

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

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1 TRANSCRIPT OF PROCEEDINGS

2 BEFORE THE

3 TEXAS STATE HOUSE OF REPRESENTATIVES

4 HOUSE SELECT COMMITTEE ON IMPEACHMENT

5 AUSTIN, TEXAS

6
7 IN THE MATTER OF HSR NO. 161
8 CONTINUED HEARING -
9 JUDGE O. P. CARRILLO

10 CONTINUED HEARING

11 VOLUME IV

12
13 BE IT REMEMBERED that on Friday, May 23, 1975,
14 beginning at 9:15 o'clock p.m., in the Old Supreme Court-
15 room, State Capitol Building, Austin, Texas, the above-
16 entitled matter came on for hearing, having been continu-
17 ed from Thursday evening, May 22, 1975, before the HOUSE
18 SELECT COMMITTEE ON IMPEACHMENT, the Honorable L. DeWitt
19 Hale, Chairman, Presiding, and the following proceedings
20 were reported by Hickman Reporting Service, 205 West
21 Ninth, Austin, Texas, 78701.

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23 **HRB**
24 **HB2**
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MEMBERS PRESENT

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3 **REPRESENTATIVE HALE - CHAIRMAN**

4 **REPRESENTATIVE MALONEY - VICE CHAIRMAN**

5 **REPRESENTATIVE LANEY**

6 **REPRESENTATIVE KASTER**

7 **REPRESENTATIVE HENDRICKS**

8 **REPRESENTATIVE NABERS**

9 **REPRESENTATIVE DONALDSON**

10 **REPRESENTATIVE THOMPSON**

11 **REPRESENTATIVE CHAVEZ**

12 **REPRESENTATIVE WEDDINGTON**

13 **REPRESENTATIVE SLACK**
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FRIDAY, MAY 23, 1975

FOURTH SESSION

(The hearing was reconvened at 9:15 p.m. pursuant to the recess on Thursday, May 22, 1975.)

CHAIRMAN HALE: The meeting will come to order. (Gavel.)

The Clerk will call the roll.

(The roll was called by the Clerk.)

CHAIRMAN HALE: A quorum is present.

Members of the Committee, the Chair has a number of subpoenas which Mr. Mitchell has prepared and given to the Chair and requested that the Committee subpoena these witnesses, three of whom I am advised are in the courtroom here this evening. Arnulfo Guerra, who is the District Attorney of Duval County, Adulio Briones of Benavides and Randall Nye of Rio Grande City. Those are the three that are here, I believe, Mr. Mitchell?

MR. MITCHELL: Yes.

CHAIRMAN HALE: Additional subpoenas for Mr. Tim James, Assistant Attorney General in Austin; Mr. Gene Powell, a Texas Ranger, Kingsville; Morris Atlas. He's an attorney, isn't he?

MR. MITCHELL: Yes.

CHAIRMAN HALE: Is he not an attorney in

1 McAllen? Reynaldo E. Guerra, customs broker in Roma,
2 Starr County.

3 Mr. William David Danays, who is an attorney in
4 Corpus Christi.

5 Mr. Charles Orr, from Houston. Is he an
6 attorney?

7 MR. MITCHELL: Yes. He was here and
8 appeared for Mr. Couling.

9 CHAIRMAN HALE: Yes, one of the witnesses.
10 I believe he was the attorney for one of the witnesses.

11 Mr. Archer Parr, San Diego, who is or was or
12 may be County Judge.

13 Oscar D. Kirkland of Alice.

14 The Chair would entertain a motion that the
15 Chair be authorized to issue these subpoenas for these
16 witnesses.

17 MR. KASTER: So move.

18 CHAIRMAN HALE: Mr. Kaster moves that the
19 Chair be authorized to issue subpoenas in the name of the
20 Committee—for the appearance of the witnesses—

21 MR. LANEY: Mr. Chairman, I would like
22 to move that we postpone further consideration of these
23 subpoenas until we can have a chance to look over the
24 names and discuss it as a Committee.

25 CHAIRMAN HALE: All right.

1 MR. SLACK: How many do you have that you
2 are going to issue?

3 CHAIRMAN HALE: I read through the names.
4 There are about seven or eight here, I believe. There
5 are eleven.

6 Oscar D. Kirkland of Alica; Archer Parr,
7 San Diego; Charles Orr of Houston; William Benet of
8 Corpus Christi; Reynaldo Guerra of Roma; Morris Atlas of
9 McAllen; Gene Powell of Kingsville; Tim James of Austin;
10 Arnulfo Guerra of San Diego; Adulio Briones of Benavides
11 and Randall Nye of Rio Grande City.

12 MR. SLACK: Thank you.

13 CHAIRMAN HALE: Mr. Laney moves to
14 postpone action on the motion until the Committee has had
15 a chance to look over the names on the subpoenas.

