir.

13 Q What did Mr. Juan Martinez say?

14 A Juan Martinez stated that these two caterpillars
15 had been given to him by George Parr; that they were only
16 good for junk and that he had then traded the two
17 caterpillars to Rene Martinez for the pickup. Juan Mar-
18 tinez stated that he was the man who removed the Serial
19 Nos. from these caterpillars; that he didn't want the
20 caterpillars moved off and mixed up in something and he
21 didn't want somebody trading them back to him.

22 Q I can understand that.

23 A He has since supplied me with the tags that
24 came from these caterpillars. We also had a Mr. James
25 Cumbie who works with the Department of Public Safety Auto

1 Theft Division, stationed in Laredo. He inspected these
2 tractors and through the use of acid and so forth, he was
3 able to raise the Serial Nos. of these two tractors.

4 Q Was their ownership thereafter traced?

5 A One of the tractors, Serial No. 9U10334 is be-
6 lieved to be one of the tractors that originally was
7 Goldthorn Equipment property.

8 Q So, at this point, we've got a Goldthorn
9 Equipment as the owner; we've got a Mr. Rene Martinez as
10 an owner; and Mrs. Atlee Parr as an owner; and a fellow
11 by the name of Juan Martinez as an owner.

12 A Mrs. Atlee Parr, I don't believe ever had any-
13 thing to do with that.

14 Q Didn't Rene tell you that she had given them
15 to him?

16 A No. Juan Martinez stated that George Parr had
17 given him the tractors.

18 Q I'm sorry. George Parr. All right. Nothing to
19 do with Judge Carrillo, though?

20 A Not that I know of.

21 Q All right. Go ahead.

22 A The other caterpillar's Serial No. was 18731.
23 At this time, I don't have any additional information on
24 it.

25 Q These were all in Humberto Flores's Forwarding

1 Office there in Laredo that you told us about?

2 A Yes, sir. I'll tell you, on this other
3 equipment, I did have a little note here on the side. I
4 did see some information from Goldthorn Equipment in
5 reference to some repair bills to Duval County where
6 they had, back in 1963, they had repaired this particular
7 caterpillar and apparently Duval County had paid Gold-
8 thorn Equipment for the repairs to this caterpillar.

9 Q It would appear then that one of those, Gold-
10 thorn Equipment owned and leased to Duval County, somehow
11 found its way to George Parr, which, in turn, went from
12 George Parr via Rene Martinez to Juan Martinez?

13 A Juan Martinez and then to Rene Martinez.

14 Q Right.

15 A Yes, sir.

16 Q What other equipment was down there?

17 A That's all that we looked at.

18 Q Any other equipment that you were able to
19 find that belonged to the County, Ranger Powell, and, if
20 so, let's have the benefit of that, please, sir.

21 A Yes, sir. On May the 21st, 1975, Herb Hancock
22 of the Attorney General's Office, Ray Bravanec of the
23 Attorney General's Office and Rene Martinez and myself
24 went to the Atlee Parr Ranch. We met Rene Martinez at
25 the Atlee Parr Ranch on this date and looked at some

1 equipment there. We looked at an International rubber
2 tired tractor. It's a Farm-All "M", Serial No. FBK5070.
3 I do not know who owns that tractor at this time.

4 We looked at an International Farm-All tractor,
5 Model F856D, Serial No. 7872Y. This tractor was bought
6 by Duval County from Jess McNeel on June the 7th, 1968,
7 according to records obtained from Duval County.

8 We looked at a 1968 Chevrolet pickup, a 1974---

9 Q Pardon me. Was that previous equipment returned
10 to Duval County?

11 A Yes, sir. Duval County has picked up that piece
12 of equipment.

13 Q All right.

14 A We looked at a 1968 Chevrolet pickup; 1974
15 Texas license DG7333, Vehicle Identification No. CE148S-
16 14392. This pickup license number was registered to
17 Duval County. I understand the pickup has been picked up
18 by Duval County.

19 We looked at a gooseneck trailer with a 1974
20 Texas license, C89-199, Model 712, Serial No. 2685. If I
21 remember correctly, this gooseneck trailer is registered
22 to George Parr.

23 Q All right, sir.

24 A I don't have a note here, but if I remember
25 correctly, that's right.

1 Okay. International Farm-All Model F1206D,
2 Serial No. 14543. This tractor was bought by Duval County
3 from Jess McNeel on August the 9th, 1967.

4 Q On the date that you observed it, it was on the
5 Atlee Parr ranch?

6 A Yes, sir.

7 Q Go ahead.

8 A That tractor has been picked up by Duval County.
9 We looked at a Bermuda King Sprigger, Model
10 70, Serial No. 1054. At this time, I do not know who
11 owns that piece of equipment, possibly George Parr.

12 We looked at an International 660 Highclear
13 Sprayer, Serial No. 012002U000934 and have no other infor-
14 mation on that piece of equipment at this time.

15 We looked at another International Farm-All
16 model F1206D tractor, Serial No. 14529. This tractor was
17 bought at the same time the other one does. It shows on
18 the same invoice from Jess McNeel on August the 9th, 1967.

19 Q By whom?

20 A By Duval County. This invoice shows these
21 two tractors and equipment. It didn't state what type of
22 equipment.

23 We looked at an International model 275 hay
24 mower, windrow type, Serial No. H745. And I have no
25 other information on that at this time.

1 We looked at a New Holland hay baler model
2 1280, Serial No. 1031 and I don't have any other infor-
3 mation on that.

4 Q On the title?

5 A Yes, sir.

6 Q All right.

7 A We looked at an International truck-tractor
8 Fleetstar F2000D. Vehicle Identification No. FD97872H,
9 Exempt License 903-374, registered to what is commonly
10 known as the Water District in Duval. I always get it
11 kind of backwards on that.

12 Q The Water District Agent of Duval County?

13 A Yes, sir.

14 That truck was picked up by Duval County and
15 then it has been transferred over to the Water District.

16 We looked at an E. L. Caldwell and Sons Brush-
17 shredder, Model G16, Serial No. 755. I have no other
18 information on that at this time.

19 We looked at a D4 caterpillar, crawler tractor,
20 Serial No. 7U30644 and have no other information on that.
21 This is a loader-type caterpillar.

22 I have a note here: On May the 15th, 1975,
23 Captain John Wood and myself also looked at an International
24 payscraper, Model 2S751, Serial No. 733 and it also showed
25 a Serial No. 735. This piece of equipment was located

1 just across Highway 44 from the Race Track at a caliche
2 pit. I have been told that this is possibly some of the
3 Goldthorn Equipment, though I haven't checked it against
4 the list.

5 Q Did you?

6 A No. I haven't yet. The main thing I was waiting
7 on was until I could go to Corpus Christi and get a
8 better list than what I have here.

9 Q Are you in the process of also determining
10 whether or not any of this equipment is on Judge Carrillo's
11 ranch, either his leased ranch or the one he owns? I
12 keep waiting to see. Did you get down to that? Have
13 you been requested to make such an examination?

14 A We were just requested to attempt to locate
15 the equipment. Along with this, there have been accusa-
16 tions from people that there is Duval County equipment on
17 Judge Carrillo's place, on Oscar Carrillo's place and on
18 Ramiro Carrillo's place and possibly on D. C. Chapa's
19 property.

20 I talked to Ramiro Carrillo yesterday and we
21 looked at some equipment on his place yesterday, on one
22 of his places and also at the County Shop in Benavides
23 and at Freer and asked Ramiro, in reference to looking
24 at the other places of his and O. P. Carrillo's and Oscar
25 Carrillo's and he stated that it was fine with him, but he

1 wanted to check with Judge O. P. Carrillo and Oscar
2 Carrillo before he would grant full permission; that
3 all of the properties were theirs in a partnership and
4 that he would check with them and see.

5 I talked to Judge Carrillo last night. He
6 called and I returned his call and he said that it was
7 fine with him to look at any of his property and any
8 equipment on his property at any time.

9 Ramiro Carrillo called me back last night and
10 told me that he had talked to Judge Carrillo and that as
11 soon as we wanted to and had time, we could go and look
12 at their places.

13 Q The reason I appeared to be far afield, I was
14 wondering, in making your investigation, whether you just
15 took on both sides. I think we got to it. You are going
16 to take them on, if you haven't taken them on?

17 A Yes, sir.

18 Q How much of the rest of your material— Does
19 that deal with equipment that was found on the Atlee
20 Parr ranch that was found on the Atlee Parr ranch that
21 was owned by the County, Officer Powell?

22 A Yes, sir. Part of it, we don't know who owned
23 it. Part of it, we do know that it belongs to Duval
24 County.

25 MR. MITCHELL: Would it be permissible,

1 Mr. Chairman, if we just had the Officer duplicate that
2 and leave that material? I didn't know what course the
3 testimony was going to take. I had assumed that he had
4 made a thorough and complete review, which I thought the
5 Committee ought to have the information.

6 CHAIRMAN HALE: Mr. Mitchell, the Chair
7 has been wondering ever since you started what perti-
8 nence all this testimony had on this inquiry, but we
9 wanted to give you as much leeway as possible.

10 MR. MITCHELL: I appreciate that.

11 CHAIRMAN HALE: I assume that all you are
12 showing now is that the Officer made a fairly thorough
13 investigation. Apparently you have established that.
14 It occurs to me, subject to hearing from other members
15 of the Committee that none of this is pertinent to our
16 inquiry, unless the Officer has found something that
17 will relate to Judge Carrillo in some way.

18 MR. MITCHELL: Well, you understand, Mr.
19 Chairman, out of due respect, I didn't tailor-make his
20 investigation. I thought he had made one, and I wanted
21 him to present it and I was willing to just let it hang
22 out, as we say. I didn't intend to get off on an
23 irrelevant inquiry. However, there have been charges
24 and counter-charges over the last couple of weeks of
25 use of equipment and I thought it would be pertinent,

1 and that's why I asked him, both as to just a general
2 question.

3 In view of the Officer's explanation, I would
4 ask leave to just simply, if we could— He needs his
5 documentation—if we could have it duplicated for the
6 file.

7 I have no further questions. The Committee
8 members might have questions of him.

9
10 QUESTIONS BY THE COMMITTEE MEMBERS

11 BY CHAIRMAN HALE

12 Q Mr. Powell, has Mr. Mitchell gone through your
13 entire investigation now, as far as this equipment?

14 A As far as Judge Carrillo? I have looked at
15 quite a bit of other equipment. The only two tractors
16 that I have looked at or pieces of equipment that belonged
17 to Judge Carrillo is the one I previously talked about,
18 which Serial No. was— It's a D8 caterpillar tractor,
19 Serial No. 36A470, which I previously talked about. And
20 the other one was a D8 caterpillar tractor, Serial No.
21 36A143. That tractor, at this time, is sitting at the
22 Duval County Shop in San Diego. The tractor is broken down
23 and needs extensive repairs to it.

24 I talked to Judge Carrillo in reference to that
25 tractor. He stated that he had loaned it to George Parr

1 In December, or about December of 1974. And that after
2 George Parr borrowed it, he didn't know what happened
3 to the tractor until just recently and he found out it
4 was there and he found out that it did need this repair.

5 He was asking us if he needed to repair the
6 tractor, remove the tractor before repairing it, or if
7 he could have Plains Machinery Company, or some company,
8 repair the tractor there and then move it. We told him
9 it didn't make us any difference if he repaired it there
10 and then moved it. Because to be loaded on a trailer to
11 be moved, it would have to be towed on there. It couldn't
12 be driven on.

13 Q In your investigation, have you discovered
14 any of this county equipment that was on the Carrillo
15 ranch or the Manges ranch or being used by either Judge
16 Carrillo or Clinton Manges?

17 A Yesterday we went to Ramiro Carrillo's ranch
18 owned by him right there at Benavides. We observed some
19 Duval County property there, on there, that belongs to
20 Duval County that was on that ranch there. Ramiro Carrillo
21 stated that he stored the equipment there for Duval
22 County, but he didn't have room for it at the County Shop.

23 Q Have you been out to Judge Carrillo's ranch?

24 A No, sir. I haven't.

25 Q You have not made any check on that. Anywhere

1 else in your investigation, have you found any other
2 evidence of any of the county equipment being used by
3 Judge Carrillo or his employees?

4 A Other than what I have been told, that there is
5 property out there. I haven't seen any of it.

6 Q You have not personally checked it?

7 A Yes.

8 MR. MITCHELL: May I ask him that?

9 BY MR. MITCHELL

10 Q How about a water—what do you call it? A
11 water tank, hauling water. Did you have an opportunity
12 to determine that that was Judge Carrillo's, Officer
13 Powell? There has been evidence, out of fairness to you
14 as a witness, that he owns one. I just wondered if you
15 had gotten around to checking it.

16 A I haven't seen one that I know of that belongs
17 to him.

18 CHAIRMAN HALE: Do you have any other
19 questions?

20 MR. MITCHELL: No, thank you, Mr. Chairman.

21 CHAIRMAN HALE: Mr. Maloney, I don't
22 know how closely you have been following this. Do you
23 have any questions?

24 MR. MALONEY: I have been following. I
25 don't have any questions.

1 CHAIRMAN HALE: Thank you.

2 Mr. Hendricks?

3 BY MR. HENDRICKS

4 Q When were you first requested to make an
5 investigation?

6 A It would have been the first part of April,
7 probably about the middle of April, somewhere along in
8 there.

9 Q Was it before or after the Carrillo-Parr split?

10 A It would have been after.

11 Q After the Carrillo-Parr split?

12 A After George Parr's suicide.

13 Q Of course, Parr isn't around to ask any explana-
14 tion of what the equipment was doing on his place?

15 A That's correct.

16 Q And you have not been on the Judge's ranch even
17 now?

18 A Not to look for any equipment. No, sir.

19 Q And you weren't on it prior, or you haven't been
20 on it prior to this time either—

21 A No, sir.

22 Q —at the time you were requested to make the
23 investigation?

24 A No, sir.

25 Q The fact that George Parr may have misused

1 County equipment would not excuse anyone else misusing
2 county equipment, would it?

3 A Not in my opinion.

4 MR. HENDRICKS: Thank you.

5 CHAIRMAN HALE: Mr. Kaster?

6 BY MR. KASTER

7 Q Mr. Powell, how much equipment did you observe
8 at Ramiro Carrillo's ranch near Benavides? Was there much?

9 A Let's see—

10 Q Approximately how many pieces of equipment?

11 A 22.

12 Q 22 pieces of equipment?

13 A Yes, sir. Let's see if I've got all of them. I
14 am short a few pages somewhere. There were 22 pieces.

15 Q And Ramiro Carrillo told you he stored it there
16 for the County. Is that correct?

17 A Yes, sir. There are 22 pieces. Now, some of
18 them didn't belong— Some of them belonged to him per-
19 sonally. Some, to Duval County. One piece, I believe,
20 belonged to Rodolfo Couling. One or two pieces might
21 have belonged to the Water District.

22 Q Was it all stored in one area, roughly?

23 A Yes, sir.

24 Q When you went out to the Atlee Parr ranch, or
25 wherever you saw this other equipment, was it similarly

1 stored in one area?

2 A No, sir. That equipment was pretty well
3 scattered over the ranch. A lot of the farm equipment
4 was stored in one area. The caterpillar tractors were
5 in different areas on the ranch.

6 Q Did you discuss why it was there with Mr. Archer
7 Parr or was this on George Parr's ranch?

8 A It was on the Atlee Parr ranch, which at that
9 time had been leased by George Parr.

10 Q George Parr?

11 A Yes, sir.

12 Q Of course, he is dead and you couldn't ask him
13 if he was storing it for the county like you did Ramiro
14 Carrillo?

15 A Well, that's right. Everybody told me that it
16 was used to clear some land. It was parked next to some
17 freshly cleared land.

18 Q You started this investigation after April 11th.
19 That was your first investigation?

20 A Yes, sir.

21 Q Who requested that you make the investigation?

22 A The day that George Parr committed suicide,
23 we went down through there and we went by several of
24 these caterpillars and there was talk about George Parr
25 using county equipment. We discussed it at that time and

1 wondered, you know, about possibly checking these
2 tractors. Then it was about the 11th or just a few days
3 before that the county officials requested that we look
4 into this equipment.

5 Q The first time that you saw this equipment on
6 Ramiro Carrillo's ranch was in the last few days?

7 A I have seen it sitting there. Ray Bravanec of
8 the Attorney General's Office and myself drove out there
9 about a week or so ago and about two weeks ago, when we
10 took down some license numbers off of some of that, we
11 drove out there. There was a vat there that we understand
12 belongs to Duval County. We drove out there and looked
13 at that.

14 Q A vat?

15 A It's a dipping vat. Yes, sir.

16 Q Is that a portable piece of equipment?

17 A No, sir. It's a permanent piece of equipment.
18 There are some pens and a dipping vat there. It's a
19 concrete dipping vat. It's sunk in the ground.

20 Q Did you say the county built that or owned it?
21 Do you know?

22 A The county built it there to be used during that
23 tick eradication program is the explanation that Ramiro
24 Carrillo gave to us yesterday.

25 Q So he's storing a concrete dipping vat for the

1 County?

2 A Yes, sir.

3 Q You don't know if that equipment had been used
4 around the ranch and then brought back there, do do you
5 have any knowledge of that?

6 A There was one piece of equipment there. I
7 guess those other papers are out there in the car and I
8 thought I brought them all in, but I must— I am missing
9 No. 8 through 21. They must be out in the car.

10 Q No. What I am getting at—

11 A There was one piece of equipment there that
12 had been used. I was going to look for the license number
13 on it so I can tell you which ones—that is registered to
14 the Duval County Civil Defense, that was used by A and R
15 Carrillo which is Ramiro Carrillo's sons, to haul some
16 grain, I believe, for Ramiro Carrillo in '73 or '74. Ramiro
17 Carrillo stated to me yesterday that they did use that
18 truck to haul grain.

19 Q The Civil Defense Truck they used to haul grain?

20 A Yes, sir.

21 Q The rest of the equipment, you wouldn't know
22 if that was used out on that ranch and then brought back
23 to the storage area?

24 A I wouldn't know.

25 Q Now, you then stated that you had not been out

1 to Carrillo's ranch, Judge O. P. Carrillo's ranch, looking
2 for equipment?

3 A That's correct.

4 Q Since April 11 until now, any equipment—if
5 there was any, could it have been removed in this over a
6 month? Could they move that to another area?

7 A Yes, sir. It could be.

8 Q So that if there was some—and I am not saying
9 that there was—but just assume there was and there was
10 an investigation going on, and a month goes by before you
11 go out to the ranch, any of it that was there could have
12 been removed?

13 A That's possible. Yes, sir.

14 Q I want to get back to this investigation. I
15 don't think it was cleared up. When you began on April
16 11th, who requested that you make this investigation?

17 A The County Commissioner. County Judge Dan
18 Tobin, Jr., Manuel Amaya, Jr., and Ramiro Carrillo.

19 Q Who suggested that you go to the Parr's place
20 to look? Or did you do that on your own, from having
21 seen it and been out there?

22 A We started there on our own, from having seen
23 it and statements that everybody made that George Parr
24 used numerous pieces of county equipment on his ranch.

25 Q Was this request— Did they say to look there

1 first, or did they just tell you: Did they give you
2 any idea where to look?

3 A No, sir. They just asked us to look for the
4 property.

5 Q You are talking about a caterpillar, the first
6 caterpillar you mentioned which was a TD25C. You said it
7 was verified by Ramiro Carrillo that he owned it. Did
8 he just say that he owned it without—

9 A He just said that he knew that tractor because
10 it had burned up once and they just recently spent
11 \$30,000 repairing it.

12 Q But you didn't see the ownership papers on it?

13 A I don't think so. There's a bill from Plains
14 Machinery for \$30,000.

15 Q All right. But there are no title papers, so
16 you really don't know who owns it, other than his word
17 for it?

18 A Let me look at something right quick. There are
19 so many different pieces, I would hate to say—

20 Q It's the first one, IH TD25C, the first one
21 you mentioned.

22 A I don't believe I found that.

23 Q It was found on April 11th on the Atlee Parr
24 ranch.

25 A Yes, sir. You see, I have a list here of

1 equipment that was bought from Plains—some of the
2 equipment that was bought from Plains. It's not on this
3 list. No, sir. I don't have anything else on it. I
4 didn't think I did, but I wanted to be sure.

5 Q Do caterpillar tractors come with title papers
6 like a car? I mean, is there a certificate of title on
7 that, or how do they?

8 A No, sir. I don't believe so.

9 Q Just a bill of sale?

10 A Yes, sir.

11 Q Have you had time to go to Plains Machinery?
12 Do you know who they bought it from?

13 A We have been trying to run some of those down.
14 I don't know who they bought it from. I don't have any
15 numbers on that particular one.

16 Q Well, I'm probably getting far afield. I am
17 getting trapped into the same thing, because, again, what
18 Parr did doesn't have anything to do with what was on
19 Carrillo's ranch.

20 A On some of these tractors, going back to
21 caterpillar and to International, to try to trace them
22 back, which is taking a considerable amount of time.

23 Q Getting back to it again, you have not been on
24 the Judge's ranch and that's the object of our investiga-
25 tion, not George Parr, or Archer Parr or anybody down

1 there other than Judge Carrillo?

2 A That's correct. I have not.

3 Q So that if you went today, you couldn't say
4 what was there five or six months ago. You wouldn't have
5 any knowledge of what was there since you did say you
6 have not been to that ranch. Is that correct?

7 A That's correct.

8 MR. KASTER: That's all the questions I
9 have, Mr. Chairman.

10 CHAIRMAN HALE: Ms. Thompson?

11 BY MS. THOMPSON

12 Q You didn't notice any El Dorado Cadillacs or
13 any LTD's or Thunderbirds, did you?

14 A Ramiro Carrillo drives an LTD and Archer Parr
15 drives an El Dorado Cadillac.

16 Q But you wouldn't know any serial numbers on
17 those, would you?

18 A No, sir. Somewhere I may have the license
19 number of that LTD. Somewhere I've got the license number
20 of that El Dorado, but—

21 Q I notice in some data that was given us that
22 there was some 1974, four LTD's— I think there were
23 three of those; a 1973 Thunderbird; a 1974 El Dorado
24 Cadillac.

25 A Yes, ma'am. That's in this list here I believe

1 that I have a copy of where all of these—

2 Q That's the same list that I have. Right?

3 A Yes, ma'am, probably is.

4 MS. THOMPSON: Thank you. That's all,
5 Mr. Chairman.

6 CHAIRMAN HALE: Ms. Weddington?

7 MS. WEDDINGTON: I pass, Your Honor.

8 CHAIRMAN HALE: Mr. Chavez?

9 MR. CHAVEZ: No questions.

10 CHAIRMAN HALE: Mr. Hendricks?

11 BY MR. HENDRICKS

12 Q One or two more questions, Mr. Powell.

13 Did you make the investigation of George Parr's
14 death?

15 A Yes, sir.

16 Q You personally conducted the investigation?

17 A I assisted in the investigation.

18 Q Is there any question about the suicide?

19 A Not in my mind. No, sir.

20 Q Is there presently being an investigation made
21 of the misuse of county funds through the buying of
22 equipment or purchases that shouldn't be made through
23 any of the precincts in Duval County?

24 A Yes, sir.

25 Q Are you conducting that investigation?

1 A I am assisting in the investigation.

2 Q All right, sir. Let me ask you this: Of your
3 knowledge, has it come to your attention that possibly
4 a house may have been renovated, a personal home renovated
5 with property that was purchased through a Commissioner's
6 Precinct in Duval County?

7 A Yes, sir.

8 Q Was that property purchased through Commissioner
9 of Precinct 3— Did it come through the Commissioner of
10 Precinct 3?

11 A Yes, sir.

12 MR. HENDRICKS: Thank you, sir.

13 MR. MITCHELL: May I ask a question or
14 two?

15 CHAIRMAN HALE: Yes, sir. Mr. Mitchell.

16 BY MR. MITCHELL

17 Q Ranger Powell, in view of what appears to be an
18 "us versus them" type of thing that's developed here: Did
19 I ever talk to you about when I made a request that you
20 come back up here that you point your testimony one way
21 or the other?

22 A No, sir.

23 Q In fact, I haven't talked to you but about two
24 minutes in my whole life, isn't that correct?

25 A Something like that.

1 Q And I didn't say, "Just get up here and tell
2 it all on them and don't tell none on us," did I?

3 A No, sir.

4 Q I will ask you as regards the material that
5 you have testified to, this material is being gathered
6 together, I suppose to be submitted to the prosecuting
7 agencies. Isn't that correct?

8 A Yes, sir.

9 Q And as far as you know that is proceeding with
10 dispatch through the various law enforcement agencies that
11 you have named. Isn't that correct?

12 A Yes, sir.

13 Q Do you know Ruben Chapa?

14 A Yes, sir.

15 Q Tell the Committee how you know Ruben Chapa?

16 A He's on the Benavides-Freer School Board and runs
17 a Texaco Station there in Benavides.

18 Q In Benavides. That's correct. He so testified.
19 Have you ever investigated him with regard to
20 stolen property? If so, tell us about that.

21 A Yes, sir. On one occasion.

22 Q What was that?

23 A With reference to a burglary of a residence
24 in Jim Wells County in Alice, Texas. I worked with the
25 City Police in Alice and Officers Juan Rodriguez and Pete
Hinojosa in the investigation of a burglary that the rifles—

1 in the theft of some rifles that were originally sold to
2 a man in San Diego. When we talked to him, he told us that
3 he had sold the rifles in Benavides and stated that he
4 had sold them to Ruben Chapa and the rifles were recovered
5 from Ruben Chapa.

6 Q They were traced to the burglary? They were the
7 same ones that were burglarized?

8 A Yes.

9 MR. MITCHELL: I believe I have no more
10 questions, Mr. Hale. Thank you.

11 CHAIRMAN HALE: Mr. Chavez?

12 BY MR. CHAVEZ

13 Q In connection with this question that Mr.
14 Hendricks asked you on that house: Have you determined
15 what residence was renovated?

16 A Ramiro Carrillo yesterday asked me if I would
17 go to—brought some bills in there, which were the bills
18 that were talked about, with reference—that I had heard
19 talked about on the house and told me that it had been
20 used at the City Hall in Benavides and asked me if I
21 would go down there with him. He wanted to show me the
22 City Hall where the County had spent some work on this
23 City Hall. We went down there and looked at the City Hall
24 in Benavides and it has been recently remodeled.

25 Q Okay. So the investigation hasn't taken you to

1 any residences that might be owned by Judge Carrillo
2 or anything?

3 A No, sir.

4 MR. CHAVEZ: Thank you.

5 CHAIRMAN HALE: Mr. Kaster?

6 BY MR. KASTER

7 Q Mr. Powell, on that City Hall, who owns the
8 property or the house where this is located?

9 A I read an article in the paper and there was
10 some discussion there yesterday, that the City Hall had
11 been sold to the Water District at the time the Water
12 District purchased the waterworks in Benavides.

13 The Mayor was there at the courthouse yester-
14 day, Octavio Saenz, I believe it is, of Benavides, and
15 he stated that the City Hall wasn't sold with the other
16 property. It was in the list, but it had been scratched
17 off. I understand there is a controversy right now in
18 regards to who does own it.

19 Q You know in the controversy that it is not
20 disputed that the county doesn't own it?

21 A No, sir. The controversy, as I understand it,
22 is between the City of Benavides and the Water District.

23 BY MR. MITCHELL

24 Q And the City of Benavides, if it wanted to
25 make any repairs is bankrupt, so they couldn't make the

1 repairs, could they?

2 A I don't know. I don't know whether they are
3 bankrupt or not.

4 Q The fact of the matter is, that's an old City
5 Hall and Fire Station Building, is it not, Officer
6 Powell?

7 A I understand it's a City Hall and Fire Station
8 together. Yes, sir.

9 Q It previously was a school?

10 A I don't know about that.

11 Q Actually, the City Hall had been moved to the
12 old bank building, so it's no longer occupied as a City
13 Hall, is it?

14 A No, sir.

15 MR. MITCHELL: Thank you, Officer Powell.

16 I have no further questions, Mr. Hale.

17 CHAIRMAN HALE: Mr. Canales has a question.

18 BY MR. CANALES

19 Q Ranger Powell, you were concerned at the onset
20 of this questioning about revealing these particular
21 documents that you have in your possession, because it
22 might possibly violate your confidence with the Grand
23 Jury. Is that not so?

24 A That was just one list of about— I don't know
25 how many pieces of equipment there, that Duval County

1 purchased from B. D. Holt.

2 Q Yes. Okay.

3 I notice that Mr. Mitchell seemed to be quite
4 familiar with the list in asking these questions. Who
5 else has a copy of this?

6 A This right here? I am the only one. There is a
7 copy, the information from B. D. Holt and those that I
8 have over at the Attorney General's Office there in San
9 Diego.

10 Q Has the Grand Jury got a copy of this?

11 A Yes, sir. I think it is stored there in those
12 filing cabinets in the courthouse.

13 Q Would the District Attorney have access to it?

14 A Yes, sir. I am sure he does.

15 MR. CANALES: Thank you.

16 MR. MITCHELL: Let me state for the record
17 and to this Committee, I have never seen the list, don't
18 have the possession of it and never saw the Officer or
19 questioned him about it, until I called him. If Mr.
20 Canales wants to swear me and question me, I would be
21 glad to so testify, but I would like to also ask him
22 some questions back about how he got some of his
23 documents.

24 CHAIRMAN HALE: Mr. Mitchell, the record
25 will reflect whatever it reflects with respect to your

1 relationship with Officer Powell. I think that's been
2 clearly spelled out by your questioning.

3 MR. MITCHELL: Thank you.

4 CHAIRMAN HALE: Are there any further
5 questions of Officer Powell?

6 Thank you very much, Officer Powell.

7 (Discussion off the record.)

8 Thank you very much for your testimony. The
9 Chair will excuse you under the same conditions as we did
10 the last time you appeared here; that you may go about
11 your business with the understanding you are still under
12 subpoena to the Committee. If we need you again, we will
13 call you.

14 Thank you very much.

15 (The witness, Mr. George E. Powell, was
16 excused.)

17 CHAIRMAN HALE: Mr. Mitchell?

18 MR. MITCHELL: Mr. Hale, may I inquire if
19 Elvira Rodriguez has come in? May I call her?

20 CHAIRMAN HALE: Yes. Has she filled out
21 one of those witness forms?

22 MR. MITCHELL: No, sir.

23 CHAIRMAN HALE: Is this Mrs. Rodriguez?

24 THE WITNESS: Yes, sir.

25 CHAIRMAN HALE: Do you speak English all right,

1 Mrs. Rodriguez, or do you need and interpreter? Would
2 you prefer an interpreter?

3 THE WITNESS: I can understand a few words,
4 but if I could have an interpreter, I would like to have
5 one, just in case I need one.

6 CHAIRMAN HALE: We had better have an
7 interpreter then.

8 Ms. Ramon, I will give the warning to her in
9 English and then after I have completed, you repeat it to
10 her in Spanish.

11 Mrs. Rodriguez, it's my duty as Chairman, to
12 advise you of your rights with reference to your testimony.

13 You will be sworn to tell the truth and your
14 failure to do so could subject you to a prosecution for
15 perjury. After you have completed your statement, Members
16 of the Committee may ask questions concerning your
17 testimony. You must answer these questions truthfully
18 and your refusal to do so could subject you to punishment
19 for contempt. You can refuse to answer questions only on
20 the ground that such answers might incriminate you or
21 tend to incriminate you in some way.

22 You are privileged to have an attorney of your
23 selection sit with and advise you as to your answers, if
24 you desire.

25 The Chair will attempt to protect your rights

1 at all times.

2 If you would read that to her in Spanish,
3 please.

4 MS. RAMON: (The warning was interpreted.)

5 CHAIRMAN HALE: Do you understand the
6 advice I have given you?

7 THE WITNESS: Yes, sir.

8 CHAIRMAN HALE: You let her tell it to you
9 in Spanish.

10 You repeat it in Spanish, Edna, and let her give
11 us the answers back in Spanish.

12 MS. RAMON: Yes, sir.

13 CHAIRMAN HALE: Would you please stand and
14 raise your right hand.

15 (The witness was sworn by the Chairman.)

16 THE WITNESS: I do.

17 CHAIRMAN HALE: Mr. Mitchell.

18 MR. MITCHELL: Thank you, Mr. Chairman.

19
20 MS. ELVIRA RODRIGUEZ

21 was called as a witness by the Respondent and being duly
22 sworn by the Chairman, testified as follows:

23 BY MR. MITCHELL

24 Q Will you state your name and your address and
25 your present employment for the Committee, Mrs. Rodriguez?

1 A My name is Elvira Rodriguez, Box 424, Benavides,
2 Texas. I am employed by Duval County Welfare.

3 Q I notice you have with you to your left a young
4 lady who has been kindly put there by the Committee to
5 assist you in interpreting. Am I correct?

6 A Yes, sir.

7 Q I'll ask you so that I do not take unfair
8 advantage of you, that any difficulty you might have
9 with any of my questions put to you, that you please ask
10 the young lady to interpret them, if there is any
11 question in your mind?

12 A Yes, sir.

13 Q Now, Mrs. Rodriguez, I believe—

14 CHAIRMAN HALE: Mr. Mitchell, let the Chair
15 interrupt just a minute.

16 I want to be sure, Mrs. Rodriguez, do you
17 understand what Mr. Mitchell is asking you in English?

18 A Yes, sir.

19 CHAIRMAN HALE: You understand English
20 fairly well then?

21 A Well, it depends on the—sometimes, I get
22 mixed up with the words, but I can answer it.

23 CHAIRMAN HALE: All right. The Chair is
24 going to permit you to answer the questions in English
25 then, with the understanding that if you don't understand

1 any of these questions, you ask Edna to interpret it and
2 put it in Spanish. Do you understand me?

3 A Yes, sir.

4 CHAIRMAN HALE: All right. We will depend
5 on your judgment. Don't answer a question unless you
6 understand it. Be sure you understand it. All right.

7 Q Mrs. Rodriguez, prior to today, have you ever
8 seen me, talked with me, or have I ever gotten any
9 documents from you or given any to you?

10 A No, sir.

11 Q Your present residence is where again, please,
12 ma'am?

13 A Benavides, Texas.

14 Q I'll direct your attention, please, to the
15 year 1965 and ask you who were you employed by in 1965?

16 A Duval County Welfare.

17 Q Prior to 1965, who were you employed by?

18 A 1960?

19 Q Prior to 1965?

20 A Duval County Welfare. I worked part time for
21 the Zertuche General Store.

22 Q Your answer was that you were working with
23 Duval County Welfare and part time for Zertuche General
24 Store?

25 A Right. Right.

1 Q First, let me take the Duval County Welfare
2 portion of your answer. Prior to 1964, and if I talk too
3 fast, I have a bad habit of doing it. My Judges and
4 my Reporters fuss at me. You stop me and make me repeat,
5 would you please?

6 A Yes, sir.

7 Q All right. Prior to 1964, where was the
8 Welfare Office? Tell the Committee, please.

9 A In 1964 it was in the Joe Gonzalez Warehouse.

10 Q Where was the Joe Gonzalez Warehouse located?

11 A It was located in the Main Highway going into
12 Laredo.

13 Q Outside of the town of Benavides?

14 A Yes, sir.

15 Q Can you tell us what type of operation that
16 Welfare was? Did it have a location of a building?

17 A Yes. It was just a building.

18 Q And can you tell and outline for the Committee,
19 please, the procedures that were followed by you as an
20 employee of the Welfare?

21 A Well, just issue commodities to the needy people.

22 Q Can the Committee understand this? She said,
23 "We would issue commodities to the people."

24 A We would issue commodities to the needy people,
25 from the Welfare Department.

1 Q State whether or not that was under a State
2 Program or a County Program, as you understood it.

3 A I believe it was State and County.

4 Q Now, you suggested by a partial answer to a
5 previous question that you moved later on into the town
6 of Benavides?

7 A Right.

8 Q Can you tell us, please, when you did that?

9 A It was around 1965.

10 Q All right.

11 A Maybe 1966.

12 Q Did the Commodities Welfare Section have an
13 office there in the building there in Benavides in—

14 A It's a building next to the Zertuche General
15 Store.

16 Q The Zertuche General Store you have mentioned
17 twice. Where was it located in 1965?

18 A It was next to where we issued the commodities,
19 next door.

20 Q Was the Commodities office one that stayed
21 open all the time, all day? Describe the business?

22 A No. The main office was in San Diego. We would
23 issue food once every two weeks. Then, after that— I
24 was paid for the whole month, but I worked whenever we
25 distributed food.

1 Q She was paid for that, but she was open only
2 when she distributed food. Was that correct?

3 A Right. So when we didn't issue food, I took
4 work at the General Store, part time.

5 Q You then are testifying that you worked for the
6 Zertuche General Store—

7 A Right.

8 Q —which was adjoining the Welfare Office that
9 you worked in?

10 A Right.

11 Q Now, tell us about where that Zertuche General
12 Store was located in 1965, Mrs. Rodriguez? I mean, outside
13 of the fact that it was next to the commodities, where
14 was it?

15 A It was just on the other side.

16 Q What town? Let's start there.

17 A In Benavides.

18 Q That's in Duval County?

19 A Right.

20 Q What street, if it had a name?

21 A It does not have a name. It's off the main
22 street, on the next block. The street doesn't have a
23 name and it doesn't have a number on the buildings.

24 Q There has been some testimony previously that
25 the streets are not named. If you will give me a minute,

1 I want to ask you: There has also previously been intro-
2 duced a sales tax application that had a number. I'm
3 looking for that, if the Committee will bear with me for
4 just a second.

5 Do you know whether it had a highway designation?

6 A Well, it is just across the City Hall now,
7 where the City Hall now is. Just across from there,
8 across the street.

9 Q From where the City Hall is now?

10 A Right now.

11 Q Did you know the owner who had and operated
12 that Zertuche General Store in '65?

13 A Hector Zertuche.

14 Q Were you employed by Mr. Hector Zertuche to
15 run the Zertuche General Store?

16 A Yes, sir. Whenever I was needed.

17 Q And beginning in 1965, state whether or not
18 then you worked in the Zertuche General Store?

19 A Yes, sir.

20 Q How long did you continue to work for the
21 Zertuche General Store, Mrs. Rodriguez?

22 A Until 1967 when the hurricane hit it there.

23 Q Was that Celia?

24 A I believe it was Beulah.

25 Q What was the name of that hurricane? Beulah?

1 A Hurricane Beulah.

2 Q Do you recall what year that was?

3 A 1967.

4 Q Now, I'm going to ask you specifically and
5 some of these questions might seem to be very fundamental
6 and almost ridiculous, but there is testimony in here
7 that necessitates that I discharge my duty to my client
8 by asking you: The Zertuche General Store did occupy
9 some space? It had space?

10 A Yes, sir.

11 Q Did the Zertuche General Store have any mer-
12 chandize in it?

13 A Yes, sir.

14 Q Let's talk about merchandise say, from '65 up
15 until the time the building was damaged or destroyed
16 by the hurricane. Can you tell the Committee what
17 merchandise you had in the store?

18 A Well, it was refrigerators, stoves, televisions,
19 radios, guns, gun shells, towels, pillow cases, sheets,
20 dishes, toys and hunting equipment,

21 Q Was the merchandise displayed so that members
22 of the buying public could come in and see it, Mrs.
23 Rodriguez?

24 A Yes, sir.

25 Q Was it on the shelf? Tell us how you had it.

1 A We had some shelves.

2 Q The refrigerators, where were they?

3 A They were on the floor, standing up.

4 Q And the stoves?

5 A The stoves.

6 Q Would time to time members of the general
7 public come in and purchase from the Zertuche General
8 Store?

9 A Yes, sir.

10 Q I know I am asking you to go back in your
11 memory to '67 and '66 and '65, but who were some of
12 your customers? Do you recall?

13 A Yes. Ruben Chapa's mother came to buy in there.
14 Then Mr. Felipe Vallario, who is County Commissioner, he
15 came in there. There were a lot of people in the
16 community.

17 Q Would you have orders from time to time for
18 ranch supplies, fence post, barbed wire, pipe et cetera?

19 A Yes, sir. But then I would call Mr. Zertuche
20 so he could take care of that.

21 Q You would—

22 A He would order that and deliver that.

23 Q Do you know Mr. Cleofas Gonzales who is sitting
24 back over behind you to the left? You can turn around
25 and take a look.

1 A Yes, sir. Pretty good.

2 Q Tell the Committee how you first met Mr. Cleofa
3 Gonzalez, or had any first contact— How long have you
4 known him, I will ask first of all.

5 A All my life.

6 Q I am not going to ask you what your age is.
7 That's a long time ago.

8 When did you first have contact with Cleofas
9 Gonzalez, if you have ever had any?

10 A Well, we usually had conversations as friends.
11 Then when we had the Zertuche General Store, he was employed
12 at the Farm and Ranch.

13 Q Let's stop just a minute. Where was the Farm and
14 Ranch Store?

15 A On the main highway.

16 Q Away from the location of the Zertuche General
17 Store?

18 A Yes, sir.

19 Q About?

20 A About five or six blocks.

21 Q Thank you. That's what I was going to ask you.
22 We can understand what that is. Five or six blocks from
23 the location of the Zertuche General Store. Is that your
24 testimony?

25 A That's right.

1 Q You say that on occasion when people would
2 come in and want something that you didn't have that you
3 would call Mr. Cleofas Gonzales?

4 A I would call him when I had a shipment from the
5 Alamo Truck and ask him if he would pay for the merchandise,
6 of if I would pay from the money I had.

7 Q Would you receive your instructions from Mr.
8 Cleofas Gonzalez?

9 A Yes. He said if I had enough change, to go
10 ahead and pay it. If not, send it over to him.

11 Q All right. How long was Mr. Cleofas Gonzalez
12 employed by the Farm and Ranch Store, if you know, please,
13 Mrs. Rodriguez?

14 A It's been a long time, but I can't remember the
15 exact date.

16 Q Specifically, was he there, that you know of,
17 at the Farm and Ranch in 1965, 1966 and 1967?

18 A Yes, sir.

19 Q You are telling this Committee under oath that
20 you had occasion during that period of time to talk with
21 him about receiving instructions on paying for merchandise?
22 Is that right?

23 A Right.

24 Q Do you know whether or not Mr. Cleofas Gonzalez
25 ever came down and visited you at that store location?

1 A He might have been. I don't remember too much.

2 Q If you don't, that's all right.

3 Were you there in the community when the
4 hurricane damaged the store building, Mrs. Rodriguez?

5 A Yes, sir.

6 Q Let me ask you: Can you tell the Committee
7 what damage that you observed personally that you
8 presently recall, going back over roughly ten years? Do
9 you recall the damage?

10 A Well, it was windows broken and the roof was
11 all leaking and the merchandise, part of it was wet.

12 Q Part of the merchandise was wet?

13 A Right.

14 Q Do you know of your own personal knowledge what
15 happened to the merchandise, first of all?

16 A After the hurricane, they moved it to the Farm
17 and Ranch.

18 Q Do you know what happened to the building? Was
19 it ever repaired?

20 A No, sir. It is still there.

21 Q The building is still there?

22 A Yes, sir. Unrepaired.

23 Q Do you know whether today— I believe you do
24 live in the community even today, do you not?

25 A Yes, sir.

1 Q Do you live there today in Benavides?

2 A Yes, sir.

3 Q Is it today a vacant building, do you know?

4 A It's vacant.

5 Q Have you had an occasion to go into the Farm
6 and Ranch Store since 1967?

7 A Yes, sir.

8 Q Let me just ask you outright: When was the
9 last time you were in the Farm and Ranch Store?

10 A Yesterday and sometime last week.

11 Q I didn't tell you to go over there and be sure
12 that you would tell it that way, did I, Mrs. Rodriguez.

13 A Well, I have been there. When I have work to
14 do by the county, I have to report there.

15 Q You were in there as recently as yesterday.
16 Is that your testimony?

17 A Yes, sir.

18 Q Now, let me talk about the Farm and Ranch Store.
19 First of all, the Farm and Ranch Store, tell us: How much
20 does it occupy? How much space does it occupy? Is it as
21 big as this room that we are sitting in, or is it bigger?

22 A It is bigger.

23 Q In fact, it is about a half a block, is it not?

24 A That's right.

25 Q Is it fenced in?

- 1 A Yes, sir.
- 2 Q Does it have a building on it?
- 3 A Yes, sir.
- 4 Q Does the building have a counter?
- 5 A Yes, sir.
- 6 Q Does the building house merchandise?
- 7 A It has some merchandise belonging to the General
8 Store on the bank. There is a room in the back part of
9 it. Part of it belonged to the General Store.
- 10 Q Are you telling this Committee that you observed
11 part of the merchandise in that store this week that was
12 in the Zertuche Store at the time of the hurricane?
- 13 A Yes, sir.
- 14 Q What? What was it? What did you recognize?
- 15 A Well, stoves and refrigerators.
- 16 Q That were in the Zertuche Store back in '65?
- 17 A Right.
- 18 Q Let's go back. I don't want to confuse you.
19 Let's go back now to the Zertuche Store, '65, '66, '67.
20 Who tended the store, besides yourself?
- 21 A Mr. Zertuche.
- 22 Q Is that Hector or Arturo?
- 23 A It was Hector, before he went to the Service.
- 24 Q Did you know Arturo Zertuche?
- 25 A Yes, sir.

1 Q I suppose you knew Mr. Hector Zertuche. Is
2 that correct?

3 A Yes, sir.

4 Q Who did you work under?

5 A Hector Zertuche, while I was at the store.

6 Q Were there any other employees?

7 A No. I was the only one, but I had a lot of
8 people coming in to visit me there, and some of them to
9 buy their merchandise from the store.

10 Q Did that store have regular hours, or did—

11 A When he was there, he had regular hours. When
12 I was there, it was just part time.

13 Q All right.

14 A Or if the people needed something, they would go
15 to the house and call me so I could come and open and give
16 them or sell them whatever they wanted.

17 Q Where was your house located in reference to
18 the store, Mrs. Rodriguez?

19 A My house was pretty far, but I stayed at my
20 sister's, two blocks from there. She was two blocks from
21 the store.

22 Q Folks that wanted to buy something could come
23 to your place?

24 A They knew where I could be reached. I had a
25 key to the store.

1 Q You had a key and you would open it up and
2 sell?

3 A Yes, sir.

4 Q Let me ask you this: Was the store, to your
5 knowledge, open to do business with the General Public?

6 A Yes, sir.

7 Q And if people would come in and they would buy
8 and pay for whatever they bought, would they give you the
9 money?

10 A Yes, sir.

11 Q Would they pay in cash or in checks?

12 A Some paid in cash and some paid in checks.

13 Q What did you do with the money?

14 A I would return it to Mr. Zertuche, after the
15 day was over. And he would take care of depositing it.

16 Q Did you all have a system?

17 A I would have it there all day and then in the
18 evening, then, I would just return everything to him.

19 Q Did you deliver any of the tapes or any of the
20 material to Mr. Cleofas Gonzalez to be turned over to the
21 accountant, or did you just work right directly under
22 Mr. Hector Zertuche?

23 A Under Hector.

24 Q Did the store have a store license?

25 A Yes, sir.

1 Q Was the store license hung up on the wall? Where
2 was it?

3 A It was on the counter.

4 Q As one of your responsibilities, did you have the
5 responsibility to see that it was current, stayed current?

6 A That's right.

7 Q Did you try to discharge that responsibility
8 to your best ability?

9 A Yes, sir.

10 Q Did it have electrical service? Did you have a
11 light in it?

12 A Yes, sir.

13 Q When you would turn on a light, a light would
14 come on?

15 A Yes, sir.

16 Q Did you have a telephone?

17 A No. We used the next-door neighbor's telephone,
18 Mr. Oscar Carrillo. Whenever I needed to call Mr. Gon-
19 zalez, I called him from there.

20 Q Did you have a cash register?

21 A Yes, sir.

22 Q A counter?

23 A Yes, sir.

24 Q Display shelves?

25 A Yes, sir.

1 Q Did you get mail there?

2 A Yes, sir. Mr. Zertuche would take care of the
3 mail.

4 Q Would it come to the store?

5 A Yes.

6 Q I know I am asking you to recall back: During
7 '65, '66 and '67, did you ever see Judge Carrillo come
8 and go? Was he a customer?

9 A Sometimes he would just stop by.

10 Q When you went into the Farm and Ranch, was
11 Cleofas Gonzalez working for the Farm and Ranch, when you
12 went in yesterday or the day before?

13 A No. He's not there anymore.

14 Q Do you know when he stopped working for the
15 Farm and Ranch? If you don't—

16 A I just don't remember.

17 Q Did Mr. Canales ever come to Zertuche Store
18 back in those days?

19 A F. H.?

20 Q Yes.

21 A No, sir. But Mr. Francisco Ruiz's wife pur-
22 chased a bicycle from us for her daughter.

23 Q Did you have bicycles, too?

24 A Yes, sir. We had bicycles, too.

25 Q There's been some testimony previously— This is

1 Mr. Gonzalez's, that this store was in the Vaello—
2 What is the correct name of that building that the
3 Zertuche Store was in?

4 A Vaello Sales Company.

5 Q Could you spell it?

6 A Where it used to be before. V-a-e-l-l-o.

7 Q You don't know anything about a B-i-a-l Sales
8 Building, do you?

9 A No, sir.

10 Q The Hector Zertuche Store, that is, the
11 Zertuche General Store, at least in the time that you had
12 any connection with it, was in the building, the name
13 that you gave us?

14 A Yes, sir.

15 Q I am going to get off of that a minute. There
16 have been some questions the last two or three weeks
17 about the commodities program. In view of the fact that
18 you are familiar with it, how does it work, Mrs.
19 Rodriguez?

20 A Our main office was in San Diego.

21 Q All right.

22 A The County Welfare Office. When I started
23 working in 1959, we worked there for about two or three
24 months, going back and forth. Then we stayed in
25 Benevides and used the Gonzalez Building to issue the

1 commodities twice a week. Then they reduced it to once
2 a month and doubled the amount of the commodities. From
3 there, we moved to the Vaello Sales which is the building
4 next to the Zertuche Store.

5 Q Let me ask you, during that period of time,
6 how did you know who was entitled to receive those
7 commodities and who wasn't. Could I walk in there and
8 just say, "Give me something"?

9 A No, sir. The main office was in San Diego and
10 they had to go and apply over there. Over there they
11 would certify the application.

12 Q Certify that they were qualified?

13 A They were qualified to receive it.

14 Q Go ahead.

15 A From there, they would send us the index cards
16 with their names and on the back was the amount of
17 commodities they were to receive.

18 Q I am going to talk about that card.

19 Was the form that the people would present to
20 you as the person in charge of the commodities store,
21 was that a printed form?

22 A Yes, sir.

23 Q Was it the one that was provided for by, so
24 far as you know, this regulatory agency that had the
25 authority over the commodities and the issuance of those

1 commodities?

2 A Yes, sir.

3 Q State whether or not you were instructed that
4 you were not to release commodities, except on those
5 forms that were issued, you say, in some other town?

6 A Yes, sir. Mr. Chapa was in charge. He was the
7 head of that and then I was under him.

8 Q As I understand it, the folks who were in need
9 of foods, that were qualified, would go to San Diego and
10 file an application and would receive a card? Is that
11 right?

12 A That's right.

13 Q When you were open, they would present them-
14 selves with that card?

15 A Yes, sir.

16 Q What information was on the card, Mrs.
17 Rodriguez?

18 A Well, the information was left in San Diego.
19 All we knew was that they sent us a list of the people
20 who were entitled to receive and what amount they would
21 receive.

22 Q So that when I or—

23 A It would depend on how many dependents they had.

24 Q Pardon me. I didn't mean to step on your
25 answer.

1 You would have a master list, as I understand
2 your testimony, against which you could check that any
3 person coming in there with one of these cards and that
4 master list would also issue out of the same agency that
5 would issue the card?

6 A Yes, sir.

7 Q Were you instructed that you were not to give
8 food to anyone who, first of all, did not present the
9 proper card as well as whose name did not appear on the
10 master list?

11 A Yes, sir.

12 Q Did you, insofar as was possible, obey those
13 instructions?

14 A Yes, sir. We could issue, if it wasn't to the
15 right person or somebody else, but they had a written
16 statement from the doctor that they could not appear.

17 Q In case some of the applicants were disabled
18 or bedridden, a doctor's statement with the card would
19 permit you to release the food to the person, other than
20 the person named on the card?

21 A Yes, sir.

22 Q Did you maintain a master check list on the
23 list that you had, Mrs. Rodriguez?

24 A Yes, sir.

25 Q I mean the list that you got from your employer?

1 A Yes, sir.

2 Q Would you make any kind of notation on that
3 master list, based upon the people that presented you the
4 card?

5 A Yes, sir.

6 Q What would you do with that master list?

7 A When we sent the file back to San Diego, we
8 would send it to San Diego.

9 Q Tell the Committee who you sent it back to?

10 A We sent it to Mrs. De Leon in San Diego and
11 Mr. Flores.

12 Q And their official titles, please, ma'am,
13 would be what?

14 A County Welfare.

15 Q In San Diego?

16 A In San Diego.

17 Q Would you take up the printed form, Mrs.
18 Rodriguez, presented to you by the person who was wanting
19 the food?

20 A Yes, sir.

21 Q Did you ever honor any request by anyone
22 other than a person who would present such a form and
23 whose name would appear on that master list?

24 A How was your question?

25 Q I'm sorry. I'll put it this way: Did you

1 obey the instructions issued by your employer as regards
2 to the presentment of the form and the appearance of the
3 name on the master list with the exceptions of persons
4 that were disabled?

5 A Yes, sir.

6 Q Would you issue food to persons other than those
7 presenting those printed forms?

8 A Well, some people would come to ask for help
9 and for some of the food that we didn't issue. Perhaps
10 we didn't issue coffee or sugar, nor other items and I
11 would send them to Mr. Carrillo and he would send them
12 to the Cash Store and then he would take care of the slips.

13 Q So that in some instances, when persons who were
14 eligible, who had applications for food that you did
15 not carry, they would be authorized to purchase those
16 foods at a private vendor?