16 Is there any discussion?

17 MR. KASTER: Is there any date when they
18 will appear?

19 CHAIRMAN HALE: Mr. Mitchell advised the
20 Chair that if the subpoenas were issued that he would
21 authorize the Chair to fill in the dates on them and
22 sort of fit them into a schedule. The dates that are
23 on here now, the way he has them typed up, they are all
24 scheduled to appear on May the 27th, which is next
25 Tuesday at 8:00 p.m. It occurred to me that we would

1 not want the subpoenas all returnable at the same time,
2 as a matter of courtesy to the witnesses. The Chair
3 would stagger them, assuming that we do not have a
4 session Monday night, and I think in my talking with
5 some of you on the floor of the House, I think it's the
6 general consensus that we not have a meeting Monday
7 night.

8 Then Tuesday night we will probably still be
9 on witnesses that Mr. Canales will be presenting. I don't
10 see that we would get to any of these earlier than
11 Wednesday night, at the earliest, which would be the
12 28th.

13 MR. LANEY: Mr. Chairman, that was the
14 purpose for my motion, because I think we need to sit
15 down and discuss this and kind of plan out when we want
16 to take these, and I think we need to do it as a Committee.

17 That was my purpose for my motion.

18 MR. MALONEY: Mr. Chairman, may I be
19 heard on Mr. Laney's motion?

20 CHAIRMAN HALE: Yes.

21 MR. MALONEY: Mr. Chairman, I think that
22 there is always a risk in this type of situation in that
23 an investigating committee can be turned into a fishing
24 expedition, and I would not like to see that happen to
25 this Committee.

1 I would suggest before this Committee takes any
2 action on these subpoenas that the Chair would suggest to
3 Mr. Mitchell that he provide the Committee with a short
4 résumé of what he expects any of these witnesses to
5 testify to, before we just start issuing subpoenas for
6 everybody in the State of Texas.

7 CHAIRMAN HALE: Ms. Thompson?

8 MS. THOMPSON: Mr. Chairman, isn't next
9 week the last week of the Session?

10 CHAIRMAN HALE: It's next to the next one,
11 the last week. The Session will end on June the 2nd,
12 at midnight, which is Monday. If you count that as a week,
13 then it would be next to the last week.

14 MS. THOMPSON: I didn't know how we were
15 going to be running with our schedule on the floor,
16 realizing that in the past we have been going to
17 11:00 o'clock on the House floor and try to finish up.

18 CHAIRMAN HALE: That conceivably could be
19 a problem next week. There will be possibly night
20 sessions of the House in the closing week of the Session
21 and that will further complicate our schedule.

22 Mr. Canales hasn't concluded his witnesses. But
23 Mr. Mitchell is confronted with a problem that he can't
24 wait until Mr. Canales concludes and then come and request
25 us for subpoenas, because it's going to take some time to

1 get these subpoenas down and get them served and give
2 the people a little notice, so that they can plan to be
3 up here.

4 MR. KASTER: The subpoenas that we issue
5 are going to be on behalf of Mr. Canales?

6 CHAIRMAN HALE: We have issued about
7 six or seven, I believe. And then we have issued several
8 in the name of the Committee, on the Committee's own
9 motion. There were four of those today, I believe.

10 Is there any other discussion on the motion?

11 MR. CHAVEZ: Which motion are we on?

12 CHAIRMAN HALE: Mr. Kaster has moved to
13 authorize the Chairman to issue these subpoenas in the
14 name of the Committee and Mr. Laney has moved to postpone
15 action on that motion until a later date, until we can
16 give—

17 MR. LANEY: If you need a similar meeting
18 Monday, Mr. Chairman, we could call the Chair on Monday.

19 CHAIRMAN HALE: I was going to say, we would
20 have to call a meeting for it, because we don't plan to
21 have, at least to hear any testimony Monday.

22 Mr. Laney then moves to postpone action on the
23 motion until the meeting of the Committee on Monday.

24 MR. KASTER: One parliamentary inquiry:
25 You were going to issue them, not to keep these witnesses,

1 but only as they are needed, would they have to appear.

2 Is that what you indicated that you were going to do?

3 I don't want to keep them here for a week or so.

4 CHAIRMAN HALE: It was my thinking to
5 stagger the dates. I asked Mr. Mitchell to arrange them
6 in the order in which he thought he would want to present
7 the witnesses and then thought we would find out and get
8 some general idea of about how many we might go through
9 a night and I would stagger the dates so that they would
10 not all have to come here at the same time and sit here
11 two or three days waiting to be called.

12 I don't know how accurately we can stagger
13 those dates, or how accurately we can guess as to when
14 we could get to them, but it would be— Obviously, we
15 know, for instance, we can't get to eleven witnesses
16 in one evening. So to have them all appear the same
17 evening, we know, obviously is going to inconvenience
18 seven or eight of them, because they won't be heard that
19 evening.

20 Mr. Mitchell, how much trouble would it be for
21 you to provide the Chair with just a short résumé of what
22 you expect to prove from each of these witnesses, so the
23 Committee could—

24 MR. MITCHELL: I could pretty well tell
25 the Committee the Chair's desires. I've got them pretty

1 well broken down.