17 A Yes, sir. That's right.

18 Q So that the Program, actually, in those
19 instances, would be state and county, would it not?

20 A Right.

21 Q Because the county would pay for those that
22 were not carried by the commodities which is the State
23 program?

24 A Yes, sir.

25 Q Would they report those purchases back to your

1 office?

2 A No. I believe they were reported to the
3 County Welfare.

4 Q Do you know whether or not the County Welfare
5 would pay for the items that they would buy that you
6 didn't carry?

7 A I believe they did.

8 Q Do you know who paid for the items that were
9 delivered to the Applicant that came out of your office?
10 Who paid for that? Do you know?

11 A Mr. Carrillo was the Commissioner.

12 Q How about the ones that came out of the state
13 office now?

14 A No. I think the County would pay for that.

15 Q I am going to change the subject again now:
16 After the destruction of the store by the
17 hurricane, and after the inventory was moved to the
18 Farm and Ranch, did you then go over to the Farm and
19 Ranch and go to work?

20 A No, sir.

21 Q What pay, if any, did you receive for working
22 at the Zertuche Store, Mrs. Rodriguez?

23 A He didn't pay me cash, nor check. He would just
24 give me a pair of pillow cases, or he would ask me if I
25 wanted something from the store.

1 Q You were quite satisfied with that arrangement?

2 A That's right.

3 Q I want to be sure you understand: Did you
4 screen the people that would come in the store and buy?
5 Did you just sell to everybody, or did you have folks
6 you wouldn't sell to, or did just any and everybody come
7 off the street and wanted to buy something?

8 A Anybody.

9 Q I believe you have already testified, Mrs.
10 Rodriguez, that you would have cash sales and sales by
11 checks. Is that correct?

12 A Yes, sir.

13 Q Those checks would be payable to whom? The
14 Zertuche General Store?

15 A The Zertuche General Store.

16 Q Let me ask you this: Did you have charge
17 accounts there?

18 A Yes, sir. I would just make the ticket, what-
19 ever they would buy, and I would return it to Mr. Zertuche.

20 Q Was there any system that you had anything to
21 do with, or any personal knowledge that you can tell the
22 Committee that you went about collecting the charges?

23 A No, sir. He was the one in charge of that.

24 Q He handled that business?

25 A Yes, sir.

1 Q I don't want to belabor this and I am just
2 curious, when you were over there this last week, you said
3 you saw one of the refrigerators that had been moved back
4 in '67 and a stove?

5 A Stove. Yes, sir.

6 Q Stop and think real long for me. Did you see
7 anything else you would recognize that was in that store
8 at the time that hurricane hit it; that is in the Farm
9 and Ranch Store now?

10 A No, sir.

11 Q Do you know, Mrs. Rodriguez, whether or not an
12 inventory was taken in that store of say, '66— Do you
13 know the inventory practices? Do you understand what I
14 am asking you?

15 A Yes, sir. No. I don't know.

16 Q Did you know whether or not an inventory was
17 taken, say, at the end of the year, over there?

18 A No. I don't.

19 Q You never did help Mr. Hector Zertuche?

20 A No, sir.

21 Q Would it surprise you to know that Mr. Gonzalez
22 had testified under oath that the Zertuche Store never had
23 any kind of an inventory?

24 A It sure did, because he knows perfectly well I
25 was there.

1 Q Would it surprise you— Excuse me. Go ahead.

2 A We had a conversation on the phone when I would
3 get the merchandise from trucks, you know and I would
4 call him, if I would pay from the money I had or he would
5 pay them over there.

6 Q Would it surprise you that he testified under
7 oath that the Zertuche General Store he thought lasted
8 for about a month?

9 A No. It was a surprise to me, because it lasted
10 more than that.

11 Q I believe—well, let me ask you: Just think
12 real hard. Was he, personally, ever in that store, while
13 you were there in '65, '66 or '67?

14 A Not while I was there.

15 Q You don't recall his ever coming in there?

16 A No, sir. He might have come when Mr. Zertuche
17 was there, but not while I was there, since I wasn't
18 there all the time.

19 Q He's kin to a lot of folks down there and I am
20 sure you might know some of them. Have any of his
21 kinsmen ever been in there.

22 MR. GONZALEZ: Relatives.

23 Q Thank you, Mr. Gonzales.

24 A Relatives from him or from me?

25 Q No, his.

1 A Oh, his. No.

2 Q Now, when you sold through the Zertuche Store
3 at the times you have testified to, would you fill out
4 an invoice, Mrs. Rodriguez?

5 A Yes, sir.

6 Q What did you do with those invoices? How many
7 copies would you fill out?

8 A Two.

9 Q Tell the Committee what you would do with them?

10 A One was given to the person and the other one
11 was given to Mr. Zertuche.

12 Q Would that invoice be matched up with the
13 money, the cash and the credit and the checks that you
14 told us you had taken in payment for the goods?

15 A That's right.

16 Q Would you then wrap up whatever it bought and
17 hand it to the customer and let them walk out with it?

18 A Yes, sir.

19 Q Did you ever give the money, the checks, to be
20 deposited that were taken into the Zertuche General Store
21 at the time that you had anything to do with it, the
22 '65, '66, or '67, to Mr. Cleofas Gonzalez?

23 A No, sir.

24 Q Did Mr. Gonzalez talk to you prior to the time
25 you started your testimony? Mr. Gonzalez?

1 A No, sir.

2 Q Mrs. Rodriguez, may I impose on you, please,
3 ma'am, to draw for me, if you can, what the Farm and
4 Ranch Store looks like?

5 I will hand you a tablet and a pen, if you
6 would, please, ma'am. Let me ask you this: Is there a
7 yard, to begin with?

8 A Yes, sir.

9 Q Would you draw that yard, please?

10 A Let me draw the block first.

11 Q All right. Would you label that. The record
12 shows she is drawing a square.

13 Would you label that "A" just outside of it
14 there, so we can see.

15 A All right. This is the north side. This is the
16 door to the front of the store. This is the gate where
17 the yard is. Then it runs like this.

18 Q You've drawn a big square. You've drawn a line
19 down.

20 A This is the yard.

21 Q Why don't you put a "Y" there, Mrs. Rodriguez,
22 so our record is intelligible. Put "Y" for where the
23 yard is.

24 A (The witness complied.)

25 Q Where is the building?

- 1 A It's right here.
- 2 Q Put "B", please, ma'am.
- 3 A (The witness complied.)
- 4 Q Does the building run the full length of that
5 property?
- 6 A No, sir.
- 7 Q Well, draw it off.
- 8 A (The witness complied.)
- 9 Here is the store, in the front.
- 10 Q Put "S" there. All right.
- 11 A Way back here is the stove which I said belongs
12 to the Zertuche General Store.
- 13 Q Put "stove" back there.
- 14 A (The witness complied.)
- 15 Q What else is in there, please, ma'am?
- 16 A It might be a refrigerator.
- 17 Q I mean, are there offices, counters, or what
18 else is in there?
- 19 A On the back part?
- 20 Q Yes, ma'am.
- 21 A No. It is just storage there.
- 22 Q Storage?
- 23 A There might be a desk in there.
- 24 Q What is out in the yard? What did you see, if
25 you saw anything, Mrs. Rodriguez?

1 A The yard is just for the county equipment.

2 Q The County equipment?

3 A Right.

4 Q Do you understand that that is also the
5 storage for the county equipment at that location?

6 A Mr. Carrillo uses it to store the county
7 equipment.

8 Q And it is separated from the main building?

9 A Right. It belongs to Mr. Carrillo.

10 Q Is there an office in there?

11 A Yes, sir. Right here.

12 Q Would you draw that in, please, ma'am?

13 Let the record reflect that she is writing
14 "office".

15 A Right.

16 Q Draw around it the best you can.

17 A (The witness complied.)

18 Q Where is the street, Mrs. Rodriguez? Where
19 is the street?

20 A That is the main street.

21 Q Would you write "main" in there, please, ma'am?

22 A (The witness complied.)

23 Q The main street then faces—

24 A The front.

25 Q According to your diagram there, it is north

1 part of the building. Isn't that correct?

2 A Yes.

3 Q Where was the Zertuche Store in relationship
4 to that? You said six or four blocks? I don't want to
5 misquote you.

6 A This is the main street.

7 Q All right.

8 A Then on the second street, back to the main
9 street, it was next to the City Hall right now. It would
10 be four or five blocks to reach the building, from the
11 Zertuche General Store.

12 Q Now, I wonder, if I could impose on you—

13 A You see, this is the main street. The
14 railroad tracks are right here.

15 Q You are writing in "railroad," is that correct?

16 A That's right. And then the Zertuche General
17 Store is around right here, on this street.

18 Q Will you write Zertuche in there, please,
19 ma'am?

20 A (The witness complied.)

21 Q I am going to turn that over and, if you would,
22 draw the Zertuche Store, as you remember it, back in
23 '65, '66 and '67.

24 A This is the street right there.

25 Q That's the street with no name?

1 A No name. And this is another street. This is
2 the facing of the store.

3 Q It is with no name?

4 A No name, either. This is the main street right
5 here, and here would be the Farm and Ranch, right here.

6 Q All right. Put "F" and "R".

7 A (The witness complied.)

8 Q Now, would you write "store" in the store
9 building, too, please, ma'am?

10 A Right here.

11 Q Where is the store building?

12 A The Zertuche?

13 Q Yes. Put Zertuche Store.

14 A (The witness complied.)

15 Q Let the record reflect she has added "Zertuche
16 Store" to the diagram.

17 A And the door to the store.

18 Q Put the door there.

19 One of the Committee members asked someone
20 earlier about whether there was a sign on that. Was there
21 a sign on it? I haven't asked you that question.

22 A I don't remember if we had a sign or not. But
23 on the slips that we used to write the items they bought,
24 there was the name of the Zertuche General Store.

25 Q Printed on it?

1 A Yes, sir.

2 Q All right.

3 A Now, this is where we issued the commodities,
4 this part of the store.

5 Q That was the commodities. Why don't you put
6 that in there.

7 A (The witness complied.)

8 Q And the Zertuche Store joined it. Is that
9 right?

10 A Right there. We had an entrance in there from the
11 commodities to the Zertuche General Store.

12 Q There was an entrance at the back of the
13 commodities store where you could get into the Zertuche
14 Store and tend to that?

15 A There is the door. This is the door where we
16 issued the commodities, right here. This is the City
17 Hall.

18 Q Mrs. Rodriguez, there is some testimony about
19 the Old City Arsenal. Is that what they called the
20 Old City Hall and Fire Station?

21 A This one right here? No. It is where the new
22 City Hall is.

23 Q Do you know where the building is that used to
24 house the City Hall, that we've been calling the Old
25 City Hall and Fire Station Building?

1 A This is the main street. It's way over here.

2 Q Do you know when it moved?

3 A I don't know.

4 MR. MITCHELL: Mr. Chairman, may I have
5 these two marked, please, as Carrillo Exhibits numbered
6 72 and 73.

7 (The sketches referred to were
8 marked "Carrillo-72" and "Carrillo
9 10-73" for identification.)

9 Q 72, now, Mrs. Rodriguez, being the sketch that
10 you made of Farm and Ranch. Is that correct?

11 A Yes.

12 Q And 73 being the one you made of the Zertuche
13 General Store, as it was when you worked there?

14 A That's right.

15 Q Can you tell us the names of any persons who
16 might have worked in that Zertuche Store part time or that
17 you had to call on, other than you and Mr. Zertuche?

18 A There were a lot of ladies visiting me, but not
19 that I know of—

20 Q You can't remember anybody—

21 A They might have worked while I was not there.
22 Mr. Zertuche would get some help, but I wouldn't know
23 who they were.

24 Q Would he get people when you couldn't be there
25 to help him and when he couldn't be there?

1 A I think so.

2 Q Was he there frequently or infrequently, or
3 do you know?

4 A Well, when he was there, I wasn't there. Some-
5 times when I wasn't there, he would close the store for
6 the day.

7 Q Just close it up?

8 A Yes, sir.

9 Q And if the folks wanted to buy anything when it
10 was closed up, they could sometimes come and get you at
11 the house.

12 A Right.

13 MR. MITCHELL: I have no further
14 questions, Mr. Hale.

15
16 QUESTIONS BY THE COMMITTEE

17 BY CHAIRMAN HALE

18 Q Mrs. Rodriguez, when did you last work for
19 the Zertuche General Store?

20 A It was in 1967, the last time.

21 Q Has there been a Zertuche General Store since
22 1967?

23 A Sir?

24 Q Has there been such a place of business as the
25 Zertuche General Store since 1967?

1 A Before that, since 1965, '66, up to 1967, and
2 then they moved the merchandise to the Farm and Ranch,
3 when it was destroyed by the hurricane.

4 Q Has there been a Zertuche General Store in
5 operation there since the hurricane?

6 A At the Farm and Ranch?

7 Q Has there been a Zertuche General Store in
8 operation since the hurricane?

9 A No, sir.

10 Q So that in 1968, there was no such thing as the
11 Zertuche General Store?

12 A Well, they moved the merchandise to the Farm
13 and Ranch.

14 Q Did it operate then as the Zertuche General
15 Store?

16 A Since after the hurricane?

17 Q Yes, ma'am, after the hurricane.

18 A Well, it was at the Farm and Ranch. Mr. Gon-
19 sales took care of it.

20 Q Is there a Zertuche General Store now?

21 A No; not that I know of. It might be joined
22 with the Farm and Ranch.

23 Q Is there any building there that has a sign
24 on it, "Zertuche General Store"?

25 A No. It was destroyed by the hurricane, if it

1 was there.

2 Q Has there been a store by the name of Zertuche
3 General Store at any time since the hurricane in 1967?

4 A I don't remember.

5 Q You don't remember?

6 A If it was, I don't remember. After the hurricane,
7 they moved it to the Farm and Ranch and I didn't work
8 up there after that.

9 Q Then all your testimony has to do with 1967
10 and before?

11 A Right.

12 Q Is that correct?

13 A Yes, sir.

14 Q Nothing you have told us has to do with 1968,
15 or 1969, or 1970 or on up to 1975. Is that right?

16 A No, sir. Because they moved it, so I didn't go
17 over there.

18 Q Do you know, if anyway, they handled the
19 Zertuche General Store after 1967?

20 A No, sir.

21 Q Do you know Arturo Zertuche?

22 A Yes, sir.

23 Q What age man is he?

24 A I don't remember.

25 Q Is he a young fellow?

A He's a young fellow.

1 Q Did you know that he was going to college
2 during part of this time?

3 A Yes, sir.

4 Q Where was he going to college?

5 A I believe it was in San Marcos, if I can
6 remember. I am not too sure. I knew he was going to
7 college, but I don't remember where.

8 Q He went away from there to go to college?

9 A Yes, sir.

10 Q Do you know what years he was in college?

11 A No, sir.

12 Q During the time he was in college, did you
13 ever see him around there?

14 A Yes, sir. On weekends.

15 Q You would see him on weekends. Did he have
16 any other store that he operated there after 1968, as far
17 as you knew?

18 A I don't remember.

19 Q Did you know anything about the building that
20 the Zertuche General Store was in at the time of the
21 hurricanes?

22 A Yes, sir.

23 Q Did you have any idea what that building was
24 worth?

25 A Was what?

1 Q How much was the building worth?

2 A Worth?

3 Q Yes, ma'am.

4 A No. I wouldn't know.

5 Q Were you aware that it was insured for only
6 \$2,500?

7 A I didn't know.

8 Q You didn't know that?

9 A (The witness shook her head.)

10 Q Have you seen Arturo Zertuche at any time
11 since 1967?

12 A Well, when he comes to see his father, I just
13 see him go by, but not to talk to him.

14 Q Does he live there now?

15 A I don't know.

16 Q You don't know where he lives?

17 A No, sir.

18 Q Is he in any kind of business now in Benavides?

19 A I don't know.

20 Q Were you aware that on his 1967 income tax
21 return he reported having paid rent on business property
22 in the amount of \$5,489?

23 A No. I don't know.

24 Q Did you know that?

25 A No, sir.

1 Q Were you aware that Arturo Zertuche, on his
2 1968 income tax return claimed that he paid rent on his
3 property in the amount of \$12,831?

4 A No, sir.

5 Q Did you know that?

6 A No.

7 Q Were you aware that on his 1970 income tax
8 return he claimed that he had paid rent on business
9 property in the amount of \$18,051?

10 A No, sir, because he never discussed that with
11 me.

12 Q Did he have a store in 1970 in Benavides?

13 A Well, they had it in 1967 and they moved it
14 to the Vaello Sales— I mean to the Farm and Ranch.

15 Q Did Zertuche have a store there in 1970?

16 A Not in the same place.

17 Q Did he have a store anywhere in Benavides in
18 1970?

19 A Well, they moved the merchandise to the Farm
20 and Ranch. I don't know what he did after that.

21 Q Did he work at the Farm and Ranch?

22 A No.

23 Q Did you know of any store that Mr. Zertuche
24 operated in 1970 in Benavides, Texas?

25 A I don't remember.

1 Q What do you do now for a living?

2 A I am still employed by the county.

3 Q How much are you paid by the county?

4 A \$150 a month.

5 Q How long have you been employed by the county?

6 A Sixteen years.

7 Q Were you working for the county at the same time
8 you also worked for Zertushe General Store?

9 A Yes, sir. Because we didn't work full time
10 with the county. We just worked part time, when we issued
11 the commodities.

12 Q As a business woman, which you have had some
13 business experience, would it appear to be rather odd to you
14 that a business building would be insured for only
15 \$2,500 and then, subsequent to that, its destruction, they
16 would be paying over \$18,000 a year in rent on another
17 building?

18 A I wouldn't know.

19 Q You are not under subpoena to this Committee
20 today, are you, Mrs. Rodriguez?

21 A No, sir.

22 Q How did you happen to be in Austin today?

23 A Mr. Briones told me he wanted me to come over
24 here.

25 Q Who?

1 A Mr. Briones.

2 Q Who is Mr. Briones?

3 A Mr. Briones—

4 Q What does he do?

5 A He has a body shop in Benavides.

6 Q An automobile body shop. What did he tell you?

7 A He just told me if I wanted to come.

8 Q Did he tell you that you were to testify up
9 here?

10 A No, sir.

11 Q He just asked you if you wanted to come to
12 Austin?

13 A Yes, sir.

14 Q And you told him you would like to come to
15 Austin?

16 A Yes, sir, because I had heard Mr. Cleofas's
17 testimony.

18 Q You had what?

19 A I had heard Mr. Gonzalez's testimony.

20 Q I see.

21 A That there was no store and I had worked in
22 there.

23 Q Did Mr. Briones bring you up here?

24 A No, sir. I asked Mr. Oliveda, a friend of mine
25 to bring me over here.

1 Q And you drove up this morning?

2 A He drove me up.

3 Q In an automobile?

4 A Right.

5 Q You testified you had been in the Farm and
6 Ranch Store as late as this week?

7 A Yes, sir. When there is work to be done for
8 the county, I have to report there.

9 Q So you are familiar with the Farm and Ranch
10 Store?

11 A Well, not exactly. I don't sell at the store
12 there.

13 Q You know where it's located?

14 A Yes, sir.

15 Q How long has it been at that location?

16 A It's been a long— I can't remember how many
17 years, but it's been there for many years.

18 Q Has it been there ever since the hurricane?

19 A Yes, sir.

20 Q Longer than that?

21 A Yes, sir.

22 Q And you know that it is the Farm and Ranch Store?

23 A Yes, sir.

24 Q How do you know that?

25 A Because it has a sign.

1 Q Now is there any other building with a sign
2 on it, Zertuche General Store?

3 A Where I used to work, besides that, I don't
4 know.

5 Q Mrs. Rodriguez, I am asking you again: You
6 seem to be thoroughly familiar with certain things that
7 you want this Committee to know. You seem to be very
8 vague in your memory of things you don't want this
9 Committee to know. What we are after is simply the truth.
10 Do you understand what I am saying?

11 A Yes, sir.

12 Q I am asking you again: Do you know of any
13 building in Benavides, Texas that has a sign on it,
14 "Zertuche General Store"?

15 A No, sir.

16 Q How long has it been since there was a store
17 in Benavides, the Zertuche General Store?

18 A I haven't seen it, but I know it was there by
19 that name on the slips when we make the ticket to the
20 people we sell to. It's red. I don't remember that there
21 was a sign on the store or not on the outside.

22 Q When you were signing those tickets, was in
23 1965, 1966 and 1967?

24 A Yes, sir.

25 Q That was prior to the hurricane?

1 A Yes, sir. Right.

2 Q Did you ever work for the Zertuche General
3 Store after the hurricane?

4 A No, sir.

5 Q After the hurricane, has there ever been a
6 building, to your knowledge, that had a sign on it,
7 "Zertuche General Store"?

8 A No, sir.

9 Q After the hurricane, has there ever been any
10 place of business that you are aware of in Benavides
11 known as the Zertuche General Store, whether it had a
12 sign on it or not?

13 A No, sir.

14 CHAIRMAN HALE: Okay. Thank you.

15 Mr. Maloney?

16 BY MR. MALONEY

17 Q Mrs. Rodriguez, I may go back over things. I
18 was working on some things when you were first testifying.

19 I would like to ask you a few questions. Who
20 is Mr. Briones?

21 A Edolio?

22 MR. MITCHELL: May I interrupt here? I
23 contacted him to bring witnesses who had been in the
24 store. He brought that lady up here. I questioned her
25 this morning to see if she had information relevant to

1 the inquiry and I brought her over here.

2 Q Did you know Mr. Briones before this?

3 A Yes, sir. I have known him.

4 Q Do you know whether he leases tractors to the
5 School District?

6 A No, sir.

7 Q Are you saying he doesn't, or you don't know?

8 A I don't know.

9 Q Do you know whether he was the man who
10 brought Patricio Garza up here to Austin?

11 A No, sir.

12 Q Do you know whether he was ever employed as a
13 Game Warden?

14 A No, sir.

15 Q You just don't know?

16 A I don't know.

17 Q Do you know who owned the property where
18 Zertuche General Store was, where you were working?

19 A I believe it was Mr. Carrillo, but I don't
20 know which of the three. There are three. I don't know
21 exactly which of them, whether it was Mr. O. P., or
22 Ramiro or Oscar.

23 Q As a matter of fact, they got that property
24 there in a bankruptcy sale, didn't they?

25 A I wouldn't know.

1 Q Didn't it used to belong to the Vaellos?

2 A How did they get it? I didn't know it belonged
3 to the Vaellos.

4 Q When did the Vaellos go broke? They had the
5 bank in town?

6 A Yes, sir.

7 Q That bank went bankrupt. They just skipped
8 with the money, didn't they?

9 A Yes, sir.

10 Q You don't remember when that was?

11 A I don't remember the date or the year.

12 Q How long has Mr. Oscar Carrillo lived next
13 door to this place you say you are working?

14 A I wouldn't remember the date.

15 Q He was living there at the time you were work-
16 ing there?

17 A Yes, sir.

18 Q Wasn't he?

19 A Yes, sir.

20 Q He got that property out of the bankruptcy
21 sale, too, didn't he?

22 A Yes, sir.

23 Q And this bank that we are talking about is
24 right across the street from where you were working in the
25 Welfare?

1 A Yes, sir.

2 Q Is the place you are now saying the
3 City Hall?

4 A Yes, sir.

5 Q And that was in the bankruptcy sale, too,
6 wasn't it?

7 A Yes, sir.

8 Q What work did you do at this Zertuche General
9 Store? Did you buy any of the merchandise?

10 A No, sir. I would just sell.

11 Q What type of merchandise was it?

12 A Well, it was bicycles, stoves, refrigerators,
13 radios, portable radios, linens, towels, toys, hunting
14 equipment.

15 Q Wasn't it opened up for Christmas sales?

16 A It was open all year round.

17 Q Do you know where that merchandise came from?

18 A Well, some would come by the Alamo Truck.

19 Q The Alamo Truck?

20 A Yes, sir.

21 Q What do you mean the Alamo Truck to be?

22 A Well, the Express, the one that carries
23 merchandise.

24 Q Do you know whether any of it was provided
25 by Perry Shankle?

1 You say when the hurricane hit the store,
2 all the merchandise went down to the Farm and Ranch
3 Store. Is that correct?

4 A Yes, sir.

5 Q And your testimony before the Committee is
6 Mr. Gonzalez was working at the Farm and Ranch Store at
7 that time?

8 A Yes, sir.

9 Q You say as far as you know, he never worked
10 for Zertuche General Store?

11 A Well, if he did, I didn't know it. I wasn't
12 aware of that, but I would call him when I got merchandise.
13 I was advised to call him and ask him if I was to pay for
14 the freight merchandise, or if he was to pay it.

15 Q So you would check with him?

16 A Yes, sir.

17 Q And he was down at the Farm and Ranch Store at
18 that time?

19 A Yes, sir.

20 Q After the hurricane, the merchandise was moved
21 down to the Farm and Ranch Store. Is that correct?

22 A Yes, sir.

23 Q Did you ever work down there?

24 A No, sir.

25 Q Was there any reason why you didn't work down

1 there?

2 A Well, they didn't need me any more since he was
3 there permanently. He would take care of both, the
4 Farm and Ranch.

5 Q You were supposing he would be able to handle
6 the stuff for the Zertuche General Store?

7 A Yes, sir.

8 Q Who do you work for with the County now?

9 A Mr. Carrillo, County Commissioner.

10 Q Is that Ramiro Carrillo?

11 A Ramiro Carrillo.

12 Q What do you do for him?

13 A Well, when there is work, he calls me. When we
14 make the redistrict, and then there are other people
15 that I have to go see that may need food or something
16 to go check on them.

17 Q Are you working in the Welfare Department?

18 A Yes, sir. County Welfare.

19 Q How are you paid?

20 A By the month.

21 Q Did you get a check every month?

22 A Yes, sir.

23 Q Do they withhold from your salary or not?

24 A Yes, sir.

25 MR. MALONEY: That's all I have, Mr.

1 Chairman.

2 CHAIRMAN HALE: Mr. Hendricks?

3 BY MR. HENDRICKS

4 Q Mrs. Rodriguez, I will probably repeat some
5 things to you. You will just have to bear with me. I
6 will try to make you understand my questions.

7 As I understand it, there were actually two
8 food programs that are administered by you. One of them
9 was commodities. Is that correct?

10 A Yes, sir.

11 Q In that program, you actually gave the food,
12 itself?

13 A Yes, sir.

14 Q In other words, that was shipped in to you
15 and you actually gave the food items to the people them-
16 selves.

17 A Well, I was— Mr. Chapa was in charge of it
18 and I worked under him.

19 Q But that involved actually giving food to
20 needy people?

21 A Yes, sir. Right.

22 Q Then the County itself had a program, didn't
23 it?

24 A Yes, sir.

25 Q In which they would issue vouchers for a person

1 to go to a grocery store—

2 A Yes, sir.

3 Q —and get what food they wanted. That is
4 correct, isn't it?

5 A Whatever the Welfare didn't give them.

6 Q Right. But they could take these vouchers
7 and go to any grocery store, like the Cash Store, and get
8 groceries on these vouchers?

9 A Well, I would send them to Mr. Carrillo.

10 Q Through Mr. Carrillo, these vouchers were paid
11 for. Is that correct?

12 A I guess he would pay for them.

13 Q You did not participate in that program?

14 A Not in paying; just in sending them.

15 Q But this was entirely different from that
16 part of the Welfare Program you worked in?

17 A Yes, sir.

18 Q You have no knowledge of how that was paid or
19 when it was paid or how it was administered. Is that
20 correct?

21 A I believe it was paid by the County, by the
22 County Commissioner.

23 Q And the County would issue a draft or a warrant
24 directly to the grocery store in payment for the
25 groceries?

1 A Well, when I couldn't— Mr. Carrillo couldn't
2 give me the order, he would just say to send them to the
3 Cash Store and he would take care of the order.

4 Q You have no knowledge of the exact workings of
5 that program or whether there were ever any vouchers
6 issued on non-existent people, do you?

7 A No, sir.

8 Q There is nothing you can tell this Committee
9 and be truthful with them regarding this program, is
10 there, Mrs. Rodriguez?

11 A No, sir.

12 Q That is one thing I wanted to establish.

13 Now, do you know who owns the Farm and Ranch
14 Store?

15 A I don't know if it's all the Carrillos, or if
16 it's just one. I wouldn't know.

17 Q You know it is owned by Carrillos?

18 A Yes, sir.

19 Q And you know of your own knowledge that Cleofas
20 Gonzalez worked at the Farm and Ranch Store?

21 A Yes, sir.

22 Q You have seen him there and you know he worked
23 there?

24 A Yes, sir.

25 Q Did he work for the County or did he work for
the Farm and Ranch Store?

1 A I don't remember, if he was paid—

2 Q Well, you saw him at the store?

3 A Yes, sir.

4 Q What did it appear—

5 A But I wouldn't know if the store paid him or
6 the County. I never did ask him.

7 Q If he worked for the Store, who do you think
8 should pay him, Mrs. Rodriguez?

9 A I wouldn't know.

10 Q Well, don't you think the owners of the store
11 should have paid him, if he did their work and not the
12 county?

13 A It could be.

14 Q Wouldn't it be wrong for the County to pay him
15 for something he was doing for private individuals?

16 A It could be, but I wouldn't know.

17 Q All right. You say that you have never given
18 Cleofas any sort of check of money. Is that right?

19 A Yes, sir.

20 Q Have you ever seen Hector Zertuche give him a
21 check?

22 A No, sir.

23 Q Could he have given him a check?

24 A He could.

25 Q Did Hector stay around the business very much?

1 A Well, he was, when I wasn't there.

2 Q Who told you to check with Cleofas Gonzalez
3 before you paid for the merchandise to see whether--

4 A I would ask him, because I knew he was taking
5 care of the Farm and Ranch.

6 Q He was down at the Farm and Ranch--

7 A Yes, sir.

8 Q --which supposedly was entirely separate from
9 the Zertuche General Store?

10 A Yes, sir. But he would be at the Zertuche.

11 Q What I am trying to get at, who told you before
12 you paid for merchandise at the Zertuche General Store--

13 A Hector.

14 Q --that you must check with Cleofas, to see which
15 one is going to pay for it?

16 A Hector.

17 Q Now, Hector told you to always call Cleofas
18 to see which one of you paid for the merchandise. Is
19 that correct?

20 A Yes, sir.

21 Q And do you know who told Hector to tell you this?

22 A No, sir.

23 Q Well, didn't it seem a bit unusual for a
24 businessman to tell you to call an employee of a rival
25 business to see whether that business was going to pay

1 for the merchandise or your employer was going to pay for
2 it?

3 A I don't know.

4 Q Well, didn't that seem a little strange to you?
5 Here they were rivals in business, weren't they?

6 A It could be.

7 Q How much merchandise was in this Zertuche
8 Store?

9 A Well, there was plenty.

10 Q Well, how much?

11 A Well, it was all over the store. I can't tell
12 you.

13 Q Now, you mentioned refrigerators.

14 A Yes, sir.

15 Q Stoves?

16 A Uh huh.

17 Q Bicycles. What other kinds of merchandise?

18 A Sheets and linens. Yes, sir. Guns, gun shells.

19 Q What kind of supplies would they have that a
20 County Commissioner might use? Did they have cement?

21 A No, sir.

22 Q No cement. Did they have barbed wire?

23 A Sometimes we had calls for that, but Mr.
24 Zertucha would take care of that. They would order some,
25 but he would take care of that.

Q Did they have anything that would be used in

1 the building of a road or a bridge or anything of that
2 kind?

3 A No, sir.

4 Q Nothing. All right. And this store went
5 completely out of business and what merchandise there
6 was, was moved to the Farm and Ranch Store in 1967?

7 A Yes, sir.

8 Q That's correct, isn't it?

9 A Yes, sir.

10 Q There is no way that the Zertuche General
11 Store in the calendar year of 1970 could have sold the
12 County Commissioner of Precinct 3 \$44,746.38 worth of
13 merchandise, is there?

14 A I wouldn't know.

15 Q \$44,746.38, the records show warrants issued to
16 Zertuche General Store in the year 1970, and there was
17 no Zertuche General Store in 1970, was there?

18 A No. Well, I was up there until 1967. After
19 that, I wouldn't know.

20 Q Well, this is three years later.

21 A Yes, sir. But I didn't work after that, after
22 1967.

23 Q Well, there was none of this in existence?

24 A No, sir.

25 Q How big is Benavides?

A

1 A Sir?

2 Q How big is Benavides? How many people are
3 there?

4 A Well, I haven't seen the population—

5 Q Well, you know everybody in town, don't you?

6 A Most everybody. Not everybody.

7 Q If there was a Zertuche General Store there
8 after 1967, you would know it, wouldn't you?

9 A No, sir.

10 Q Can you account for the County spending that
11 much money in 1967 to a store that didn't exist?

12 A Well, I don't know.

13 Q And then in 1971, just the first three months of
14 1971, they spent an additional \$10,884.49 in the first
15 three months of 1971?

16 A I wouldn't know, because that merchandise was
17 moved to the Farm and Ranch and it was still in the name
18 of Zertuche. It could have been.

19 Q It couldn't have been Zertuche merchandise they
20 were selling at that time, could it?

21 A I wouldn't know, because this merchandise was
22 set in the back part of the Farm and Ranch.

23 Q I know, but it couldn't have been Zertuche
24 merchandise if they were selling to the County in 1970,
25 and '71, could it?

A I wouldn't know.

1 Q Well, you are acquainted with what merchandise
2 was in the Zertuche store?

3 A Yes, sir. Yes, sir.

4 Q What do you think it could have been of Zertuche
5 merchandise in '70 and '71 that Duval County was buying
6 to the tune of \$65,635.29?

7 A I can't tell you, because I wasn't there at
8 that time. I don't know how much merchandise they had
9 left.

10 Q Then they quit doing business in March of that
11 year with Zertuche and they started right up, though,
12 with Benavides Implement and Hardware Company. Are
13 you familiar with that store?

14 A The Implement?

15 Q Yes. They started doing business there on the
16 fourth month of '71 with the Benavides Implement and
17 Hardware Store. Are you familiar with the store?

18 A I am familiar with the store, but I don't
19 remember about that.

20 Q You are employed now by Mr. Ramiro Carrillo?

21 A Yes, sir.

22 Q He is your direct employer?

23 A Yes, sir.

24 Q And your livelihood depends on it. Is that
25 correct?

1 A Yes, sir.

2 MR. HENDRICKS: Thank you.

3 BY MR. KASTER

4 Q Going back to the building where the Zertuche
5 Store is, I think Mr. Maloney said that it was your
6 impression that some of the Carrillos owned the building
7 where the Zertuche Store is located?

8 A Yes, sir.

9 Q And that Oscar Carrillo lives next door—

10 A Yes, sir.

11 Q —from where the Zertuche Store was?

12 A Yes, sir.

13 Q So after the hurricane, the building wasn't
14 destroyed, but it was damaged?

15 A It was almost—

16 Q The building is still there?

17 A Yes, sir.

18 Q Across the street from the store was the old
19 bank building which is now the City Hall?

20 A Yes, sir.

21 Q Do you know who owns that bank building?

22 A No, sir.

23 Q After the hurricane and after the merchandise
24 was moved to the Farm and Ranch Store was later on anything
25 ever sold in that store, like at Christmas time?

A In the Zertuche's?

1 Q Where the store was.

2 A After 1967? No, sir.

3 Q There was no sale of Christmas items after that?

4 A No, sir. After they moved the merchandise,
5 nothing was sold there.

6 Q You are familiar with where the building is right
7 now? Is that correct?

8 A Yes, sir.

9 Q Are there any shelves installed in that store?

10 A Yes, sir.

11 Q Were they there in 1967?

12 A Yes, sir.

13 Q So there was no Christmas sale after that? You
14 are positive?

15 A Not in that building. Not after 1967. Well, if
16 there had been, I wasn't there after that. I didn't work
17 there after 1967.

18 Q I am not saying that you worked there, but if
19 anybody ever sold anything out of that store?

20 A I don't remember.

21 Q You don't remember?

22 A I don't remember.

23 Q So it is possible that maybe one Christmas
24 for a few weeks there was merchandise for sale in that
25 store at the Christmas Season, after 1967?

1 A I couldn't tell you, because after 1967, they had
2 moved the merchandise to the Farm and Ranch.

3 Q I know that, Mrs. Rodriguez.

4 A So there was nothing there.

5 Q But the store was vacant?

6 A Yes.

7 Q But there are still shelves in that store?

8 A The shelves are still there.

9 Q What I am asking you for one Christmas Season
10 was anything for sale in that store?

11 A Not that I remember.

12 Q Now, you testified that the Carrillos owned a
13 building where the Farm and Ranch Store is located?

14 A Yes, sir.

15 Q So the Carrillos owned the building where the
16 Zertuche Store was located and they also owned the store
17 where the Farm and Ranch is located?

18 A Yes, sir.

19 Q You testified that in the Farm and Ranch Store
20 there is still a stove and an ice box that were in the
21 old Zertuche Store?

22 A Yes, sir.

23 Q These stoves and ice boxes that were in the
24 Zertuche Store, if somebody wanted to come in and buy one
25 of these, would you sell them that one or would you sell

1 them that one, or would you have to order one?

2 A I don't know, because I didn't work there.

3 Q In the Zertuche General Store in 1967?

4 A After 1967?

5 Q No, in 1967.

6 A When they were—

7 Q When they were in the Zertuche Store in 1967
8 and you said there were ice boxes and stoves.

9 A Yes, sir.

10 Q Were there a lot of stoves and ice boxes?

11 A He would keep one in stock. When he would
12 sell that, he would buy another one.

13 Q Right. There was just one stove and one ice
14 box.

15 A When Mr. Zertuche sold one, he would buy
16 another one.

17 Q Now then, those stoves and ice boxes after the
18 hurricane were moved down to the Farm and Ranch and you
19 said they are still there?

20 A Yes, sir.

21 Q These sales then, if they didn't buy a stove
22 or ice box, they are still there then?

23 A Yes, sir.

24 Q If the Farm and Ranch has an old Juke Box
25 there, a record player?

1 A Yes, sir. But in another part of the building.

2 Q But in the Farm and Ranch building?

3 A Yes, sir.

4 Q Now, this diagram that you drew for Mr. Mitchell,
5 that's not all there is on that property is it?

6 A No.

7 Q Is there a county warehouse there on that
8 property?

9 A Yes, sir. Yes, sir.

10 Q You didn't write it in because Mr. Mitchell
11 didn't ask you to?

12 A No. Because I didn't know how.

13 Q Well, it would be kind of at the back of that
14 yard, wouldn't it?

15 A Not in the yard. It would be inside the
16 building. There might be some on the back yard. I don't
17 know. I haven't been to the back yard. I just go to the
18 front.

19 Q Yes. But when you go by the store, there is a
20 fenced-in area with a wire fence?

21 A Yes, sir.

22 Q And if you look down there—you draw the whole
23 side of the building here?

24 A Yes, sir.

25 Q At the back is there a tin building back down

1 there?

2 A Yes, sir.

3 Q Is there old lumber behind the store?

4 A It might be. I never go to the back. I have
5 never been to the back yards.

6 Q You have been in the front. You said you were
7 in there Monday or Tuesday?

8 A Yes, sir.

9 Q Were you behind the counter on Monday?

10 A Yes, sir.

11 Q But you don't work there?

12 A I just go when I have to report for work for
13 the County Welfare, because we don't have an office there
14 for the County Welfare.

15 Q Now, you were working for the Farm and Ranch
16 Store reporting and sitting behind the counter of the
17 Farm and Ranch Store at the time Ranger Powell came in
18 to the building? Is that correct?

19 A How is that?

20 Q Ranger Powell.

21 A Yes, sir. I was there.

22 Q Behind the counter?

23 A And in the front.

24 Q So you are familiar with the Farm and Ranch?

25 Is there a deer head on the wall there?

1 A A what?

2 Q A deer head?

3 A I don't know. I haven't looked on the walls.
4 It might be there.

5 Q You were behind the counter on Monday and
6 you didn't know there was a deer head on the wall?

7 A It might be.

8 Q Might be.
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1 Q Turning then, this is a rough impression.
2 You're not saying this is exactly the layout of the store?

3 A No, sir.

4 Q Okay. Because, for your information, I was
5 there Sunday and looked in the window and I know where
6 the counter is and I know where the deer head is and I
7 know where the stove and the refrigerator are because I
8 looked through the window and saw them. And I don't want
9 to trick you and let you think I didn't, because I was
10 there and looked.

11 When you were at the Zertuche Store in 1967,
12 Hector was running the store?

13 A Yes, sir.

14 Q How old was Arturo about that time? Was he a
15 grown man, or a young boy, or what?

16 A He was a college boy, but I can't tell you the

17 Q He was in college in 1967?

18 A I imagine. I can't remember.

19 Q Was he around the store much?

20 A Yes, sir. Well, weekends, or something like
21 that. Because he used to work too, I believe. I don't
22 know who he worked for, but he wasn't there permanently.
23 Hector was the one that took care of the store.

24 Q On weekends, Arturo would come to the Zertuche
25 Store and work?

1 A Not worked. He would come by.

2 Q But he wouldn't work?

3 A After Hector left, then the store was changed
4 to Arturo.

5 Q Hector left?

6 A For the Service. He joined the Service.

7 Q What year was that?

8 A I don't remember.

9 Q Before 1967?

10 A I wouldn't know. I just don't remember.

11 Q Was he in the army when the hurricane hit, or
12 not?

13 A I don't remember.

14 Q You can't remember when he was gone for a
15 couple of years?

16 A No, sir.

17 Q When he was gone, were you in charge, then, of
18 the store?

19 A I was just a couple of days. I wasn't in charge
20 of the whole store. I would just go up one or two days
21 of the week.

22 Q When you weren't there and Hector was away to the
23 army, who was running the store?

24 A Maybe it was Arturo.

25 Q And Arturo wasn't away at college?

1 A He would be there, around. He would come on
2 the weekends.

3 Q Now, if Cleofas Gonzalez, after 1967, said
4 that the Zertuche Store didn't have any merchandise,
5 would that be a correct statement?

6 A Well, he knew that the merchandise was transferred
7 to the Farm and Ranch after the hurricane.

8 Q How much merchandise was transferred down there?

9 A I can't tell you. I don't remember how much
10 it was.

11 Q Was it a lot or a little?

12 A It wasn't too little, and it wasn't too big,
13 either.

14 Q A couple of truck loads?

15 A Yes, sir.

16 Q So that shortly after that, if that was dis-
17 posed of and there was no more Zertuche Store, they didn't
18 have any more merchandise, and if Farm and Ranch is
19 taking care of their merchandise, then it would be true
20 that there was no more merchandise for the Zertuche
21 Store, other than a stove and an icebox sitting around
22 that still hasn't been sold.

23 A I wouldn't know because I didn't go to the Farm
24 and Ranch. They took all the merchandise. I don't know
25 what they did with it.

1 Q When you were there Monday, other than the
2 stove and the icebox, what is left from Zertuche?

3 A I would have to go check, because I don't
4 check all the departments there, all the building. I
5 just stayed in front.

6 Q But as far as you know, they weren't selling—
7 they were obviously not making too much of an effort to
8 sell the old Zertuche merchandise?

9 A Yes, sir.

10 Q Because some of it is still three or four
11 years later, or how many years? That is getting almost
12 eight years later, and there is still a stove and an
13 icebox there?

14 A Yes, sir.

15 Q And they haven't sold them?

16 A Not that I know of.

17 Q And you don't know if they have sold any of
18 the other stuff?

19 A No, sir. I don't know.

20 Q So, as far as you know, Zertuche was not in
21 business, then, after that because there is no more
22 merchandise that you can identify as Zertuche merchandise
23 at the Farm and Ranch or at the old place. Right?

24 A It could be.

25 Q Now, when you say that the Welfare program, or

1 the commodity program, was in charge of Mr. Chapa,
2 which Mr. Chapa is that? Ruben Chapa?

3 A No, sir. L. S. Chapa.

4 Q L. A.?

5 A L. S. Chapa.

6 Q L. S.?

7 A Right.

8 Q What relation is he, or any, to D. C. Chapa?

9 A I wouldn't know. I wouldn't know if they
10 are related or not.

11 Q Does Mr. L. S. Chapa live in Benavides?

12 A Yes, sir.

13 Q Do you know Mr. D. C. Chapa?

14 A Yes, sir.

15 Q They are two different people; L. S. and D. C.?

16 A Yes, sir.

17 Q But the Zertuche building is still standing?

18 A Yes, sir.

19 Q It's vacant, but it is still there?

20 A Yes, sir.

21 MR. KASTER: That's all.

22 CHAIRMAN HALE: Members of the Committee,
23 if you all will yield to the Chair on one little matter
24 of business we need to make a decision on before we
25 finish questioning this witness. And, Mr. Mitchell, this

1 affects you also. You had requested Mrs. O. D. Bairrington—

2 MR. MITCHELL: Yes, sir.

3 CHAIRMAN HALE: —to be subpoenaed. The
4 Clerk tried several times yesterday afternoon and again
5 this morning and again about thirty minutes ago to get
6 Mrs. Bairrington on the telephone. And while she has a
7 telephone number, the long distance operator consistently
8 advises us that all the lines into Freer are down because
9 of a flood, or something that was down there yesterday.
10 We have been unable to make a phone connection with Mrs.
11 Bairrington.

12 I bring the matter to the attention of the
13 Committee at this time because we were planning to have
14 her here either this afternoon or tomorrow morning. I
15 have asked Ranger Powell to stand by. He is waiting
16 outside for instructions from the Chair. We could
17 deliver the subpoena to him and have him serve it, but
18 he tells me it would probably be at least 9:00 o'clock
19 tonight before he could possibly serve the subpoena.
20 And for her to be here tomorrow morning with the number
21 of records that we have requested here, having been
22 served with a subpoena at 9:00 p.m. tonight seems to
23 the Chair a little unreasonable request of the witness.

24 So, the Chair would appreciate your thinking
25 on it, Mr. Mitchell, what we should do about Mrs.

1 Bairrington. Now, from the state of the witnesses that
2 I have listed here now and pursuant to our discussion
3 yesterday afternoon, it would appear that probably
4 tomorrow will be the last day we will be taking testimony
5 at this point in time. Possibly we could hear from Mrs.
6 Bairrington at a later date—

7 MR. MITCHELL: All right.

8 CHAIRMAN HALE: —if we take testimony.
9 I assume that probably we will have some small amount of
10 additional testimony at some future date, although I'm
11 not positive of that. But I don't see how we could
12 possibly arrange to have her here tomorrow.

13 MR. MITCHELL: Thank you, Mr. Hale. Of
14 course, I don't know the lady and I was informed she had
15 evidence that is relevant to the inquiry, and quite frankly,
16 it appears that those witnesses that I initiate, I have
17 them cast in an adverse witness attitude. And I don't
18 intend to subject these folks—or didn't when I called
19 them—and consequently I'm just going to concede that the
20 Committee call whoever they want, and hopefully they
21 will not be cast in an adverse attitude to the Committee.
22 So, I just say if the Committee wants to hear from her,
23 I would like to have her. I'm not going to request of
24 them, however. I'm going to subject these folks to that
25 cross examination.

1 CHAIRMAN HALE: Mr. Mitchell, let the
2 Chair state that the Committee doesn't feel that any
3 witness is adverse to the Committee, contrary to your
4 insinuation, as long as the witnesses appear to be telling
5 the truth. I don't think that we've given any of the
6 witnesses what I would consider rough cross examination.
7 And I think you're a lawyer enough to understand the
8 difference between rough cross examination and casual
9 questioning. The only admonition the Chair has given
10 to any of these witnesses is when they appeared to be
11 evading answers or appeared to be not telling the truth
12 to the Committee. And at that time I have on occasion
13 mildly reprimanded the witnesses. But no witness—the
14 Chair considers, and I know I speak for the Committee,
15 we don't consider any witness as adverse to the Committee.
16 The Committee has no stand on this matter whatsoever.
17 We're doing a thankless chore here and there's no member
18 on this Committee that has any feeling that any witness
19 is pro or con anything. All we want are facts.

20 MR. MITCHELL: Well, Mr. Hale, like the
21 Ranger, I hadn't talked to him, and I didn't know what
22 he was going to testify, and obviously he did, as suggested
23 by one of the members—his testimony was long and detailed
24 and didn't square. I just wanted the Committee to know
25 about all the equipment. The same way with this lady.

1 Consequently, as I say, I hesitate to—and my next
2 witness I'm going to ask him, he has heard this
3 testimony, if he wants to testify, and if not, he is per-
4 fectly free to go back home. I just don't know what to
5 say to the Chair. But on this lady, she knows these
6 people and I think Mr. Hendricks—no, it was Mr. Kaster
7 the other day. I knew that these people worked at
8 Freer. And he asked one witness, and quite properly,
9 the question, and I wanted her here so Mr. Kaster could
10 say, "Do you know these folks?" And if not, they might
11 be fictitious, but there is something in the air about
12 these people being non-existent and I just wanted the
13 Committee to pull the lady in and if they are, Lord
14 knows, I'll live with it.

15 MR. KASTER: Mr. Chairman?

16 CHAIRMAN HALE: Mr. Kaster?

17 MR. KASTER: All I was trying to find out
18 was if she knew where they worked, or the witness at the
19 time. I wasn't seeing if those were fictitious.

20 MR. MITCHELL: No, Mr. Kaster.

21 MR. KASTER: And I doubt, you know, she
22 probably doesn't know where they work either. I'll
23 concede that they're real live people, and I was just
24 trying to find out whereabouts they worked. There were
25 allegations that they were working at the ranch, and

1 that's what I was trying to find out. And I doubt that
2 Mrs. Bairrington is going to know any more about that.

3 MR. MITCHELL: I did not mean to make an
4 inappropriate remark, Mr. Kaster. The reason the lady's
5 name came up to me is she was suggested as the lady that
6 would know which of these folks were true. And I thought
7 you ought to ask her. Really, I want you to.

8 MR. KASTER: I doubt that she is going to
9 know where they work every day other than if they're
10 real live people and get their pay.

11 MR. MITCHELL: That's the reason for that
12 request, Mr. Hale. I wanted one or two of the members
13 to question her if they wanted to. I don't know what
14 she'll testify. I never saw her. She's not my witness.
15 I want to completely divorce myself from her and let
16 somebody up there call her.

17 CHAIRMAN HALE: Well, as far as that is
18 concerned, the Chair will be happy to call all the
19 witnesses as witnesses for the Committee. All we're
20 interested in are facts. And, of course, any witness
21 that is under subpoena is a witness for the Committee.

22 But I wanted you to know the problem we have
23 had with Mr. Bairrington. I don't see any way we could
24 get her here tomorrow morning.

25 MR. MITCHELL: Mr. Hale, I think the

1 suggestion of the Chair is very appropriate, and if the
2 members want her testimony, they can pick it up at any
3 time. That's the reason she was called, for that one
4 piece of testimony.

5 CHAIRMAN HALE: I'll hold the subpoena.
6 And assuming that we at some future date do take some
7 additional testimony, we will have her on the list to be
8 called.

9 MR. MITCHELL: That is satisfactory with
10 me, Mr. Hale. Thank you.

11 CHAIRMAN HALE: Would the Sergeant at
12 Arms ask Officer Powell to step in here just a second,
13 then?

14 Mr. Powell, it appears that we will not be
15 serving this subpoena on Mrs. Bairrington at this time.
16 So, in pursuance with the previous instructions which I
17 gave you, you are released now to go back, with the
18 understanding, of course, that you are still under
19 subpoena and if the Committee needs you further, we will
20 so advise you.

21 MR. POWELL: Thank you.

22 CHAIRMAN HALE: On behalf of the Committee,
23 let me thank you for waiting out here for about an hour
24 while we could resolve this matter.

25 Thank you very much.

1 Mr. Kaster had finished his questioning. Mr.
2 Donaldson is not here. Mr. Laney is not here. I think
3 it might be appropriate for the Chair to state publicly
4 the reason Mr. Laney is not here, he became the father of
5 a fine young man early this morning. And so he is
6 otherwise engaged today.

7 MR. KASTER: He's not doing anything; it's
8 his wife that did it.

9 MS. THOMPSON: Yes, but we've been waiting
10 to hear that report for about three weeks, now.

11 CHAIRMAN HALE: Ms. Thompson?

12 MS. THOMPSON: I don't have any questions.
13 I pass at this time.

14 CHAIRMAN HALE: Ms. Weddington?

15 BY MS. WEDDINGTON

16 Q Do you know if during the time you worked at
17 Zertuche the Farm and Ranch Store also sold stoves and
18 refrigerators?

19 A I don't know.

20 Q You do not know whether or not they had stoves
21 and refrigerators at that very same time?

22 A No, ma'am.

23 Q Was a good bit of the merchandise in Zertuche
24 damaged by the hurricane?

25 A Yes, ma'am.

Q Do you know if there was a sale to sell that

1 damaged merchandise, or otherwise dispose of it?

2 A No, ma'am, I don't.

3 Q Did you see any of the merchandise moved from
4 Zertuche to Farm and Ranch Store?

5 A Yes, ma'am. They were loading there.

6 Q You saw them loading at Zertuche?

7 A Yes, ma'am.

8 Q Did you see them unload any of it at Farm and
9 Ranch?

10 A No, ma'am, because I didn't go that far.

11 Q So you really don't even know for sure whether
12 any of the merchandise went to Farm and Ranch, of your
13 own knowledge?

14 A I know it went there.

15 Q How do you know?

16 A Because that is what they had said; they were
17 going to move it there because the building was destroyed.

18 Q But you didn't see that.

19 A No, ma'am.

20 Q You don't really know it. You just know that is
21 what they told you.

22 A Well, the rest that was there, I've seen it
23 there, now that I was there.

24 Q Isn't it accurate that actually nobody but
25 you really ran the store and you just ran it when somebody

1 needed something?

2 A Well, Mr. Zertuche was there part-time, too.

3 Q When you say "part-time," was he just there
4 when people called him?

5 A No. Sometimes he stayed there the whole day.

6 Q Did he have regular days that you knew he would
7 be there?

8 A No.

9 Q Did he have regular hours that you knew he
10 would be there?

11 A No, because when I wasn't needed I wasn't
12 called.

13 Q So that you really don't have any idea whether
14 he was ever there or not?

15 A I knew he was some days.

16 Q How did you know that?

17 A Because when I would go by to town I would see
18 him there.

19 Q But there were no regular hours for him to be
20 there?

21 A No.

22 Q I'm curious as to how you identified that
23 stove and refrigerator to be the ones that were in
24 Zertuche.

25 A Yes. Because when they moved it from there, I

1 could recognize them.

2 Q What's so distinctive about a stove and
3 refrigerator seven years later that you still know it?

4 A Well, I can recognize them because I had them
5 there when I was working there.

6 Q You don't know if Farm and Ranch had the very
7 same kind of stove and refrigerator at that store, do
8 you?

9 A Well—

10 Q Do you?

11 A No.

12 Q So, you don't know whether the stove and
13 refrigerator came from Zertuche or whether they were
14 already at Farm and Ranch.

15 A Well, I asked the man there if they were the
16 ones we had over here, and he said, "Yes."

17 Q Who did you ask?

18 A Mr.— I don't know his last name. He works
19 there. His first name Lorenzo.

20 Q Where does he work?

21 A For the Farm and Ranch—or for the county.
22 And he is there at the shop sometimes, at the Farm and
23 Ranch.

24 Q Why was a man who works for the county familiar
25 with what they had at Farm and Ranch?

1 A Because they go in and out from that place.

2 Q You say that that's the stove and refrigerator
3 that came from Zertuche because somebody who works at the
4 county who never worked at Zertuche who does not work for
5 Farm and Ranch said so.

6 A Well, to me, it is. To me, it is.

7 Q But you do not know whether a stove and
8 refrigerator just like that was already at Farm and
9 Ranch?

10 A No, I don't know, but to me, it was the one.

11 Q You didn't see that stove and refrigerator
12 moved from Zertuche to Farm and Ranch?

13 A Yes, it was moved.

14 Q But you didn't see it moved, did you? Did you
15 see it moved?

16 A I saw them taking it out of there.

17 Q But you didn't see them move it in to Farm and
18 Ranch, did you?

19 A (No response.)

20 Q So, all you really know is that there is a stove
21 and refrigerator at Farm and Ranch Store. Is that right?

22 A They moved it together with the rest of the
23 merchandise that was there.

24 Q Did you see them do that?

25 A Yes. I saw them move it from there, and they

1 went straight.

2 Q Did you follow them?

3 A No. You can see it from the place.

4 Q So, you didn't see it, did you? You stood
5 there and watched them take the stuff from Zertuche
6 Store and take it over to Farm and Ranch and unload it.
7 Is that your testimony?

8 A I saw it from the store that the truck went
9 over to the Farm and Ranch. I don't know if they
10 unloaded it or not, but they took it over there. When I
11 saw it, well, I thought, I think it is.

12 Q What model refrigerator—what year was the
13 refrigerator that is in Farm and Ranch made?

14 A I don't remember. I can't remember the year.

15 Q You can't remember what year stove it is, but
16 you're sure that it's the same one that has been there
17 for seven years?

18 A Yes.

19 Q What is the difference in the stove that was
20 made in 1967 and one that was made in 1968?

21 A I wouldn't know.

22 Q Well, how do you know that's the same refrigera-
23 tor?

24 A Well, because I have seen it before.

25 Q And you have seen the very same refrigerator

1 sitting there for seven years? Is that your testimony?

2 A That is what I think—it is the same one.

3 Q What is so different about it that you think
4 that? You know, I really just can't believe that you can
5 recognize the same stove and refrigerator for seven years.
6 And I think you want to help and you want to say—

7 A No, I don't want to help. To me, it is the
8 same one that we had there because I didn't know the
9 Farm and Ranch had a stove and refrigerator like that.

10 Q But you don't know that they didn't, do you?

11 A No.

12 Q Because you said that you hadn't gone in there;
13 that you didn't really know that.

14 A That's what I say, I didn't know they had one.
15 And when I saw it, to me it is.

16 Q So you're just making a whole lot of specula-
17 tions and telling the Committee that that's the truth.

18 A No, ma'am. No, ma'am. Because I think it was
19 the one we had there. To me, it is.

20 Q But you can't tell us anything that was dis-
21 tinctive about it that makes you for sure. You don't know
22 whether Farm and Ranch already had one.

23 A No, I can't tell you that.

24 Q You really didn't see the one from Zertuche
25 moved in there. Have they ever moved—have they kept that

1 same stove in that very same place for seven years in
2 Farm and Ranch Store?

3 A I wouldn't know if it was in the same place or
4 not.

5 Q Well, I mean, if you've been looking at it
6 for seven years now, don't you know if they've moved it
7 or not?

8 A No. I said I hadn't been there for the seven
9 years. When I went in there, I recognized that it was
10 the same one we had over here.

11 Q When was it that you went in and recognized
12 that stove and refrigerator?

13 A About two weeks ago.

14 Q So, you hadn't seen the stove and refrigerator
15 for seven years and you went in and you said, "There's
16 that stove and refrigerator."

17 A Yes.

18 Q Does it look like a modern stove and
19 refrigerator? Does the refrigerator have frost-free
20 defrosting?

21 A No, ma'am.

22 Q You looked at the refrigerator and you're sure
23 it doesn't have frost-free defrosting?

24 A No, I haven't looked at it. I just saw it from
25 the outside. I haven't opened it.

1 Q So, you looked at one stove from the outside
2 and one refrigerator from the outside after seven years
3 and said, "There it is."

4 A Yes.

5 MS. WEDDINGTON: Pass the witness.

6 CHAIRMAN HALE: Mr. Chavez?

7 MR. CHAVEZ: No questions.

8 CHAIRMAN HALE: Are there any further
9 questions? Mr. Hendricks?

10 BY MR. HENDRICKS

11 Q Mrs. Rodriguez, do you know George Zertuche?

12 A Yes, sir.

13 Q Who is he?

14 A The father of Hector and Arturo Zertuche.

15 Q Where does he work?

16 A For the county.

17 Q Who in the county does he work for?

18 A I believe he works for Ramiro Carrillo.

19 Q When you were employed at the Zertuche General
20 Store, in the course of your business, did the county
21 bring their warrants to you, or did they mail them to you?
22 When the county paid for the merchandise they bought.

23 A The county?

24 Q The county. Did they mail the warrants to you,
25 or did they bring them to you?

1 A I think Mr. Zertuche took care of that.

2 Q Well, do you know whether they mailed them to
3 him or did they bring them to him?

4 A I wouldn't know.

5 Q Did you ever see one of them?

6 A No, sir.

7 Q What merchandise could they have been buying from
8 the Zertuche General Store while you were employed there?

9 A The County?

10 Q Yes.

11 A No. I don't know. They never came while I
12 was there. I never sold to the county. The only person I
13 sold to from the county was the Commissioner, Felipe
14 Valerio. He was the only one employed by the county that
15 I sold merchandise to.

16 Q Of course, we don't have the records of '65,
17 '66, and '67, and I understand they are not available.
18 But of your knowledge and from your testimony, the county
19 never purchased anything from the Zertuche General Store
20 during those years. Is that correct?

21 A While I was there, no. Maybe when Mr. Zertuche
22 was there.

23 Q While you were there. You never saw anything
24 loaded for the county, or anything else? You never helped
25 load anything that the county purchased, or anything?

1 A No, sir.

2 MR. HENDRICKS: That's all I have, Mr.
3 Chairman.

4 CHAIRMAN HALE: Are there further
5 questions?

6 Mr. Maloney

7 BY VICE CHAIRMAN MALONEY

8 Q Who did you say was George Zertuche?

9 A Arturo's and Hector Zertuche's father.

10 Q And he now works for the county?

11 A He has always worked for the county.

12 Q In what capacity does he work for the county?

13 A He works for the county shop, I believe.

14 Q I beg your pardon?

15 A In the county shop.

16 Q In the county shop. He isn't with the
17 Sheriff's Department, or anything like that?

18 A No, sir.

19 Q So you wouldn't know any reason by which he
20 was following us around all day Sunday afternoon?

21 A I wouldn't know.

22 CHAIRMAN HALE: Probably to see where you
23 were going.

24 MR. MITCHELL: I didn't have anything to
25 do with it, Mr. Maloney. I didn't know you all were

1 even down there.

2 Q What work did you follow after the hurricane
3 in 1967? Did you continue to work for the county?

4 A Yes, sir.

5 Q How long did you work for the county after
6 that?

7 A Until the last day we issued—when the food
8 stamps came along.

9 Q When the food stamps came along?

10 A Yes, sir.

11 Q When would that be? I'm not familiar.

12 A I'm not sure. I think maybe about a year ago,
13 or so. I don't remember exactly the date.

14 Q Then you stopped working for the county?

15 A No, I didn't stop. I work when there is work
16 available.

17 Q I see. Have you been in Corpus lately?

18 A I go back and forth to see my family.

19 Q Have you done any work in Corpus?

20 A No, sir.

21 Q You haven't worked for anyone in Corpus?

22 A I haven't worked at all.

23 Q I believe you said it is now part of your
24 duties to do some redistricting. Is that correct?

25 A I did some.

1 Q When did you do this work?

2 A It must have been before the elections. I
3 can't remember the exact date.

4 Q Let me ask you, is Freer in Commissioners
5 Precinct Number 3?

6 A I believe so.

7 Q Is it now that some redistricting has been
8 done?

9 A If there is, they hired some people from Freer
10 to do it.

11 Q Some redistricting was done just lately,
12 wasn't there?

13 A I don't remember. If there was what?

14 Q Wasn't there a redistricting plan submitted to
15 the County Commissioners just this last month?

16 A I wouldn't know.

17 Q Didn't the redistricting plans get lost?

18 A I don't remember. I don't know anything about
19 that.

20 Q I think I missed it in your original testimony,
21 Mrs. Rodriguez. When did you say you began to work for
22 the Zertuche General Store?

23 A I believe it was between '65 and '67.

24 Q You worked for them for about two years?

25 A Yes, sir. But not fully employed.

1 Q Well, I understand that, but it was at this
2 location that you told us about.

3 A Yes, sir.

4 Q And how often would you work there?

5 A Well, sometimes I would go two or three days of
6 the week; sometimes one day a week.

7 Q And this merchandise was in the store all this
8 time?

9 A Yes, sir.

10 Q And you were there and Mr. Zertuche was there?

11 A Yes. While he was there, I wasn't there. I
12 would be there just when he wasn't able to be there.

13 Q Were you aware that the insurance policy that
14 covered this building all during this time, additional
15 premiums were paid for permission for this building to
16 remain vacant?

17 A No, sir. I don't know.

18 Q And that monthly a new permission was given
19 at the payment of additional premium, all the way from
20 1964 until April the 14th of 1967?

21 A No, sir. I am not aware of that.

22 Q The building wasn't vacant then, according to
23 your testimony.

24 A Sir?

25 Q The building was not vacant.

1 A Until after 1967, it was vacant.

2 Q So, all that money for paying for extra premiums
3 was just money down the drain because it really wasn't
4 vacant. Is that right?

5 A I didn't get your question.

6 Q Well, it wasn't vacant during this time, was
7 it? And if someone had to pay additional premiums for
8 permission to have the building vacant, they were just
9 throwing their money down the drain, weren't they?

10 A It could be.

11 MR. MALONEY: That's all I have.

12 CHAIRMAN HALE: Ms. Thompson?

13 BY MS. THOMPSON

14 Q Mrs. Rodriguez, you mentioned that you have
15 participated in redistricting.

16 A Ma'am?

17 Q You mentioned a moment ago that you participated
18 in redistricting?

19 A Yes, ma'am.

20 Q Was the redistricting done this year? 1975?

21 A I don't remember if it was 1975 or the last
22 part of '74.

23 Q Redistricting?

24 A Uh huh.

25 Q During the time that you have worked now in your

1 present capacity, have you ever filled out any food
2 slips for people to go to the store to get groceries?

3 A I sent them to Mr. Carrillo, the County
4 Commissioner.

5 Q But you never carried any food slips to those
6 people to carry to the store to buy groceries?

7 A No, ma'am.

8 MS. THOMPSON: Thank you.

9 CHAIRMAN HALE: Mr. Kaster has another
10 question.

11 BY MR. KASTER

12 Q Mrs. Rodriguez, where the old Zertuche Store
13 was, is that considered on the north side of the highway,
14 the one that goes through town?

15 A Yes, I would say.

16 Q And the Farm and Ranch Store?

17 A It is on the south.

18 Q Is that on the south side?

19 A Right.

20 Q So that the permit that you had in describing
21 where the Zertuche Store was that you said was kept on
22 the counter, it would show Zertuche Store, north side
23 of, or highway—what is the number of that highway—
24 339—that goes through town?

25 A The Farm and Ranch is on the main street.

1 Q What is that highway, the main street?

2 A I believe it is 339. I'm not for sure.

3 Q 339? I think that's right.

4 A No. I believe it's Highway 44. I wouldn't
5 know because I believe 339 comes from Concepcion and
6 it goes out to Freer. So, this is the one coming in from
7 San Diego to Laredo. I don't know which highway it—

8 Q But I've seen some copies of a sales tax
9 permit, or whatever it is, that shows "Zertuche Store,"
10 I think "North side, 339."

11 A Yes.

12 Q And that would be a good description of where
13 it is, since the streets don't have any names.

14 A Yes, sir.

15 Q Where, if the Farm and Ranch had a similar
16 permit, it would show "South side of the highway."

17 A That's right.

18 MR. KASTER: That's all I have.

19 CHAIRMAN HALE: Any further questions?

20 (No response.)

21 CHAIRMAN HALE: Thank you very much,
22 Mrs. Rodriguez.

23 MR. MITCHELL: Mr. Hale, may I ask a
24 question?

25 CHAIRMAN HALE: Yes. Just a moment.

1 Go ahead, then, Mr. Mitchell.

2 BY MR. MITCHELL

3 Q Mr. Hendricks asked you about the welfare
4 program, Mrs. Rodriguez. On those occasions when persons
5 would come in to the office, the welfare office, when
6 you worked there in '65, '66 and '67 that you have
7 testified to that wanted food that you didn't carry, then
8 I believe your testimony was—and I'm trying to summarize
9 it and not lead you—that you would send them then to get
10 their foods through the county program. Is that correct?

11 A Yes. To Mr. Carrillo, Commissioner.

12 Q Yes. Now, as to persons that you would send,
13 would you ever—I want to be sure this question is
14 worded correctly. Would you always be sure that the per-
15 son was standing there in front of you that you sent?
16 I mean, always someone gave you a name and always it was
17 a person that was real and that you talked with; in
18 other words, someone that was real standing there that
19 you would send? Am I making myself clear or am I
20 sounding ridiculous to you? It's a question of whether or
21 not these persons were existent or non-existent.

22 A Well, they were existent. They would be right
23 in front of my desk, or they would go to my house.

24 Q The person that was there presenting those to
25 you?

1 A Yes, sir.

2 Q Now, let me ask you: there have been some
3 questions raised in my mind about some of the questions
4 put to you by members of the Committee. Were there items
5 of inventory carried in the Zertuche Store carried at the
6 time that you sold those items directly to the customers?

7 A Yes, sir.

8 Q Were there items that were there that were like
9 samples that the people would buy and you would have
10 orders and delivered directly?

11 A Some of them we had in stock; there were two or
12 three of the same merchandise and some of them would be
13 ordered.

14 Q How about if I came in and wanted cedar posts?

15 A I would call Mr. Zertuche and he would take care
16 of that.

17 Q Do you know whether or not even on occasions
18 when you have called for items such as, say, cedar posts
19 or barbed wire, that those items would be bought by the
20 Zertuche Store and delivered directly to the customer?

21 A He could do it because I would give him the
22 message. And he said he would take care of that.

23 MR. MITCHELL: Mr. Hendricks, I have
24 available those checks for that period. I believe you
25 mentioned '65, '66 and '67. Those records are available

1 at my office. But I would have them available also to
2 show those purchases.

3 Q Now let me ask you about the inventory that
4 went from—well, strike that. Let me be sure I've
5 covered everything.

6 Like this bicycle that this gentleman bought
7 that you mentioned. Was that bicycle in stock?

8 A Yes, sir.

9 Q Did you sell by catalog?

10 A No. Mr. Zertuche would buy some of them and
11 some of them would come through the Alamo Express.

12 Q They would be bought from the Alamo Express?

13 A Yes.

14 Q And do you know of any other folks you all
15 might have bought them through?

16 A He was the one to do the buying, and then they
17 would deliver them to the store.

18 Q Suppose I came into your store and asked if
19 you had, say, something to sell, like the county wanted,
20 say, cedar posts. What would you do to fill that order,
21 if anything?

22 A I would just give the message to Mr. Zertuche,
23 and he would be the one to take care of that.

24 Q Would you take a billing? Would you take an
25 order?

1 A I would just tell him, you know, they want so
2 much or—and he says "All right. I'll take care of it."

3 Q Do you know whether as a matter of fact during
4 that period of time that there was inventory that was
5 owned by Zertuche that was not in the store building?

6 A I wouldn't know.

7 Q You don't know. All right. You don't know
8 whether or not, for example, that they inventoried barbed
9 wire, cedar posts and various other merchandise that was
10 not in the store that was elsewhere; because of its size
11 it couldn't be stored in this building?

12 A It could be.

13 Q Do you know of it?

14 A No, I don't.

15 MR. CANALES: Mr. Hale, may I ask her one
16 short question?

17 CHAIRMAN HALE: Yes, sir.

18 MR. CANALES: One short question.

19 BY MR. CANALES

20 Q How many tractors does Zertuche General Store
21 own?

22 A I wouldn't know.

23 Q You never saw any?

24 A No, sir.

25 MR. CANALES: Thank you.

1 MR. MITCHELL: I did have another question
2 or two. I was trying to frame it correctly.

3 CHAIRMAN HALE: That's fine, Mr. Mitchell.
4 Go ahead.

5 BY MR. MITCHELL

6 -Q This business of the stove and the refrigerator,
7 of course, you know when you told me this morning about
8 the very same thing, I responded just the way the Committee-
9 woman responded. And I said, "Are you sure that those
10 were there?" Now I'll ask you again. Now, we're talking
11 about a refrigerator and a stove—I think those were the
12 two items you mentioned—that were there back there when
13 that hurricane was, that you saw within, say, the last
14 week or ten days.

15 A Well, to me, it is.

16 Q That's all we need. I mean, what's the best
17 impression to you. The Lord knows that I—that is your
18 testimony. Is that correct?

19 A Yes, sir.

20 Q Now, the Committeeman, Mr. Kaster, raised this
21 question and I'll ask you. Those stoves or refrigerators
22 or any items of that type that were back in the Zertuche
23 Store, Mrs. Rodriguez, when people wanted one, would you
24 sell the one that was on the floor, or would you order
25 one just like it, or would you do a combination?

1 A We would sell the one that was there and then
2 Mr. Zertuche would order another one.

3 Q Did you ever sell by sample, that is, where you
4 had something that someone wanted and then you would have
5 that just shipped direct by Alamo or someone? Do you
6 know?

7 A I don't remember. It could be.

8 MR. MITCHELL: Thank you, Mr. Hale. I
9 have no further questions.

10 CHAIRMAN HALE: Mr. Hendricks?

11 BY MR. HENDRICKS

12 Q Mrs. Rodriguez, in line with Mr. Mitchell's
13 question, you stated that you would send people to the
14 Commissioner for food that you didn't have, and he would
15 send them to the grocery store. Is that correct?

16 A He would take care of that. He would send them
17 to the grocery store or he would give them a purchase
18 order. I wouldn't know—

19 Q But everybody, if they went on this program,
20 they did not come through your office; they went
21 through the Commissioner. Isn't that correct?

22 A They would come to ask me because they could
23 never contact the Commissioner. He was up and down.

24 Q Could the Commissioner send someone to the
25 store, or food vouchers to the store, without your

1 knowledge?

2 A He could. Because he was the one to take care
3 of that.

4 MR. HENDRICKS: Thank you.

5 MR. MITCHELL: That covers the other side.

6 CHAIRMAN HALE: Mrs. Rodriguez, let the
7 Chair ask you one or two more questions.

8 BY CHAIRMAN HALE

9 Q According to the lawsuit that was filed, the
10 hurricane that destroyed the store was on September 7,
11 1967. Do you remember that hurricane?

12 A Yes, sir.

13 Q You were there at the time of the hurricane?

14 A Yes, sir.

15 Q Now, my question is this: using the hurricane
16 as the critical date, who operated the Zertuche General
17 Store before the hurricane? Hector or Arturo?

18 A I believe it was Hector.

19 Q Who operated the Zertuche General Store after
20 the hurricane?

21 A It could have been Arturo because I didn't
22 work after the hurricane.

23 Q You didn't work after the hurricane?

24 A (The witness nodded.)

25 Q But it's your impression that Hector operated

1 it before the hurricane and Arturo operated it
2 after the hurricane. Is that your impression?

3 A Yes, sir.

4 Q Thank you.

5 CHAIRMAN HALE: Mr. Kaster has a question.

6 BY MR. KASTER

7 Q I hate to delay with the point. If the
8 hurricane was on September 7th, what period of time was
9 it before they moved the things to the Farm and Ranch
10 Store? Was it a week or a month or two months?

11 A I couldn't remember.

12 Q Just a period of time.

13 MR. KASTER: That's all.

14 CHAIRMAN HALE: Mrs. Rodriguez, on this
15 little form you filled out and signed a minute ago, we
16 need to have your occupation and your business address.
17 Could you hand this to her and let her fill in her
18 occupation and her business address on that.

19 While she's doing that, Mr. Mitchell, I believe
20 that Cleofas Gonzalez is here. Do you intend to call
21 him now?

22 MR. MITCHELL: Yes. I would like to, Mr.
23 Chairman. I have one more witness.

24 CHAIRMAN HALE: Oh, you have? All right.

25 MR. MITCHELL: I'm going to ask him if he

1 wants to testify after he's heard what he's going to get
2 into. I do have the gentleman that the Chair instructed
3 me to call, the man that I wanted, Mr.—

4 CHAIRMAN HALE: Gabriel?

5 MR. MITCHELL: Yes, sir.

6 CHAIRMAN HALE: Gabriel Gonzalez? Fine.

7 The reason I was asking, we do have at least
8 two or three other witnesses here, and the Chair is of
9 the opinion that we might should take about a five or
10 ten minute break and let the Reporter relax his fingers.
11 I think he's the one that's probably in the most pain as
12 a result of the long session.

13 Is there any objection to that?

14 (No response.)

15 CHAIRMAN HALE: The Committee will stand
16 recessed for ten minutes. We'll take up again in ten
17 minutes.

18 (The witness, Mrs. Elvira Rodriguez, was
19 excused.)

20 (Brief recess.)

21 CHAIRMAN HALE: The Committee will come
22 back to order.

23 Mr. Mitchell, will you call your next witness,
24 please.

25 MR. MITCHELL: Mr. Gabriel Gonzalez, Mr.

1 Hale. He hasn't signed a witness affirmation, Mr.
2 Chairman.

3 CHAIRMAN HALE: Mr. Gonzalez, do you
4 understand English?

5 MR. GONZALEZ: Yes, sir.

6 CHAIRMAN HALE: Perfectly well? Do you
7 think you need an interpreter for any reason?

8 MR. GONZALEZ: I don't think so.

9 CHAIRMAN HALE: Okay. Thank you. If
10 you feel that you do need one, you let the Chair know.

11 MR. GONZALEZ: Okay.

12 CHAIRMAN HALE: Mr. Gonzalez, it is my
13 duty as Chairman to advise you of your rights with
14 reference to your testimony. You will be sworn to tell
15 the truth, and your failure to do so could subject you to
16 a prosecution for perjury. After you have completed your
17 statement, members of the Committee may ask questions
18 concerning your testimony. You must answer these
19 questions truthfully, and your refusal to do so could
20 subject you to punishment for contempt. You can refuse
21 to answer questions only on the ground that such answers
22 might incriminate you, or tend to incriminate you, in
23 some way. You are privileged to have an attorney of your
24 selection sit with and advise you as to your answers if
25 you desire. The Chair will attempt to protect your rights

1 at all times.

2 Do you understand the advice I have given you?

3 MR. GONZALEZ: Yes, sir.

4 CHAIRMAN HALE: Are you ready to
5 testify?

6 MR. GONZALEZ: Yes, sir.

7 CHAIRMAN HALE: Would you stand and
8 raise your right hand, please.

9 (The witness was sworn by the Chairman at
10 this time.)

11
12 MR. GABRIEL GONZALEZ
13 was called as a witness by the Respondent, O. P. Carrillo,
14 and being first duly sworn by the Chairman, testified
15 as follows:

16 DIRECT EXAMINATION

17 BY CHAIRMAN HALE

18 Q Would you please state your name, please.

19 A Gabriel Gonzalez.

20 Q What is your mailing address, Mr. Gonzalez?

21 A P. O. Box 708, San Diego.

22 Q Are you employed at the present time?

23 A Yes, sir.

24 Q In what capacity?

25 A I am employed with E. G. Garcia, from Corpus

1 Christi.

2 Q What type of business is that?

3 A That is carpentry.

4 Q Carpentry work. Fine.

5 CHAIRMAN HALE: Mr. Mitchell?

6 MR. MITCHELL: Thank you, Mr. Chairman.

7 BY MR. MITCHELL

8 Q Mr. Gonzalez, you're not on the county payroll
9 down there, are you?

10 A No, sir.

11 Q Have you ever been on the county payroll down
12 there?

13 A No, sir.

14 Q Have you ever run for any offices down there?

15 A No, sir.

16 Q Do you have any intention of running for any
17 office down there?

18 A No, sir.

19 Q The first time you ever saw me was this
20 morning at, what, about 9:00, 9:15?

21 A Yes, sir.

22 Q And I sat down and went over your testimony,
23 what your knowledge was bearing on certain invoices that
24 I showed you. Am I correct?

25 A Yes, sir.

1 Q All right. You don't have any knowledge one
2 way or the other what the matter is before the
3 Committee, do you, Mr. Gonzalez?

4 A No, sir.

5 Q Do you care one way or the other is what I'm
6 driving at.

7 A No, sir.

8 Q You understand that you are under oath?

9 A Yes, sir.

10 Q I'm going to hand you—

11 MR. MITCHELL: And, Mr. Chairman, this
12 testimony will be connected with certain exhibits that
13 have been previously introduced. Maybe I can give sort
14 of a blueprint of those and the members can get them in
15 front of them.

16 It will be Number Carrillo 63, 64, 65, 66, 67,
17 68, Carrillo 22, 43, and Carrillo 20, along with the
18 Committee's 22, 23 and 24.

19 Q Now, what is the nature of your business,
20 please, Mr. Gonzalez? What trade are you in, please,
21 sir?

22 A Carpenter.

23 Q And how long have you been in that trade?

24 A Oh, about seven years.

25 Q How long have you lived at your present

1 address?

2 A Oh, about eight years.

3 Q And where did you live previously?

4 A In San Diego. And another address at my
5 mother's.

6 Q All right. Did you have an occasion to do
7 some work for Judge Carrillo in connection with the
8 construction of what has been identified as Exhibit
9 22 as a store on his ranch?

10 A Yes, sir.

11 Q Now I'll ask you to look at the Exhibits 22,
12 23 and 24 which I have placed in front of you, and also
13 Carrillo's 63—are you following me there?

14 A This is not it. This is something else.

15 Q These numbers: 63, 64—you have them all in
16 front of you.

17 A Yes.

18 Q You may refer to them because they have been
19 admitted by the Chair, in answer, if they will assist
20 you in answering any questions.

21 First, let me take now the store, what we call
22 the Ranch Store, which has been identified in Exhibit
23 number 22. Do you recognize the building there?

24 A Yes, sir.

25 Q Is that the—tell the Committee, please, how

1 you recognize it?

2 A Well, I recognize it because this material
3 that, since I did only the trim to the inside, I recog-
4 nize the part of the paneling; the finish work.

5 Q You did the carpentry work on it, did you not?

6 A I did the finish work only. I didn't do the
7 framing work.

8 Q I understand. Were you contacted by Judge
9 Carrillo in connection with employing you to do some
10 carpentry work on the building?

11 A Yes. He told me that he would contact me
12 whenever the framers would finish the house on the out-
13 side, and notify me when to start the trim.

14 Q About now when, in point of time—and you can
15 use those exhibits to refresh your recollection—were
16 you contacted by Judge Carrillo to do that work? About
17 when was it?

18 A It was in February.

19 Q Of what year?

20 A Of 1974.

21 Q Did you go out then and look at the store on
22 his ranch?

23 A Yes, sir.

24 MR. KASTER: What year was that? 1971?
25 I didn't hear you.

1 A 1974.

2 MR. MITCHELL: Did you hear that, Mr.
3 Kaster? 1974.

4 MR. KASTER: Yes.

5 Q Now, the exhibits—and I'm looking at Exhibit
6 68, which is a Moorhouse—that's a B. L. Moorhouse Company
7 invoice that requires a delivery on Job site - Benavides,
8 Texas. Is that where the job site was, about 12 miles
9 from store, that is, the Farm and Ranch Store?

10 A Yes, sir.

11 Q State whether or not that was a personal—that
12 is a store built by the Judge on his place?

13 A Yes, sir. That day the material for the
14 framing came, I received it myself. The Judge notified
15 me that he—

16 Q Let me ask you some questions about it. When
17 did you first go out on the job site?

18 A Well, I had done some other job for him, so I
19 went out on the job when it was started.

20 Q Was the foundation poured when you first saw
21 the job? Do you remember? Had the building been—

22 A Yes. It was already poured.

23 Q Was the framing up?

24 A No. There was a concrete block.

25 Q So, it was a concrete block building?

1 A What I mean, the framing is the roof framing.

2 Q All right.

3 A And the inside of it.

4 Q Was the roof on when you first saw the
5 building?

6 A No. They were working on the block. The
7 concrete block.

8 Q Your deal with the Judge, was that a flat
9 contract deal, an hour deal? What kind of deal was it?

10 A It was a contract.

11 Q How much was the contract?

12 A It was \$1,300.

13 Q How was it to be paid? Do you recall?

14 A Well, I told him that I need partial payments
15 whenever I needed—every two weeks.

16 Q Did you and he agree? Did you all come to an
17 agreement or bargain as to what you were going to do?

18 A No. He thought about it and he told me he
19 would notify me in two or three days.

20 Q Did he notify you to do the work?

21 A Yes, he did it.

22 Q And did you receive a payment from him personally
23 for the down payment portion of the contract?

24 A Well, when I started, and two weeks after, I
25 received it. Yes.

1 Q I also have in front of you Carrillo 22 and
2 20 and 43, which are checks payable to you.

3 A Yes.

4 Q Have you seen those?

5 A Yes. The first payment that he gave me was
6 \$500,

7 Q All right.

8 MR. MITCHELL: Let the record reflect
9 that—

10 Q Is that the check of February 7th of '74?
11 Which check is it?

12 A I think this is the one. You see, this is the
13 first one.

14 MR. MITCHELL: Let the record reflect
15 that he has pointed to page 2 of Carrillo 22, which is
16 a check payable to Gabriel Gonzalez—

17 A February 7.

18 MR. MITCHELL: —for \$500.

19 Q Is that correct?

20 A Yes, sir.

21 Q Now, your task, as I understand your testimony,
22 was to do the inside work, some of the inside work on the
23 building. Is that correct?

24 A Yes, sir.

25 Q Now, did you furnish a request to Judge Carrillo

1 about the materials you were going to need to do that, Mr.
2 Gonzalez?

3 A Yes. One day I went over there and measured
4 the whole building and ordered the material, the paneling,
5 the sheetrock, the doors, doorknobs, the plywood. We
6 bought plywood for the cabinets and everything that was
7 needed to complete the job.

8 Q Let's look again at Carrillo Number 63. Let me
9 turn to Carrillo 67. Do you recognize that?

10 A Yes, sir. That is my writing.

11 Q Is that your writing?

12 A Yes.

13 Q That seems to be three drawer guides, four
14 pair of hinges, and so forth. Is that correct?

15 A Yes, sir.

16 Q Now, let me ask you this: would that material
17 be shipped in to you after you would order it, through
18 the Judge, in order to do the job?

19 A Yes. Directly to the spot of the work. Yes.

20 Q And who would deliver it? Would B. L. Moorhouse
21 Company deliver it?

22 A Yes.

23 Q Would they deliver that material directly to
24 the job, Mr. Gonzalez, or elsewhere? Do you know?

25 A Directly to the job. Yes.

1 Q Were there occasions when you had to go out and
2 get small items yourself that you bought?

3 A When I went to get little items, I would go
4 to Alice to the Factory Outlet, like nails or little
5 trimming that I would lack; I would match the color and
6 I would go get it.

7 Q What type of paneling—there's been some
8 questions about some paneling. Let's take a look at
9 Exhibit 64. Did you put the paneling up in that store
10 building?

11 A Yes.

12 Q Let me ask you this: what is the type of
13 paneling—if you can, look through here. Go ahead and
14 answer the question. What type of paneling did you put
15 in there?

16 A Oh, it was cinnamon elm. And it was a quarter
17 inch, and I ordered 110 sheets.

18 Q And that appears from Carrillo's Exhibit 68,
19 am I correct, about four lines down.

20 A Right here.

21 Q Did you get the nails to put that up with?

22 A Yes, sir.

23 Q What kind of nails did you use?

24 A They were colored nails.

25 Q Colored nails?

1 A Yes. They come in a little box, a plastic
2 box.

3 Q They were delivered by the Moorhouse Company
4 to the job site?

5 A They sent everything. Yes.

6 Q Now, did you then progress satisfactorily
7 with the completion of your task, Mr. Gonzalez?

8 A What do you mean?

9 Q I'm sorry. Did you go on and do your job?
10 Finish your work?

11 A Oh, yes.

12 Q And were you paid?

13 A Yes, upon completion of the job.

14 Q How long did it take you to do that?

15 A It took me from February to the last day of
16 March, more or less. I lacked little things like to put
17 on the formica, or little handles on the cabinets. But I
18 told the Judge that I would do that on the weekends.

19 Q And did you do that?

20 A Yes, sir.

21 Q All right. Now, did you see any county
22 vehicle deliver anything to that job site while you
23 were on it?

24 A No, sir.

25 Q Do you know of any materials that went into

1 that job that were not materials that were ordered
2 either through Moorhouse or other—that you bought; that
3 is, just you personally. I know there are other folks
4 working on the job, but from your own personal knowledge
5 that were not ordered directly by you or bought by you?

6 A No, sir. These materials were the only things
7 that were brought from Moorhouse. That's all.

8 Q All right.

9 A When I went over there to the Factory Outlet
10 I put "O. P. Carrillo" on—his name.

11 Q You bought some stuff from other folks?

12 A Yes.

13 Q And noted it by putting the job designation,
14 "O. P. Carrillo" on it. Is that correct?

15 A Yes, sir.

16 Q Now, can you describe the interior of the
17 building for the Committee, Mr. Gonzalez?

18 A Well, on the inside as you go in—well, it's
19 got double doors. It's 40 by 40, more or less.

20 Q And those doors you hung? Did you hang those
21 doors?

22 A Yes. I hung the doors.

23 Q Were those doors that you ordered and had
24 delivered on the job site?

25 A No. Those were old doors.

1 Q How about the doorjamb?

2 A The doorjamb for the inside trim—that build-
3 ing has only those two doors and one in the corridor.

4 Q Let me run through these exhibits.

5 How about ceiling paneling? Did you put them
6 in there?

7 A No.

8 Q Cross tees? Did you put the door stops in?
9 I'm just going to run through that exhibit. Whatever you
10 recognize that you put in. Did you put the drawer guides
11 in?

12 A No. This is where you put the drawers.

13 MR. CANALES: Mr. Chairman, so that I
14 can follow, could they please read off the number of the
15 exhibit as they go along? They're talking about door—

16 MR. MITCHELL: I'm sorry, Mr. Canales.
17 I'm on 68. Carrillo 68.

18 MR. CANALES: Thank you.

19 MR. MITCHELL: Carrillo 67 is the
20 document that the witness has testified to was in his
21 own handwriting. That's the small little sheet that is
22 in there.

23 Q What other now, looking at all of them? What
24 other things did you put up and that you ordered? And
25 I'm looking at the second page of Carrillo 68.

1 A (The witness pointed.)

2 Q Did you put up the cinnamon elm—the paneling?

3 A Yes.

4 Q What else?

5 A These fifteen sheets of exterior plywood was
6 used on the third floor.

7 Q You recognize that as going into the building?

8 A Yes.

9 Q And still looking at 68, the second page.

10 A And CD plywood is what I put for the cabinets.

11 Q You put that in yourself?

12 A Yes. That would be the cabinets. And the
13 13 4 by 8's. They were one-faced, and the other was two-
14 faced. All of this is trim. All from here down.

15 Q Now he's looking at 68. State that again,
16 please, sir, so that the Committee can hear.

17 A The 15 3/4 by 3/4, 8 foot long, that's the
18 inside corner. That goes on the—that little piece, you
19 know.

20 Q You put that in there yourself?

21 A Yes, sir.

22 And the 200 feet of 1/2 inch by 3 and 1/4
23 inch, that's the sanitary base. That goes on the floor
24 around the paneling. And that ten 5/8ths by 2 and 1/8—
25 that's to trim the doors, around the doors.

1 Q Still looking at Carrillo 68.

2 A And that 10 is the same thing, but they're
3 in tens. They're 10 feet long. And that's it.

4 Q All right.

5 Now, when you finished that job, did you have
6 an occasion, Mr. Gonzalez, to do any work in connection
7 with the— I hate to ask you this next one; we got so
8 confused on it—in connection with the old city hall
9 and fire station building? Do you know where that is
10 down there?

11 A Yes, sir.

12 Q As I understand it, it was an old school and
13 it later was the city hall and fire station and the city
14 hall folks moved. Is that correct, or do you know?

15 A I don't know.

16 Q All right. Let's don't get in no trouble.
17 You heard earlier how the Committee puts you to a pretty
18 good test. So don't say nothing you're not sure of.

19 All right. Now, did you go to work on that
20 city hall job?

21 A Yes, sir.

22 Q Now, I'll ask you to look at what has been
23 introduced as Exhibit 45. Do you have that in front of
24 you? Do you see Exhibit 45?

25 A Yes, sir.

1 MR. MITCHELL: This is the one, Mr.
2 Chairman, at the very outset I wanted to be sure
3 comported with the one that was in evidence.

4 Q The first page says "Deliver to City Hall."
5 Isn't that correct?

6 A Yes, sir.

7 Q \$840.88?

8 A Yes, sir.

9 Q All right. Now I'm going to ask you some
10 questions about that job. Is that an old building? Is
11 that what it was?

12 A Yes, sir.

13 Q Are you personally acquainted with the old
14 building?

15 A Yes. I did a lot of repair work.

16 Q And we've ascertained now that the members of
17 the Committee have been down there and looked at it, but
18 I haven't. So can you describe it for us today? What
19 does it look like? Is it a two-story, one-story?

20 A Well, it is about 56 feet by 88 and it's got
21 four hips, four hip rafters and it's got about a
22 four and a twelfth pitch.

23 Q Is it a single story or double?

24 A It's a single story.

25 Q All right. Now, were you called on to do some

1 work, or did you bid a job in connection with it?

2 A I bid on the job. Yes, sir.

3 Q When did you bid on it?

4 A This is for the county. Right?

5 Q Yes, sir.

6 A I bid on it I think it was in April.

7 Q April?

8 A Yes.

9 Q Of what year?

10 A No, no. In October.

11 Q You can look at the exhibits to refresh your
12 recollection.

13 A Yes. It was in October.

14 Q Of what year?

15 A Of 1974.

16 Q All right. What portion of the job did you
17 bid?

18 A Well, I started by—

19 Q What did you bid and who did you bid to?
20 Tell us what you did.

21 A I was recommended by somebody to put a bid on
22 at the city hall and so I went over there and measured
23 the building and what they wanted, and then I gave the
24 bid to the Commissioner, Mr. Ramiro Carrillo.

25 Q What did he tell you?

1 A He told me he would notify me in a few days.

2 Q Did he tell you he would have to take it up with
3 the Commissioners Court and they would notify you after
4 they acted on it?

5 A Yes.

6 Q How many days later did he contact you?

7 A It took three weeks. Maybe more or less.

8 Q Do you remember what your bid was for, Mr.
9 Gonzalez, in dollars and cents?

10 A What?

11 Q Do you remember what your bid was for? How
12 much? Do you know, was it an hourly bid?

13 A They were in little bids. The first bid was
14 \$1,600. That was the first bid.

15 Q What did you agree to do for that money?

16 A We were supposed to fix—this old school has
17 all those windows and we were supposed to cover them
18 up and level all the house and insulate all the building,
19 and then put a suspended ceiling on it and put new
20 doors, door knobs and everything else.

21 Q And were you to panel it? Do you remember?

22 A Yes, sir. We were. We used some paneling.

23 Q Look through Exhibit Number 45 and let's see
24 whether or not there was any paneling there, and if that
25 refreshes your recollection about your paneling.

1 A Right here.

2 MR. MITCHELL: He is looking at 10-16-74,
3 and it says "88 4 by 8 one-quarter rustic pecan."

4 Q Is that paneling?

5 A Yes, sir.

6 Q Did you order that to put into that building?

7 A Yes. I made that list myself.

8 Q Did you put it in that building?

9 A Yes, sir.

10 Q And that's the one that says "Factory Outlet,
11 deliver to City Hall." Is that correct?

12 A Yes, sir. I received it myself.

13 Q And I'm not going to belabor it, but there's
14 been some questions. What is the difference between
15 rustic pecan—for those of us that are not in that
16 business—and cinnamon elm? What's the difference in it?

17 A Well, the cinnamon elm is like a dark coat,
18 and this rustic pecan is like a reddish, you know, sandy
19 surface.

20 Q A person that knows the paneling in your
21 business wouldn't have any trouble distinguishing, and
22 there isn't any doubt in your mind it's different from—

23 A And the prices are concerned. This is a \$9.20
24 and that one is a different price.

25 Q That is the cinnamon elm?

1 A Yes.

2 Q You're quite sure none of the cinnamon elm went
3 into the city and none of the rustic pecan went into the
4 store out here. Is that correct?

5 A Yes, sir. I'm sure.

6 Q Now, tell the Committee what you did do. What
7 did you do, all told, and then I'll turn you loose and
8 let them ask questions.

9 A What did I do? What?

10 Q What did you do on the old city hall job?

11 A Well, like I told you, I was supposed to level
12 it and install new doors on the outside, and close all
13 the windows and put insulation, new paneling, new doors,
14 and put a suspended ceiling on it.

15 Q What about them nails? What kind of nails did
16 you use? Are those the pretty nails?

17 A I used the same nails all the time. They're
18 colored nails. That way you don't have to putty them.

19 Q Tell us how you do that and why you need so
20 many of them. You don't glue that paneling on?

21 A No, not necessarily. Because the nails are
22 made with a little thread, you know. I ordered them an
23 inch long and to match the color of the paneling. And
24 that way I don't have to putty the paneling. You don't
25 see the difference.

1 Q You use the nail color to match the paneling
2 so you don't have to putty after you put the paneling
3 up with the nails?

4 A Yes, sir.

5 Q Do you remember whether you had more nails
6 than you needed and you turned them back and got credit
7 on it?

8 A No, sir.

9 Q You don't recall about that?

10 A No, sir.

11 Q All right. Now, on that job, did you know
12 who furnished the materials for the city hall job, the
13 Factory Outlet building material? Is that who furnished
14 those materials?

15 A Yes, sir.

16 Q Where are they located? You can read it off
17 of that invoice. It is in evidence.

18 A They are located in Alice, Texas. It is east
19 of San Diego.

20 Q You testified earlier, Mr. Gonzalez, that you
21 had ordered some of that. Well, of necessity you would
22 have to have ordered what you needed. Did you order it
23 through the Factory Outlet? How did you go about
24 ordering it, is what I mean?

25 A Well, I gave the Commissioner a list of all

1 these things that are here, and he went over there.
2 Whenever he notified me about the job. So I gave him a
3 list—not when I gave him the bid, but later, because
4 that way I won't get the job.

5 Q But you did get the materials delivered there
6 on the job by the Factory Outlet?

7 A Yes, sir.

8 Q And proceeded to then just do what you had
9 agreed with the county to do. Is that right?

10 A That's right. I gave him the specs of what I
11 had to do and what I didn't have to do.

12 Q When you finished the city hall job, did you
13 go on next door to the fire station? Did you do any
14 more work over there?

15 A It took a little while.

16 Q Let me withdraw and question and start back.
17 When was the city hall end of the job finished, if it
18 was?

19 A It was in—

20 Q Your best recollection.

21 A I don't know when. I think it was in the
22 middle of December, I guess, or early in January, I
23 guess.

24 Q Since that time, have you done any additional
25 work in connection with the fire station, Mr. Gonzalez,

1 if I would be permitted to lead you a little?

2 A No.

3 Q Did you do any further work?

4 A From the fire station I didn't do no other
5 work.

6 MR. MITCHELL: I have no further
7 questions, Mr. Hale.

8
9 EXAMINATION BY THE COMMITTEE
10 BY CHAIRMAN HALE

11 Q Mr. Gonzalez, who paid you for the work that
12 you did for Judge Carrillo?

13 A He did, himself.

14 Q By his personal checks?

15 A Yes, sir.

16 MR. MITCHELL: Excuse me, Mr. Hale. I want
17 to call attention to the Committee to take judicial
18 notice of the exhibits that we have previously introduced
19 payable to him, as part of it.

20 CHAIRMAN HALE: Yes.

21 Q Did you receive any other compensation for
22 that work other than the personal checks issued to you by
23 Judge Carrillo?

24 A No, sir.

25 Q Who paid you for the work that you did on the

1 so-called fire station and city hall, or whatever it
2 was?

3 A The county.

4 Q Duval County?

5 A Yes, sir.

6 Q Was all of your compensation on that on county
7 checks?

8 A Yes, sir.

9 Q Did you receive any compensation for any of
10 that work other than by county check?

11 A No, sir.

12 CHAIRMAN HALE: Fine. Thank you.

13 Mr. Maloney?

14 VICE CHAIRMAN MALONEY: Mr. Chairman,
15 were exhibits given to us or has he got the only exhibits?

16 MR. MITCHELL: Mr. Maloney, those are the
17 ones previously introduced into evidence. Preparatory to
18 your questions I can let you have those.

19 CHAIRMAN HALE: What were the numbers of
20 those?

21 MR. MITCHELL: Those were a series of
22 63 through 68, which should be together. Then 45. Then
23 from yesterday's, the store carpentry, which is 22 and
24 Carrillo's 43, which is the checks with the cement; that
25 is the cement—now, I hope we've tied it in tandem with

1 the testimony today. Hopefully, I have built that
2 building for you all. That would be 43.

3 BY VICE CHAIRMAN MALONEY

4 Q Is your name Mr. Gonzalez?

5 A Yes, sir.

6 Q Mr. Gonzalez, where do you live?

7 A In San Diego, Texas.

8 Q Have you ever done any work for the county
9 before this date?

10 A No, sir.

11 Q The first time that anyone contacted you on
12 this, as far as building on this house, who was it that
13 contacted you?

14 A On Carrillo's house?

15 Q Right.

16 A Well, he did himself.

17 Q When you say "He," who are you talking about?

18 A Mr. O. P. Carrillo.

19 Q When was it that he contacted you?

20 A Maybe January, more or less.

21 Q This would be January of '74?

22 A Yes, sir.

23 Q Or '73?

24 A '74.

25 Q Where did he contact you?

1 A Oh, he called me to go by his office, and I went
2 over there and talked to him. And I went the other day,
3 I went and measured the building, and gave him the bid,
4 and that's the way it was.

5 Q Did just you and he go out there yourself?

6 A Did I go myself over there, you say?

7 Q You went by yourself?

8 A Yes, sir.

9 Q Was the building locked or open when you
10 went in?

11 A No. It was open.

12 Q What's that building like inside?

13 A Inside? You go inside it's got plaster all
14 around as you go inside because it's inside the store,
15 and it's got a stairway going up to the second floor.

16 Q Go ahead.

17 A Then all the outside walls are plastered,
18 through the inside also. But on the partitions it's
19 got paneling.

20 Q Did it already have paneling when you came in,
21 or were you to put the paneling in?

22 A I put in the paneling. I am describing the
23 building.

24 Q Where did you put paneling?

25 A On the walls.

1 Q Where on the walls?

2 A On the partitions.

3 Q On the partitions upstairs or downstairs, or
4 both places?

5 A It was upstairs.

6 Q You put the paneling upstairs?

7 A Yes, sir.

8 Q Did you put any paneling downstairs?

9 A No, sir.

10 Q Would you direct my attention to where— I
11 believe you said this was cinnamon paneling. Is that
12 correct?

13 A Yes, sir.

14 Q —where you have that on your invoice?

15 A It's on—

16 VICE CHAIRMAN MALONEY: Mr. Mitchell,
17 could you help him in referring him to an exhibit.

18 MR. JOHNSON: On 3 of 3 of 68.

19 MR. MITCHELL: On 3 of 3 of 68. 3 of 3
20 of Carrillo 68, Mr. Maloney.

21 Q Where did you say that you put this paneling?

22 A In the Carrillo store on the ranch.

23 Q You just put it upstairs?

24 A Yes, sir.

25 Q Did you use all of these 110 sheets of paneling?

1 A I think there were left about four or five.

2 Q That would cover about 440 linear feet,
3 wouldn't it?

4 A Yes, sir.

5 Q And then you said that you got some other
6 paneling that you used at the city hall. Is that
7 correct?

8 A Yes, sir. That rustic pecan. That is on a
9 different job.

10 Q Is it in a different lot?

11 A A different job.

12 Q Where would that be? Could you refer me to
13 that?

14 MR. MITCHELL: That is in Committee's
15 Exhibit 45. It would be the invoice where there is no
16 sub number, Mr. Maloney, only 10-16-74.

17 Q I don't have that before me. Could you tell me
18 how many sheets were ordered?

19 A There were 88 sheets on that. There were 88
20 sheets.

21 Q What kind of paneling was that?

22 A That was the reddish sand type.

23 Q The reddish sand type?

24 A Yes, sir.

25 Q I thought it said "rustic pecan."

1 A Yes.

2 Q What is the difference between rustic pecan
3 and cinnamon?

4 A Well, cinnamon elm is darker. It is like a
5 dark oak. And the other one is lighter.

6 Q Which? Cinnamon is darker and the rustic
7 pecan is lighter?

8 A Yes.

9 Q Could you tell me what kind of paneling
10 that is?

11 A Cinnamon elm.

12 Q This is cinnamon?

13 A Yes, sir.

14 VICE CHAIRMAN MALONEY: Thank you.

15 A Let me look at it again.

16 (The paneling is furnished the witness.)

17 Q Just the front of it is fine. I think that's
18 all you'd need to know what it is.

19 A I installed some of this one in the fire
20 station, but it is very close to it.

21 Q I beg your pardon? I didn't understand your
22 answer.

23 A I installed some of that in the fire station.
24 I'm not sure. It is very close to cinnamon elm.

25 Q Now, did you have three jobs that you were

1 doing?

2 A Well, when I finished this one I did the fire
3 station also. I think it was in about December, I
4 guess, more or less. That's when I did the fire station.

5 Q You did the fire station in December of '74,
6 or '75?

7 A '74.

8 Q So, you did the fire station before you did
9 this building. Is that correct?

10 A Oh, no. That Carrillo's building? It was
11 done first, in February.

12 Q That's right. It would have been '73 if it
13 had been before this building.

14 A Yes.

15 Q Where is the invoice then for the fire
16 station?

17 A Well, I don't think it is here. We don't
18 have that one. But it was done in the last part of
19 December.

20 Q The last part of December of 1974?

21 A Yes.

22 Q You mean this last December we're talking
23 about?

24 A Yes, sir.

25 Q When you finished with the building on the

1 Judge's ranch, the store, or whatever it is we're
2 talking about, was the building finished and ready for
3 occupancy?

4 A Well, it lacked the water supply and every-
5 thing like that. And a few little things that I had to
6 touch up, like base, or finish the cabinets. Little
7 things. It was not much.

8 Q You haven't ever had to go back in there and
9 change any of the paneling, have you?

10 A No, sir.

11 VICE CHAIRMAN MALONEY: That's all.

12 Thank you.

13 CHAIRMAN HALE: Mr. Hendricks?

14 BY MR. HENDRICKS

15 Q Mr. Gonzalez, why was this material that went
16 to the Judge's ranch billed to the Farm and Ranch Supply
17 instead of Judge O. P. Carrillo?

18 A This one from Moorhouse? I don't have any
19 idea about that. I don't have any idea.

20 Q Well, all of it is billed to the Farm and
21 Ranch Supply, is it not?

22 A On this Moorhouse? Yes. That is what it says
23 there.

24 Q I beg your pardon?

25 A That is what it says there.

1 Q And you have no idea why it was?

2 A I don't have no idea.

3 Q All of your dealings concerning this city hall
4 were done with the county?

5 A Well, yes. The county was helping the city to
6 rebuild the city hall.

7 Q Did they have some sort of contract or all
8 meet together to enter into some kind of agreement?
9 How did they get around the constitution on the thing?
10 Do you know?

11 A I don't have any idea.

12 Q As far as you know, the city didn't pay one
13 dime on the job.

14 A The city did some job, part of it, at one time.

15 Q They did what?

16 A Well, they did some work.

17 Q What did they do?

18 A They fixed it up a little bit.

19 Q What part of it did they fix up?

20 A Well, they, you know, they fixed part. They
21 wanted to fix a little room, you know, by little room,
22 not all at the same time. They wanted to fix room by
23 room.

24 Q Did you do the little room?

25 A Yes.

Q Did you charge the city for this, or was that

1 part of the \$1,600 that you charged the county?

2 A That's the county. That's for the county.

3 Q Oh, you did that for—well, the city didn't
4 pay anything, then.

5 A No. I did some job for the city earlier, on
6 an earlier date.

7 Q Did you do that for the city?

8 A I did, on April I started. I did some job
9 for the city, on the city hall.

10 Q At the city hall?

11 A Yes, sir.

12 Q Who owns this property?

13 A I've got no idea.

14 Q Are you related to anyone in Benavides?

15 A No, sir.

16 Q The mayor or anybody there?

17 A No, sir.

18 Q Who is the mayor in Benavides?

19 A I think it is Octavio Saenz.

20 Q You never did talk to him about this job?

21 A I talked to him once, but he has nothing to
22 do with the work, I guess.

23 Q Which Commissioner did you talk to about the
24 job?

25 A Well, somebody told me that they were going to

1 repair that city hall, so I went on and talked to Mr.
2 Ramiro Carrillo and told him that if I could bid on
3 the building, and he said "Okay."

4 Q You talked to Commissioner Carrillo?

5 A Yes, sir.

6 Q And you submitted a bid to him?

7 A Yes, sir.

8 Q Did you ever go before the Commissioners
9 Court and talk to all of the Commissioners at once?

10 A No, sir. Myself, no.

11 Q You never did hear any discussion about why
12 the county was doing this for the city?

13 A No, sir.

14 Q But then we don't know whether the city owns
15 this property or not, do we, Mr. Gonzalez?

16 A We don't know. I don't know.

17 Q Was there any barbed wire used in this job,
18 about seven thousand dollars worth?

19 A No, sir. No barbed wire. I don't know where.

20 MR. MITCHELL: That will take another
21 witness, Mr. Hale.

22 MR. HENDRICKS: We'll get there.

23 Q Now, I believe you stated that the foundation
24 on this store building was already complete when you went
25 on the job.

1 A Yes. When I went over there they were already
2 putting the blocks up. There were about four men.
3 They were setting the blocks.

4 Q All the backhoe work and everything had been
5 completed when you got to the job?

6 A Yes.

7 Q And you didn't see any Water District
8 equipment or—

9 A No, sir.

10 Q —any county equipment or anything on this
11 job?

12 A No. There was no—we had to go there for—

13 Q You would recognize Water District equipment
14 or county equipment if you saw it, wouldn't you, Mr.
15 Gonzalez?

16 A Well, I didn't pay too much attention to that
17 equipment.

18 Q Well, would you, or wouldn't you?

19 A Well—

20 Q Could it be there and you not realize it?

21 A If I see something there I could have seen it,
22 but I never saw nothing there.

23 Q If somebody pointed it out and showed it to you,
24 you would realize that may be county property or Water
25 District property?

1 A Yes.

2 Q You're not related to Cleofas, are you?

3 A To who?

4 Q Cleofas Gonzalez?

5 A No, sir.

6 MR. HENDRICKS: Thank you, sir.

7 CHAIRMAN HALE: Mr. Kaster?

8 BY MR. KASTER

9 Q Mr. Gonzalez, I think you testified when you
10 went to the job site of the store that Judge Carrillo
11 was building, that they were putting up the block at
12 that time, or was it already done?

13 A They were setting the block. You know, they
14 were going up. You know. Setting up the walls.

15 Q Were they on the first story or the second
16 story?

17 A Well, I think they were on the first story.
18 Yes.

19 Q Did you know any of the men that were working
20 there?

21 A Yes. I know some of the men. They are from
22 Alice, Texas.

23 Q All of them were from Alice?

24 A Yes.

25 Q There was nobody from Benavides or San Diego

1 working there?

2 A No, sir.

3 Q Now, you measured then when you looked at
4 that job? What did you do? Did you measure to see
5 how much material was needed, or why did you go there?

6 A When I went over there I wanted to know how
7 far they were so I could come back and measure the
8 building, and what kind of walls he wanted, and things
9 like that.

10 Q The foundation was already laid. Is that
11 right?

12 A Yes, sir.

13 Q And they were just going up with the block
14 on the walls?

15 A With the walls. Yes, sir.

16 Q About how many guys were out there working?

17 A Oh, at that time there were about, I think
18 four or five, yes. More or less.

19 Q Somebody mixing mortar, or how were they
20 mixing their mortar?

21 A I think they had a water— I don't remember
22 how they mixed it. I think they had a water tank or
23 something there.

24 Q They had a what?

25 A A little water tank or something. I don't

1 remember with what they were mixing the mortar.

2 Q Did they have a cement mixer or something?

3 A Yes, sir.

4 Q Did they use that?

5 A Yes, sir.

6 Q Did you have any helpers when you were putting
7 up the paneling? You must have had somebody helping
8 you.

9 A I did. Yes.

10 Q Did you hire that out of your—

11 A No. We got this contract under a partnership
12 basis.

13 Q I think you said you were paid \$1,300?

14 A Yes, sir. We split. We took \$650 each.

15 Q Who was the other man helping you?

16 A He was from San Diego.

17 Q A man from San Diego?

18 A Yes, sir.

19 Q What was his name?

20 A Francisco Trigo.

21 Q When you remodeled the city hall, you were paid
22 by the county?

23 A Yes, sir.

24 Q And you bid \$1,600 on that job?

25 A Like I tell you, I went by bids. I bid on part

1 of it and then they went and fixed another room and I
2 gave another bid.

3 Q How much were you paid totally for remodeling
4 the city hall, then?

5 A I think it was \$3,500.

6 Q You were paid \$3,500?

7 A Yes. More or less.

8 Q Did you split that with anybody, or was that
9 for you?

10 A No. I had some men working. One man.

11 Q And you just—he wasn't your partner?

12 A Yes. I had one partner. Yes.

13 Q Was that your part, the \$3,500, or was that—

14 A No. I had to pay him.

15 Q You had to split it?

16 A On that job, we had a limited partnership, so
17 I gave him a certain amount only, like 40 per cent.

18 Q How were you paid by the county on this job?

19 A I would withdraw money every Commissioners
20 Court meeting.

21 Q Pardon me?

22 A Every Commissioners Court meeting.

23 Q Once a month?

24 A Yes. Once a month.

25 Q Would you put in a claim for payment?

1 A Yes, sir. Yes.

2 Q How did you base it? On what percentage you
3 were along, or what?

4 A Yes. More or less. Yes.

5 Q Now, the \$3,500 was just for your labor. You
6 didn't have to buy any materials, did you?

7 A No, sir. That was for labor only.

8 Q Only the labor?

9 A Yes, sir.

10 Q Did you write up orders for the—did you tell
11 somebody what you needed or were they bringing that to
12 you?

13 A Well, for this material, I measured the whole
14 building and I ordered it myself. I gave it to the
15 Commissioner.

16 Q And you told him that's what you needed and then
17 he would order it and it would be delivered to the job
18 site?

19 A Yes. He would bring it up to the city hall.

20 Q Was that delivered on the county equipment, I
21 mean the county truck?

22 A No. It was delivered by a Factory Outlet
23 truck.

24 Q Was any of the material on that job from
25 Moorhouse, or was it all from Factory Outlet?

1 A No. This material on that job on October 16,
2 it was from Factory Outlet.

3 Q But you were on the job the whole time. Right?

4 A Yes, sir.

5 Q And I'm asking you, was any of the material on
6 that job delivered from Moorhouse?

7 A No, sir.

8 Q None of it?

9 A On this job. On some of the jobs, I guess—let
10 me see. Not on this job. I didn't receive any from
11 Moorhouse.

12 Q Now, at the Judge's project, where you built
13 the store on the Judge's land, did you receive any
14 material from Factory Outlet at that job, or was that
15 all from Moorhouse?

16 A The one at the ranch, you mean?

17 Q Yes.

18 A I received that one from the Moorhouse
19 Company.

20 Q And none from Factory Outlet at that job?

21 A No. When I needed something I would go myself
22 and pick it up in Alice. Something, you know, nails or
23 anything like that, and I would bring it.

24 Q If you ran out of nails or something you
25 would go to Alice and buy it?

1 A Yes.

2 Q But the rest of the items at the Judge's
3 ranch came from Moorhouse?

4 A Yes, sir.

5 Q Have you ever worked for the School District
6 in Benavides or San Diego?

7 A Yes, sir.

8 Q You have?

9 A What do you mean, the School District?

10 Q Huh?

11 A And the Water District, or the School District?

12 Q You have worked for all of them?

13 A No.

14 Q You haven't worked?

15 A No.

16 Q Well, I ask you then—

17 A You said that I—

18 Q Did I ask if you worked for the school
19 district in either Benavides or San Diego?

20 A No.

21 Q Did you work for the Water District in
22 Benavides?

23 A No.

24 Q Is there a Water District in San Diego?

25 A I have worked for the Water District in San

1 Diego.

2 Q You did?

3 A Yes.

4 Q For how long?

5 A I worked for them in 1973.

6 Q Nineteen what?

7 A I think it was 1973.

8 Q For the full year?

9 A No. It was about ten months, I guess, or
10 eight months.

11 Q Have you worked for Duval County, other than
12 these contract jobs? Have you worked for Duval County?

13 A No.

14 Q The only pay you have received from Duval
15 County was for the work that you did on the city hall
16 and the fire station—

17 A Right.

18 Q —that you bid on and got the job.

19 A Yes, sir.

20 MR. KASTER: That's all.

21 CHAIRMAN HALE: Mrs. Thompson?

22 BY MS. THOMPSON

23 Q I would like to ask you or either Mr. Mitchell,
24 in Carrillo 68 were any of these materials used for the
25 benefit of Judge O. P. Carrillo?

1 MR. MITCHELL: 63, all went into it.

2 Excuse me, Mrs. Thompson. Was that 63?

3 MRS. THOMPSON: This one. 63.

4 MR. MITCHELL: Yes. That's the one that
5 went into—all of that went into the store.

6 A Yes. That is the store. Yes.

7 Q That's the store?

8 A Yes.

9 Q Which one is that?

10 MR. MITCHELL: 63.

11 MRS. THOMPSON: 63 is the one that—

12 MR. MITCHELL: Moorhouse.

13 Q It went into the store?

14 A Yes.

15 Q The Farm and Ranch Store that was owned by
16 Judge Carrillo?

17 MR. MITCHELL: No. It was sold by Farm
18 and Ranch Store and went into what they call the store.
19 And then 45 went into the city hall.

20 Q Now, these materials are things that he
21 bought here, the cedar shingles and so forth and so
22 on, were these to repair the store, or were they for
23 purchases to resell?

24 A Like I tell you, I didn't frame the house.
25 I just trimmed it. So I didn't buy any shingles.

1 MRS. THOMPSON: Mr. Mitchell, what I'm
2 asking is the materials that were bought on 63,
3 Carrillo 63.

4 MR. MITCHELL: Yes, ma'am.

5 MRS. THOMPSON: Was the purpose of these
6 materials for resale, or were they to do work on the
7 store itself?

8 MR. MITCHELL: No. Work. I understand
9 the question.

10 A Work in the store.

11 MR. MITCHELL: Yes. You can answer that.
12 The witness said, "Work on the store," not for resale.
13 I'm sorry. I didn't understand the question.

14 MRS. THOMPSON: I'm wondering whether or
15 not they would be privy to the exemption. Would they?
16 I notice that they got an exemption for the materials
17 they purchased.

18 MR. MITCHELL: Mrs. Thompson, I'm not
19 that acquainted with the exemption. I sure don't know.

20 MRS. THOMPSON: Mr. Chairman, I would
21 like to ask Mr. Johnson about that then, since he's our
22 lawyer.

23 Mr. Johnson, I noticed that these materials
24 were used to do some work on the store. I was wondering,
25 since they have the word "exempt" down here, whether or

1 not they were privy to the privilege of not paying sales
2 tax?

3 MR. JOHNSON: If it's a sale for resale,
4 they're exempt.

5 MRS. THOMPSON: But Mr. Mitchell says
6 this is a sale to do repairs or work on the store
7 structure itself.

8 MR. JOHNSON: Yes, ma'am.

9 MRS. THOMPSON: And they did get an
10 exemption because the word "exempt" is here. And I
11 was just wondering why they didn't have to pay the tax.

12 MR. MITCHELL: It went from Moorhouse
13 to Farm and Ranch Supply Company.

14 MRS. THOMPSON: For the purpose of doing
15 the work on the store, though.

16 MR. JOHNSON: Farm and Ranch would owe
17 the tax.

18 MR. MITCHELL: Yes. When Judge Carrillo
19 paid Farm and Ranch, then the tax would be due and it
20 was paid then. And I do have the checks for that which
21 are in evidence as Carrillo's 20, which is a check for
22 \$3,094.41, Mrs. Thompson, and also to Farm and Ranch
23 Supply. And also on the same Exhibit 20, the check to
24 Moorhouse direct there. Perhaps that one would be
25 subject to the tax. I don't know.

MRS. THOMPSON: I was just concerned with

1 whether or not he was privileged to buy material through
2 this source and then use it for his own personal use
3 and have the benefit of the exemption.

4 MR. MITCHELL: The store would, I under-
5 stand, under the law, but he paid the Farm and Ranch, as
6 appears on Carrillo's 20. I'm sure the tax then became
7 due, if that answers your question.

8 MRS. THOMPSON: But he did pay the tax,
9 is what you're saying?

10 MR. MITCHELL: No. I can't represent
11 that to you. I say it would become due then and I would
12 assume that when Farm and Ranch received the check from
13 Judge Carrillo, Mrs. Thompson, that the tax then was
14 calculated on that sale.

15 MRS. THOMPSON: No further questions.

16 CHAIRMAN HALE: Mrs. Weddington?

17 MS. WEDDINGTON: No questions.

18 CHAIRMAN HALE: Mr. Chavez?

19 MR. CHAVEZ: No questions.

20 CHAIRMAN HALE: Mr. Hendricks?

21 MR. HENDRICKS: Maybe this should be dir-
22 ected to counsel. If Judge Carrillo paid the Farm and
23 Ranch Store, did the Farm and Ranch Store pay Moorhouse?
24 Have you got those checks?

25 MR. MITCHELL: Yes. Well, I have the

1 checks from Judge Carrillo to Farm and Ranch. Then I
2 have one check from Judge Carrillo directly to Moorhouse,
3 Mr. Hendricks.

4 MR. HENDRICKS: Were there any checks
5 from Farm and Ranch Supply to Moorhouse?

6 MR. MITCHELL: I don't have them, but I'm
7 sure there are. They might be here, but I really
8 shouldn't say that and cut my client back, because
9 they conceivably could be here and my not know about
10 them, Mr. Hendricks.

11 MR. HENDRICKS: All right. Thank you.

12 MS. THOMPSON: Mr. Chairman, could I
13 ask one further question at this time, please, sir?

14 CHAIRMAN HALE: Yes. Ms. Thompson.

15 MS. THOMPSON: Mr. Mitchell, do you have
16 the check for \$2,081.03?

17 MR. MITCHELL: Two thousand—

18 MS. THOMPSON: That Judge Carrillo paid to
19 Farm and Ranch?

20 MR. MITCHELL: Yes. Well—

21 MS. THOMPSON: \$2,081.03.

22 MR. MITCHELL: I'm sorry. I would just have
23 to look through the exhibits. I'm sure I have them but
24 I—

25 CHAIRMAN HALE: Counsel, there is one for

1 \$4,042, which is Exhibit 43, page 7, Carrillo 43, page
2 7. I don't know if that would be the same check.

3 MR. MITCHELL: And then another one on—
4 yes, I either have the wrong check, Mrs. Thompson, that
5 I have reproduced and put here, or if they are not here,
6 I have the check. In other words, if you could give me
7 the date.

8 MRS. THOMPSON: The date on this is 3-13-74.
9 That is the date of this purchase from Farm and Ranch
10 purchased from Moorhouse Company.

11 MR. MITCHELL: And the check would be
12 for the amount of—

13 MRS. THOMPSON: \$2,081.03.

14 VICE CHAIRMAN MALONEY: This would be dated
15 about March 13th of '74.

16 MR. CANALES: Mr. Chairman, I think I have
17 thumbled through most of this and the checks for that
18 particular invoice are not in here, I don't believe. I
19 think I asked Mr. Mitchell for them yesterday, that or some
20 other checks; I'm not sure.

21 MR. MITCHELL: When Mr. Canales asked me
22 about those checks, I went back and took Exhibit Number—
23 the one that I've been referring to—and marked the
24 checks that were to Farm and Ranch on that exhibit.
25 And that's the one I've been quoting from. One was to

1 Farm and Ranch and one was directed to this Moorhouse
2 Company. I have custody of all of his checks, Mr.
3 Chairman and Mrs. Thompson. I'll be very glad to find
4 it for you and produce it. I have no reason to hide it.
5 In fact, it might be helping me out.

6 MRS. THOMPSON: I would appreciate this,
7 Mr. Mitchell. It just seems to me that if he paid that
8 amount, he did not pay the sales tax.

9 MR. MITCHELL: Yes. Well, the point
10 being he didn't have anything to do with selecting them.
11 I selected them and blended them in. It is conceivable
12 that I—well, it's not conceivable; it's downright
13 possible that I overlooked that one. But I would like
14 to have another shot at it, looking at those that I have
15 reproduced.

16 CHAIRMAN HALE: Mr. Mitchell, would it
17 interfere with you if we went ahead with questions?

18 MR. MITCHELL: No, it would not, Mr.
19 Chairman. The Committee, you must understand, I have
20 literally thousands of checks. And we have selected
21 them and it's quite possible— I have tried to integrate
22 them here so that we could have it all tie in and it's
23 possible I've just overlooked it. In other words, to
24 tie in the Moorhouse billings with the Moorhouse checks,
25 which is what I've tried to do. I don't have the one on

1 45, those being county checks or the ones paid to this
2 young man. I don't have those. But I do—and Mr. Canales
3 did ask me and I did pick up those that I've already
4 called to the attention of the Committee. Now, Mrs.
5 Thompson has called to my attention the one that I'll
6 see if I have here. If not, I'll secure it and bring it.

7 CHAIRMAN HALE: The Chair certainly
8 understands the problem you have of sorting through all
9 of these documents, counsel. And you have done an
10 excellent job preparing all of this material for the
11 Committee.

12 MR. MITCHELL: I appreciate that.

13 CHAIRMAN HALE: Do you have further
14 questions, Mrs. Thompson?

15 MRS. THOMPSON: No, sir.

16 CHAIRMAN HALE: Mr. Maloney has some
17 questions.

18 BY VICE CHAIRMAN MALONEY

19 Q Mr. Gonzalez, I believe you testified that you
20 had worked for the Water District in 1973. Is that
21 correct?

22 A Yes, sir.

23 Q What were your duties with the Water District?

24 A The wash man.

25 Q What does the wash man do?

1 A Take care of the water tower.

2 Q The water towers?

3 A Yes.

4 Q Was this full-time employment?

5 A No. Part-time.

6 Q Part-time?

7 A Yes.

8 Q How were you paid?

9 A \$225 a month.

10 Q Did you sign a claim for payment each month?

11 A Yes, sir.

12 Q Where did you sign that claim for payment?

13 A I would go at the Water District there.

14 Q Did you work for anyone else during 1973?

15 A Yes. I worked for Mr. O. P. Carrillo in 1973.

16 Q What were you doing for him at that time?

17 A At that time I was repairing— I was working
18 at the ranch, at his ranch.

19 Q What were you doing at his ranch?

20 A We were fixing up his house at the ranch.

21 Q You were fixing up his house at the ranch?

22 A Yes.

23 Q You say "we were doing that." Who was doing
24 that with you?

25 A I had another partner there, Santiago Vella.

1 You can find one of those checks there, somewhere along
2 there. We repaired his house. We made his two-story
3 house, a little room about 20 feet by 18, more or less.
4 We built it up one more story.

5 Q You built it up one more story?

6 A Yes.

7 Q How long did it take you to do that?

8 A I guess it took me about— I think it was
9 about a month and a half, I guess.

10 Q And that was two of you working to do that?

11 A Yes. No—we had some other laborers.

12 Q I beg your pardon?

13 A We had another laborer. We had another helper.

14 Q You had another helper. There were three of
15 you there?

16 A Yes.

17 Q Was there anyone else there at the ranch doing
18 any work?

19 A No, sir.

20 Q About what part of the year was that?

21 A I think it was in January.

22 Q I beg your pardon?

23 A January.

24 Q January?

25 A Yes.

1 Q That would be January of 1973? Is that right,
2 sir?

3 A Yes. More or less. I don't remember.

4 Q How much were you paid for that?

5 A Well, this job was an unfinished job. It was
6 just repairing. It was about six or seven hundred
7 dollars, I guess, more or less.

8 Q You were paid six or seven hundred dollars?

9 A Yes.

10 Q Was that paid to you and then you paid the
11 other workers?

12 A Yes.

13 Q Who paid you?

14 A Mr. O. P. Carrillo.

15 Q Did he pay you by a check, or what?

16 A Personal checks. Yes.

17 Q He gave you that check when? In January?

18 A Yes. More or less. Yes.

19 Q I beg your pardon?

20 A I think it was in January. Yes.

21 Q It was in January?

22 A I don't remember. I don't remember. It was
23 in 1973. More or less right here.

24 MR. MITCHELL: He is pointing to
25 Carrillo's 43, Mr. Maloney, at check No. 260.

1 A Yes.

2 MR. MITCHELL: Page 14.

3 A Page 14.

4 Q Is that the \$225?

5 A Yes, sir.

6 Q I thought you said you were paid about
7 \$600 for that?

8 A No. Well, we took partial payments. We
9 couldn't get all the money at one time.

10 Q What do you mean?

11 A He gave us partial payment. You know what I
12 mean? Like in one week he would give us \$225, or we
13 worked three days and we got some money, but not all of
14 it.

15 Q He would only pay you as you did the work. Is
16 that what you're telling us?

17 A Yes, sir.

18 Q This check was dated February the 14th of
19 1973. I thought by your testimony that the job would have
20 been completed by that time.

21 A No. I started in January.

22 Q It took you about a month?

23 A Yes. I don't know what part of January I
24 started. I have no idea.

25 Q But you were finished then, so he would have

1 owed you about \$400, or \$375—

2 A Yes, sir.

3 Q —then, some time at the end of February. Is
4 that correct?

5 A Yes.

6 Q Did he pay you that then?

7 A Yes, sir. All of it.

8 Q At the end of February you got a check for—

9 A No. I kept on working. I think it was about
10 March when I got through.

11 Q I beg your pardon?

12 A In March.

13 Q I didn't understand your answer.

14 A It was in March when I more or less got—

15 Q You were all paid up in March? Is that what
16 you're telling us?

17 A Yes, sir.

18 Q So the Judge didn't owe you any more money in
19 March?

20 A No, sir.

21 Q After March? Did you do any more work for the
22 Judge?

23 A No, sir.

24 Q You did not do any more work for the Judge
25 until you started working on his store in January of '74?

1 A I did a little repair work on his house, on
2 the inside of his house.

3 Q When did you do that?

4 A When I got through there, I came myself and
5 did a little repair work inside.

6 Q Like what?

7 A Oh, like putting some sheetrock that was
8 getting wet and something fixing up the trim, the doors
9 and the cabinets were—you know, fixing up the cabinets.
10 Some little things.

11 Q When did you do that?

12 A It was after March and April. About May, more
13 or less. April or May, more or less.

14 Q April or May?

15 A Yes.

16 Q How much did you get paid for that?

17 A Well, I collected wages only on that. I
18 charged him \$100, depending on what I did. More or less
19 on an hourly basis.

20 Q You did some more work and charged him a
21 hundred dollars?

22 A Yes. Like I worked by the hour because I was
23 working alone.

24 Q So then you had made \$700 off the Judge in '73.
25 Is that right?

1 A Yes.

2 Q And you we finished with it when? Some time
3 , in March or April?

4 A Yes. I kept off and on, like when he would
5 call me to fix up little things that would need repair,
6 and I came over and fixed it up.

7 Q Where did you get the materials for all this
8 work?

9 A I would go pick it up at the Factory Outlet.

10 Q I beg your pardon?

11 A At the Factory Outlet in Alice, Texas.

12 Q I'm sorry. I still didn't understand you.

13 A The Factory Outlet.

14 CHAIRMAN HALE: Factory Outlet.

15 Q How did you get them? Were they delivered to
16 the job site, or did you go get them?

17 A I would go pick them up and bring them back to
18 his ranch.

19 Q When you would go pick them up, would you
20 charge them or would you pay cash for them?

21 A No. I would charge them.

22 Q Who would you charge them to?

23 A Under his name, O. P. Carrillo.

24 Q What period of time are we talking about that
25 you would do these little jobs and charge these things at

1 Factory Outlet to Judge Carrillo?

2 A Between March and April, more or less.

3 Q So, you were finished in March or April. Is
4 that what you're telling us?

5 A Yes.

6 Q And you were paid up, then, when you finished?

7 A Yes. More or less.

8 Q So, I would assume that the check that you
9 received on March 29th of 1973 then paid you up to date.
10 Is that right?

11 A Yes. More or less. Yes.

12 Q Then what did you do to earn the check for
13 \$100 on April 13th, 1973?

14 A April the 13th? I don't remember that.

15 Q Do you recall what you did that earned you
16 \$50 to be paid on May 15th, 1973?

17 A Well, it would have been work that I did, but I
18 don't remember. Probably for partial payment when I
19 was doing some work for him.

20 Q Do you recall what you did to earn a check for
21 \$185 on June the 5th, 1973?

22 A I think I fixed up the trailer, an old trailer.

23 Q You fixed up a trailer?

24 A Yes.

25 Q What did you do to earn \$200 on October 15th,

1 1973?

2 A I don't remember that either. I don't remember
3 that.

4 Q Do you recall what you did to earn \$100 to be
5 paid on November the 25th, 1973?

6 A 1973?

7 Q Yes.

8 A I think I fixed up some shingles that were bad
9 on his house and farm, on the ranch. I fixed it up. I
10 don't recall, but more or less that's like what I did.

11 Q Do you recall what you did in October to earn
12 yourself another \$100 to be paid on October 26, 1973?

13 A Well, what is—what's the difference there?
14 The first one was what?

15 Q You had October 15th for \$200; October 26th
16 for \$100; November 25th for another \$100.

17 A I don't recall. I don't recall those dates.

18 Q Do you recall ever getting the money?

19 A Oh, sure.

20 Q You do recall getting the money, but you
21 don't remember why you got it?

22 A Well, I don't recall. I remember getting the
23 money, but I don't remember the date; it is very hard
24 to remember that more than two years ago, or a year and
25 a half.

- 1 Q Where do you bank, Mr. Gonzalez?
- 2 A In San Diego.
- 3 Q Which bank?
- 4 A First State Bank of San Diego.
- 5 Q Do you have an account there at this time?
- 6 A Yes.
- 7 Q Did you have an account there in '73?
- 8 A Yes.
- 9 Q Are you telling this Committee the first time
10 you ever did any work on this house, the store house
11 that we're talking about, was in January of 1974?
- 12 A No. On the store was in February, more or
13 less.
- 14 Q January, February, '74?
- 15 A Yes.
- 16 Q You didn't do any work on it before that time?
- 17 A No, sir.
- 18 Q You're sure of that?
- 19 A On the store. On the Carrillo store.
- 20 Q All the other work was done at the Judge's
21 ranch?
- 22 A Yes.
- 23 Q And each time you did work at the Judge's
24 ranch you got your materials from Factory Outlet and
25 charged it to the Judge?

1 A Yes, sir.

2 Q You never paid for any of them yourself?

3 A No, sir.

4 VICE CHAIRMAN MALONEY: That's all I have.

5 CHAIRMAN HALE: Are there other questions?

6 MR. KASTER: Yes.

7 CHAIRMAN HALE: Mr. Kaster?

8 BY MR. KASTER

9 Q You were working at the Judge's ranch in
10 September, October, and November, 1973, doing various
11 odd jobs.

12 A Yes, sir.

13 Q As these checks indicated.

14 A Yes.

15 Q Now, that store was being built, the foundation
16 and things like that, along about that time. Is that
17 right?

18 A Let me see. Yes, they were getting ready.
19 I think they were getting ready. I don't remember. But
20 I saw some men there measuring, but I never saw nothing
21 going up.

22 Q You did some work in November of 1973 because
23 you got some checks for it. Is that right?

24 A Yes, sir.

25 Q If the foundation was being poured at that time

1 on that place, you would see it, because you have to go
2 by there to get to the ranch. Isn't that correct?

3 A Yes. But I didn't see it going up yet.

4 Q Not going up. The foundation being poured. As
5 you went to the ranch, you would come to that inter-
6 section and go down by the ranch.

7 A Yes.

8 Q You would see if somebody was working over
9 there, wouldn't you?

10 A Well, I'm not saying that all this work was
11 done on the ranch. I did some other jobs for him in
12 Corpus, you know, at that time. And I don't remember if
13 it was on the ranch or in Corpus.

14 Q In Corpus Christi?

15 A Yes.

16 Q Oh. You don't remember where you did the
17 work in November of '73?

18 A Yes. I don't recall.

19 Q Did you ever go by that store site during
20 construction before you went to work there doing the job
21 in February?

22 A I went one day when they told me they were
23 putting up the walls.

24 Q You didn't see when the foundation was being
25 built?

1 A No, sir.

2 Q Did you see a backhoe there?

3 A No, sir.

4 Q Or a front loader?

5 A No, sir.

6 MR. KASTER: Okay. That's all.

7 CHAIRMAN HALE: Mr. Canales has a
8 question.

9 BY MR. CANALES

10 Q Mr. Gonzalez?

11 A Yes, sir.

12 Q You say you went—when did you go to look at
13 the store the first time?

14 A It was in early January, I guess.

15 Q Early January of '74?

16 A Yes, sir.

17 Q And it was already completed on the outside?

18 A Well, they were going up. I think more or
19 less they were putting up—they were working on the
20 first floor.

21 Q Did it have a roof on it?

22 A No, not yet.

23 Q Who put the roof on it?

24 A They themselves put the roof on it.

25 Q They put the roof on it. You didn't do that?

1 A No.

2 Q And you have these exhibits there in front of
3 , you, Number 63 through 68, I believe. Have you got them
4 there in front of you? Those right there.

5 A Yes, sir.

6 Q Do you see Number 63?

7 A Yes, sir.

8 Q Did you use that material?

9 A I didn't use it because I was not working on
10 the frame work. The roof work.

11 Q Nor 64?

12 A On that second one, I used it. I used some of
13 that because you've got some finish stuff there, some
14 along the line there, like doorstops, base, casing. I
15 used all of that myself.

16 Q And 65, "fissured lay-in ceiling panels," and
17 "cross tees"? Did you use those?

18 A No, sir.

19 Q When you came in, in February, was the ceiling
20 fixed, or finished, on this building?

21 A Do you mean the roof?

22 Q Yes. The roof. I'm sorry.

23 A Yes. They were shingling it.

24 Q Who was shingling?

25 A Those boys from Alice, Mr. Ramirez.

1 Q You don't know any of their names?

2 A I think one of them, the last name was Ramirez.
3 , Yes, I think it was Ramirez.

4 Q You don't know his first name?

5 A No. I don't know his first name.

6 Q What work did you do on the city hall?

7 A I made the repair jobs.

8 Q Just on the inside?

9 A And the outside also.

10 Q Did you do any work on the roof?

11 A I shingled it. Yes.

12 Q Did you use cedar shingles?

13 A Yes, sir.

14 Q About how many cedar shingles did you use?

15 A 220 shingles, I guess, more or less. 220
16 bundles, I guess.

17 Q Would it be pretty close to 216 bundles?

18 A Yes.

19 Q Would you look at the first page of Exhibit
20 63 of that exhibit that you were looking at just now.

21 A Number 63?

22 Q Yes. Is that the same type of shingles you
23 used on the city hall?

24 A Yes.

25 Q Can you look through the rest of this list

1 here, Number 63, and tell us if you used any other
2 material, not necessarily this one, but the same type
3 of material in repairing the city hall?

4 A Well, these shingles here are for the city
5 hall. Right?

6 Q These were for the city hall?

7 A Wait. Let me see.

8 Q On 63?

9 A Wait a minute. These 216 bundles, I didn't
10 receive this material myself. I don't know.

11 Q Then these did not go out to the ranch house,
12 I mean that store?

13 A I don't know, because I wasn't there that day.

14 Q No. But I'm asking you, you used this type of
15 shingles in repairing the—

16 A They were the same kind of shingles. Yes.

17 Q Okay.

18 A They were used at the house, the ranch house.

19 Q At the ranch house? Now, when you say the
20 "ranch house," you're talking about the one—

21 A At the store.

22 Q At the store.

23 A The thing that is in that deal there.

24 Q They had cedar shingles on that also?

25 A Yes, sir.

1 Q And you also used the same type of cedar
2 shingles—

3 A On the city hall.

4 Q —on the city hall.

5 Now, did you use any of the other material
6 that you can see here on Exhibit Number 63 when you
7 were repairing the roof of the city hall?

8 A No, sir.

9 Q You didn't use galvanized nails?

10 A Well, it's got to be here at—we don't got the
11 copy of the shingles. I don't have the copy of the
12 shingles for the city hall.

13 Q Well, I realize that. I'm just asking you if
14 you used the same type of materials.

15 A That house over there doesn't have any valleys,
16 or something like that. Only nails. That's all you need
17 there.

18 Q I'm asking you about the city hall. Did you
19 use galvanized nails when you were putting up the roofing?

20 A Yes, sir.

21 Q Did you use galvanized what, flashing?

22 A Yes. That is for the valleys, where you
23 break the roof. The valleys.

24 Q Did you use that type of material on the city
25 hall?

1 A Yes, sir.

2 Q Galvanized valley tin?

3 A Yes, sir. That is what it is.

4 Q What did you use as far as—what is forest
5 birch? Is that paneling?

6 A Birch? No.

7 Q Forest birch.

8 A Birch is that three-quarters plywood for
9 cabinets.

10 Q Plywood. Did you use any of that in remodel-
11 ing the city hall or the fire station?

12 A You are on this one right here? On this one?

13 Q Yes. I'm sorry. On 64.

14 A 64?

15 Q The very first entry at the top. It says there
16 were fourteen pieces of 4 by 8, one-quarter forest
17 birch. Did you use any material of that same type in
18 repairing the city hall?

19 A Oh, well, this is for the—

20 Q I realize that. I'm asking you if you used
21 that same type of material.

22 A Yes.

23 Q What is the next entry on there?

24 A The next thing right there?

25 Q Yes.

1 A That is eight—the next line, you mean?

2 Q Yes. The one right after the forest birch.

3 A Well, that is for the corners, to cover up
4 the corner of the panel.

5 Q Okay. Did you use that same type of material
6 when you were working at the city hall?

7 A Yes. Take the same things and put panel.

8 Q All of these same types of material were used
9 in repairing the city hall?

10 A The same thing. Both things.

11 Q Now, I would like to call your attention to
12 Exhibit Number 66 in this same packet.

13 A Yes, sir.

14 Q There is a notation at the bottom, right next
15 to where it says "Carrillo 66," it says "C.O.D." And
16 at the top corner it says "Cash." Did you pay cash for
17 these things when they were delivered to you?

18 A No, I didn't. I didn't pay for them myself.

19 Q You didn't pay for them?

20 A No.

21 Q And Exhibit Number 68, the next page, which it
22 says it was delivered to the job site, and right below
23 it says "Cash - C.O.D." Did you pay for that at that
24 time?

25 A No, sir. I didn't pay for any of it.

1 Q And on the next page it has also that it was
2 delivered at the job site and that cash was received, and
3 the notation is that it was C.O.D. You didn't pay for
4 that either?

5 A No, sir.

6 Q And the next page, also the same thing. You
7 didn't pay for any of this stuff?

8 A No. None of it.

9 Q Do you know what C.O.D. means?

10 A Well, I guess when it is cash at the spot.

11 Q It means you're going to pay for it when they
12 deliver it. Right?

13 A Yes.

14 Q And it's your testimony here today that these
15 216 bundles of shingles were not the same ones that were
16 used on the city hall?

17 A You mean if this is the same kind of shingle?
18 Is that what you mean?

19 Q Do you know for a fact whether these 216
20 bundles of shingles were used on the Garrillo home?

21 A I've got no idea.

22 Q Or store?

23 A I've got no idea because I didn't do that
24 kind of job.

25 MR. CANALES: Thank you.

1 CHAIRMAN HALE: Mr. Kaster?

2 BY MR. KASTER

3 Q Mr. Gonzalez, I think there has been some
4 misunderstanding between you and I.

5 A Yes.

6 Q In looking at the dates on these invoices
7 from Moorhouse and Company, you indicated that you were—
8 when did you complete your work on the store at the
9 ranch?

10 A I think it was in March and a little part of
11 April.

12 Q You were completed.

13 A Not completely completed. I went back and
14 forth.

15 Q Well, except for the small stuff.

16 A Yes.

17 Q But the roof was already on?

18 A Oh, yes.

19 Q So that this first exhibit, Carrillo 63, is
20 dated March the 3rd or 13th of 1974. Is that right?
21 My copy is a little fuzzy up here.

22 A March the 3rd?

23 Q Yes.

24 A Or March the 2nd. More or less.

25 Q Something like that.

1 A Well, you see, because they had to work on
2 the roof first.

3 Q Right. So that these cedar shingles then would
4 have been at the city hall.

5 A No. The city hall put theirs on the—wait a
6 minute.

7 Q In March of '74 you are already through at
8 the ranch and you're starting on the city hall. Or
9 somebody is starting on the city hall repairs. Is
10 that right?

11 A I did myself. Yes.

12 Q And you put a cedar roof on the city hall?

13 A Right.

14 Q So these 216 bundles of cedar shingles there
15 on Carrillo Exhibit 63 dated March of '74, they wouldn't
16 have gone to the ranch store, would they? They would
17 have gone to the city hall.

18 A No, because if they went to the ranch the city
19 hall wouldn't be shingled right now.

20 Q The ranch would have been shingled.

21 A Well, one of the two.

22 Q You did the ranch store first?

23 A Yes, sir.

24 Q And then you did the city hall?

25 A Right.

1 Q So if you are through at the ranch store,
2 obviously it has a shingled roof already on it.

3 A Oh, yes.

4 Q In March of '74 when you're through with your
5 job it's got a roof and you have finished the interior.
6 Then you start on the city hall job. And here are
7 216 bundles of cedar shingles dated March of '74.

8 A Like I tell you, I don't know about this
9 material. I didn't receive this material. So I don't
10 know about this.

11 Q When did you put the roof on the—

12 A On the city hall?

13 Q Yes.

14 A I think it was in February. I think it was
15 in February.

16 Q On Carrillo Exhibit 64, I think you, in answer
17 to Mr. Canales, this is dated May the 15th, 1974. Now,
18 obviously, would that forest birch, fourteen pieces,
19 4 by 8, one-quarter inch thick, forest birch, now, that
20 could not have gone to the ranch store, could it, in May
21 of '74?

22 A (No response.)

23 Q If you were through in March, what would you
24 do with fourteen pieces of forest birch at the ranch? I
25 think you said that you used some of this same type of

1 plywood in the city hall.

2 A Yes.

3 Q This is Carrillo Exhibit 64.

4 A Well, this one--this is some other stuff. I
5 don't think this is that material for that city hall.
6 I think this is some other.

7 Q You answered Mr. Canales that it was.

8 A Well, I used it, but I think this material
9 was used on that first part of that city hall.

10 Q Right.

11 A The first repair.

12 Q This was used at the city hall?

13 A Right.

14 Q That is what I'm asking you.

15 A Yes, sir.

16 Q All right. You're sure, I mean, since it's
17 dated in May—you see the date on that?

18 A Yes.

19 Q The chances are it was used at the city hall
20 instead of at the ranch store. Right?

21 A Yes.

22 Q The reason I'm asking you that is because
23 earlier you told me that there was no material from
24 Moorhouse delivered to the city hall project and that
25 there were no items from the Factory Outlet used except

1 on the city hall project. That is why I'm confused now.

2 A Well, because we were talking about the
3 county, first.

4 Q But you did use some materials from Moorhouse
5 at the city hall project. Is that correct?

6 A Probably, because I don't know where they got
7 it from. It is written down here. Now I know.

8 Q I'm not trying to trick you; we're just trying
9 to get it cleared up because there is an inconsistency.

10 A Yes. Like I tell you, this could have been
11 that job that I started first.

12 Q You see those first four pages, 1, 2—it's
13 Carrillo 63, Carrillo 64, Carrillo 65, Carrillo 66—are
14 all dated after the job at the ranch store was completed,
15 according to your testimony. So that Carrillo 66 is
16 dated May the 23rd. Carrillo 65 is dated May the 15th.
17 Carrillo 64 is dated May the 15th. Now, do you know
18 who paid for those items?

19 A We may be confused on this. I don't know.
20 There are some parts here that belong to that city hall,
21 I guess, and some that belongs to— I have no idea what
22 it is.

23 Q So, some of these items belong at city hall
24 and some of them belong at the ranch?

25 A Well, because I don't remember the amount. I

1 remember at city hall I used 220 or bundles, more or
2 less, but I don't remember how many they used over at
3 the ranch. That is what I don't know. But it could be
4 that there is a mistake there, or something.

5 Q You say there is a mistake on this, or what?

6 A Well, I don't know. There might be.

7 Q What you're telling me now is that you're not
8 sure where Carrillo 63, 64, 65 and 66—where those items
9 were used.

10 A Because I used more or less the same ones over
11 there, but it depends on the color. Because the paneling
12 is one color, you know, and you order the same kind of
13 color for the trim. In other words, you don't have to
14 paint it.

15 Q You use the same type of trim on the cinnamon
16 elm as you do the rustic pecan?

17 A (No response.)

18 Q I'm asking you, do you use the same type of trim
19 on cinnamon elm as you do rustic pecan?

20 A No. You would use a different kind, a different
21 color.

22 Q But you're telling me that on those exhibits,
23 63 through 66, you're not sure where they were used?

24 A Yes. Because I didn't— I think some of this
25 material belongs to the city hall. This one right here.

1 Q Some of it?

2 A Yes.

3 Q Where does the rest of it belong?

4 A Well, you see the dates on this one? It is
5 3/13— I don't know. They are different dates here.

6 Q You see Carrillo Exhibit 68, which is three
7 pages long, are all dated the same date, January 16th.

8 A Yes. There is a different time right there.
9 You see, that five and three are together, you see, on
10 the dates? 1-16 and the other one is 5-15. They are
11 not all together, you know what I mean? These three
12 right here belong together and these two right here
13 belong together.

14 Q Which two belong together?

15 A The ones that have the different date right
16 there. You see that one right there, 1-16?

17 Q What is the Exhibit number?

18 A It is 68. Both 68.

19 Q Which two belong together? Give me the
20 invoice number at the top so I think I can follow it
21 easier.

22 A Well, the dates of the delivery—the date
23 that they've got on top, 1-16, and the other one has
24 5-15.

25 Q Right. I understand those. Those three pages

1 all go together, because they are all dated the same
2 date.

3 A Right.

4 Q They are just out of sequence there. They
5 all go together. But the ones dated in May don't
6 belong with those, do they?

7 A (No response.)

8 Q Well, I don't want to belabor the point.
9 The point is that there are some of these exhibits here
10 you're not sure where they were used.

11 A Yes. I'm not sure.

12 MR. KASTER: Okay. That's all.

13 CHAIRMAN HALE: Are there further
14 questions?

15 (No response.)

16 BY CHAIRMAN HALE

17 Q Mr. Gonzalez, let the Chair recap one thing
18 for you. If you would look at those canceled checks,
19 Exhibit Carrillo 43. You had it in your hand there a
20 moment ago. Counsel, if you will help him. Carrillo 43.
21 If you will turn to page 12.

22 A (The witness complied.)

23 Q There are pictures of three checks there.
24 Do you have the right page, page 12?

25 A Yes, sir.

1 Q The check at the top there is dated March 29,
2 1973, payable to you for \$100. Is that correct?

3 A Yes, sir.

4 Q Did you receive that \$100?

5 A Yes, sir.

6 Q And the next one is dated April 13, 1973, for
7 \$100.

8 A Yes, sir.

9 Q The third one is dated May 15, 1973, for \$50.
10 Is that correct?

11 A Yes, sir.

12 Q On the next page, one dated June 5, 1973, for
13 \$185.

14 A That's mine.

15 Q The second one is dated October 15, 1973, for
16 \$200.

17 A Yes, sir.

18 Q And the third one on page 13 is dated November
19 25, 1973, for \$100. Is that correct?

20 A Yes.

21 Q On the next page, the top one is dated
22 October 26, 1973, for \$100.

23 A That's mine.

24 Q Is that right?

25 A Yes.

1 Q Then the middle one is not payable to you;
2 that is payable to someone else.

3 A Yes.

4 Q The bottom one is dated February 14, 1973, for
5 \$225. Is that right?

6 A Yes.

7 Q On the next page, the top one is dated February
8 15, 1973, for \$125; the middle one, February 5, 1973,
9 for \$200; and the last one, March 20, 1973, for \$9.

10 A Yes.

11 Q Are all those correct?

12 A Yes, sir.

13 Q Were all of those checks that I read off all
14 payable to you?

15 A Yes, sir.

16 Q And drawn on the account, the bank account,
17 of Mr. O. P. Carrillo?

18 A Yes, sir.

19 Q Is that correct?

20 A Yes, sir.

21 Q Did you receive all of those checks?

22 A Yes, sir.

23 Q And cashed them?

24 A Yes. I cashed them in San Diego.

25 Q For services rendered to Judge O. P. Carrillo

1 during the year 1973?

2 A Yes, sir.

3 Q Is that correct?

4 A Yes, sir.

5 Q If my mathematics are correct, that totals out
6 to \$1,475. Assuming my addition is correct, did Judge
7 Carrillo pay you that amount during 1973?

8 A Yes, sir.

9 Q So, you did some work for him at various
10 times during 1973, then.

11 A Yes, sir.

12 Q Some in February, some in March, some in
13 April, some in May, some in June, then you skip over to
14 some in October, and some in November. Is that correct?

15 A That's correct.

16 Q Would all of that have been work on the ranch?

17 A Yes.

18 Q The Carrillo ranch?

19 A Some on the ranch and some on an old trailer
20 that I fixed.

21 Q And all of that was prior to the work in 1974
22 which you did that you previously testified about. Is
23 that correct?

24 A Yes, sir.

25 Q What all did you do out there in 1973 for

1 \$1,475? What all types of work did you do out there
2 for \$1,475?

3 A Well, like repair of the roofs and he's got
4 kind of a Spanish tiled roof. I fixed it up and put
5 new shingles on it, and fixed up the house. New doors
6 and windows, broken windows, and some things like that.

7 CHAIRMAN HALE: Okay. Thank you very
8 much. Are there any further questions?

9 (No response.)

10 CHAIRMAN HALE: Mr. Gonzalez, on behalf
11 of the Committee, we thank you for your appearance here.
12 I have a subpoena prepared and I'll ask the Sergeant
13 at Arms to serve that on you at this time. That is to
14 enable you to get paid for your travel up here. Do you
15 understand?

16 A Yes, sir.

17 VICE CHAIRMAN MALONEY: Mr. Chairman, I
18 think before Mr. Gonzalez leaves that he ought to be
19 informed that he is still under subpoena and is subject
20 to being recalled by this Committee at any time.

21 CHAIRMAN HALE: Thank you, Mr. Maloney.
22 I intend to tell him that.

23 Mr. Gonzalez, would you come back just a
24 second. I have one other question I would like to ask
25 you—one or two.

1 Q Do you know a gentleman by the name of Patricio
2 Gonzalez?

3 A Gonzalez? Patricio?

4 MR. JOHNSON: Garza.

5 Q I'm sorry. Patricio Garza.

6 A Yes, sir. I've seen him around the ranch.

7 Q Which ranch?

8 A His ranch.

9 Q At the Carrillo ranch?

10 A Yes, sir.

11 Q Was he working out there during 1973 when you
12 were doing all this work for which you were paid \$1,475?

13 A I used to see him once in a while, when I went
14 there. But most of the times he left by the time I got
15 there. Or he wasn't there, or somewhere else.

16 Q What do you mean, he left before you got
17 there?

18 A I got there pretty late sometimes. I got
19 there at 9:00 or 10:00. He wasn't there. I don't know if
20 he was there or not.

21 Q Did you ever see him doing any work out there?

22 A No, I never did. Well, he was like a farm
23 hand. He worked with the cows there.

24 Q You saw him working with the cows there on
25 the ranch?

1 A Yes.

2 Q During 1973?

3 A Yes, I guess so.

4 Q On numerous occasions, or just—

5 A No. Sometimes.

6 Q What days of the week would you be working
7 out there when you were working?

8 A You mean on the ranch?

9 Q Yes. On the ranch. Did you work during the
10 normal working days, or did you work out there on—

11 A No. I went like for two or three hours and
12 came back. That's all.

13 Q Did you normally work on weekends?

14 A No.

15 Q You worked on Monday through Friday, most of
16 your work out there?

17 A Yes.

18 Q And when you saw Mr. Patricio Garza it would
19 have been on Monday through Friday when you saw him out
20 there?

21 A Well, yes. Sometimes.

22 CHAIRMAN HALE: Okay. Thank you.

23 Mr. Gonzalez, you can fill out that voucher
24 before you leave. The Chair is going to release you. You
25 can go on about your business, with this instruction:

1 you are under subpoena to the Committee. You will not be
2 required to stay here in Austin. You can go on and take
3 care of your business, with the understanding that you
4 are still under subpoena to the Committee, and if we do
5 need further testimony from you, you will be notified
6 when to be here. Do you understand?

7 A Yes, sir.

8 CHAIRMAN HALE: Thank you.

9 (The witness, Mr. Gabriel Gonzalez, was
10 excused.)

11 CHAIRMAN HALE: Members of the Committee,
12 and Mr. Mitchell, it is almost 7:00 o'clock now. Let
13 me check with you for tomorrow morning.

14 Mr. Cleofas Gonzalez is here, I believe, or
15 was, and Mrs. Lauro Yzaguirre. Can both of you be here
16 in the morning?

17 MRS. YZAGUIRRE: Yes.

18 CHAIRMAN HALE: And Mr. Kirkland will be
19 here tomorrow too, so far as you know, counsel?

20 MR. MITCHELL: I would like, Mr. Hale,
21 to cross examine Mr. Gonzalez. I don't have any questions.
22 I imagine the Committee wants to talk to Mrs. Yzaguirre.
23 And then I don't particularly care about offering Mr.
24 Kirkland unless the Committee wants him. He's here, in
25 answer to your question.

1 CHAIRMAN HALE: Will he be here in the
2 morning?

3 MR. MITCHELL: Yes. I'll have him here.

4 VICE CHAIRMAN MALONEY: Could the Chair
5 swear Mr. Kirkland at this time?

6 CHAIRMAN HALE: Is he here?

7 MR. MITCHELL: Not that I know of.

8 CHAIRMAN HALE: Is Mr. Kirkland in the
9 room?

10 MR. MITCHELL: No.

11 CHAIRMAN HALE: He is apparently not in
12 the room.

13 VICE CHAIRMAN MALONEY: I thought you said
14 he was here.

15 MR. MITCHELL: I understand he's in town.
16 He told me he would be here today, Mr. Maloney.
17 But he is not here now.

18 CHAIRMAN HALE: I think the Committee
19 would want to ask him some questions, counsel, if you
20 could have him here tomorrow. The Chair would appreciate it.

21 MR. MITCHELL: All right.

22 CHAIRMAN HALE: And I have a subpoena
23 prepared for him so that he will be protected by subpoena.
24

25 MR. MITCHELL: I called him pursuant to

1 instructions of the Chair, Mr. Hale, and he told me he
2 would try to be here today. I imagine he is here.

3 CHAIRMAN HALE: Fine.

4 MR. MITCHELL: I'm going to let you all
5 offer him, though.

6 CHAIRMAN HALE: We had planned to use him
7 on Thursday anyway, if you will recall, from our previous
8 discussions.

9 MR. MITCHELL: Yes.

10 CHAIRMAN HALE: As far as you know,
11 counsel, that would conclude your presentation then?

12 MR. MITCHELL: Yes.

13 CHAIRMAN HALE: The Chair would hope that
14 we can finish all of this testimony tomorrow then,
15 although it would appear that we may have a little
16 fuller day tomorrow than we had thought yesterday.

17 MR. KASTER: How many subpoenas?

18 CHAIRMAN HALE: Well, there are three: Mrs.
19 Yzaguirre, Cleofas Gonzalez and Mr. Kirkland.

20 MR. MITCHELL: I would like to be per-
21 mitted to question Mr. Cleofas Gonzalez.

22 CHAIRMAN HALE: Yes, sir. We have recalled
23 him for your benefit, Mr. Mitchell.

24 MR. MITCHELL: Fine. Thank you.

25 CHAIRMAN HALE: Is there any further

1 business to come before the Committee this evening
2 before we recess?

3 Mr. Johnson, do you know of anything else we
4 need to do today?

5 MR. JOHNSON: No, sir.

6 CHAIRMAN HALE: Anyone? Any members of
7 the Committee?

8 Mr. Maloney moves that the Committee stand
9 recessed until 9:30 o'clock tomorrow morning. Is there
10 objection?

11 (No response.)

12 CHAIRMAN HALE: The Chair hears none and
13 we stand recessed until 9:30 a.m. tomorrow. (Gavel.)

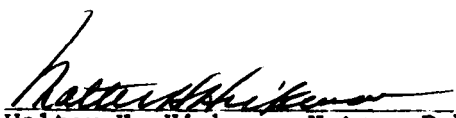
14 (Whereupon, at 6:50 p.m., the hearing was
15 recessed, to reconvene at 9:30 a.m. on Thursday, June
16 12, 1975.)

CERTIFICATE

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

I, Walter, H. Hickman, a Notary Public in and for Travis County, Texas, do certify that on the 11th day of June, 1975, the foregoing proceedings before the TEXAS STATE HOUSE OF REPRESENTATIVES HOUSE SELECT COMMITTEE ON IMPEACHMENT were reported by me and that the foregoing pages constitute a full, true, and correct transcription of my Stenograph notes.

GIVEN under my hand and seal of office this ____ day of June, 1975.


Walter H. Hickman, Notary Public
in and for Travis County, Texas.