2 CHAIRMAN HALE: Would you prefer to have it
3 in writing, Mr. Maloney?

4 MR. MALONEY: If he wishes to state it,
5 so that it's in the record, I'd like to know how fast we will
6 be able to get it, in the event that we have to obtain it
7 from the Court Reporter.

8 MR. MITCHELL: Whatever the pleasure of the
9 Committee. I can provide a short résumé or I can dictate
10 it.

11 MR. CHAVEZ: Why don't we let him write it
12 up, so we can get going with these witnesses. It's
13 almost 9:30 now.

14 CHAIRMAN HALE: Yes, sir. Mr. Chavez, the
15 Chair is as anxious as you to keep this thing moving,
16 but some of these little matters have to be taken care
17 of.

18 Ms. Weddington?

19 MS. WEDDINGTON: Would Mr. Kaster accept
20 an amendment to his motion, if the substitute were to
21 fail that it would say that the subpoenas would be issued
22 by the Chairman for whatever date he felt desirable, if
23 the Chairman and Vice Chairman felt that they would deal
24 with subjects of interest to the Committee?

25 CHAIRMAN HALE: Well, it occurs to me that

1 Mr. Kaster and Mr. Laney, that we might—at least the
2 three witness subpoenas that are requested of people who
3 are here in the Committee room tonight, we probably should
4 go ahead and issue, just in the interest of expediting
5 the service of those subpoenas.

6 MR. LANEY: What dates are you planning to
7 put on those? That's my problem. I can't see how you
8 can expect them when we don't know how much longer
9 Mr. Canales' testimony is going to be. We have submitted
10 several by the will of the Committee, itself, today or
11 next Tuesday or Wednesday or whatever it is. I don't
12 really see that we can set a date and put a date in those
13 things at this time, without any preplanning. I realize
14 they are here, but if you put a date as of today or as
15 of Tuesday, it may be the next two weeks, before we get
16 to them.

17 CHAIRMAN HALE: Mr. Kaster?

18 MR. KASTER: When we subpoena witnesses,
19 who bears the cost for them coming or if they are having
20 to stay here?

21 CHAIRMAN HALE: The Committee does. They
22 are entitled to reimbursement for their expenses.

23 MR. KASTER: I think under that circum-
24 stance, since it's obviously not going to be early next
25 week, apparently, that we get to these, I'll probably go

1 with Mr. Laney's motion, just in the interest of trying
2 to save some money.

3 MR. SLACK: Mr. Chairman, is it the Chair's
4 intention to let Mr. Canales conclude and then let Mr.
5 Mitchell present his evidence, or do you plan to
6 intersperse, or what is the Chair's plan?

7 CHAIRMAN HALE: The original plan that we
8 had agreed upon, I thought, was that Mr. Canales would
9 present whatever evidence that he wanted to, to the
10 Committee and we would hear him out. Then Mr. Mitchell
11 would present whatever evidence he wanted to, to the
12 Committee; both presentations being conditioned on the
13 fact that they don't unnecessarily prolong this into a
14 filibuster. What we want is facts and not just a lot of
15 repetitious testimony.

16 MR. SLACK: I think as far as I am personally
17 concerned, I heartily concur with the Chair's view on
18 that and I think most of the Committee.

19 Do we have any idea how many more witnesses
20 Mr. Canales has, or how long it will take?

21 MR. CANALES: I don't anticipate that much
22 more testimony on my part. It will be based entirely
23 on the Committee itself as far as the presentation, or,
24 I mean, the questions that are asked and how much depth
25 the Committee wants to go into with the particular

1 witnesses. I have two or three people who have come up
2 and suggested that they want to speak to the Committee,
3 not on my own motion, or suggest they come up here and
4 volunteer, so I don't know if they are going to stop or
5 if they are going to stop.

6 MR. SLACK: It's not our intention to
7 cut anybody off. But you have?

8 MR. CANALES: Three more witnesses.

9 MR. SLACK: Three more and then any
10 number of volunteers that you are not in a position to say
11 how many will appear voluntarily, but you have three more?

12 MR. CANALES: The next gentlemen who is
13 going to appear, I have not requested his presence and
14 he came to testify this evening. I don't anticipate that
15 it will take more than ten or fifteen minutes for him to
16 say what he's going to say.

17 I would like to ask the Chair at this time,
18 because I understand from the Parliamentarian that under
19 the Texas Rules of Civil Procedure that subpoenas are
20 entitled to plaintiff and these rules do apply to this
21 Committee's meeting, I assume.

22 I have several witnesses present who are under
23 subpoena—under the Rules of the House. I have several
24 witnesses under subpoena which I am through with and any
25 ones that the Chair and Mr. Mitchell are in agreement to

1 release is fine with me. And any ones that you want to
2 retain is fine with me. It's for the economy of the
3 Committee and nothing else.

4 CHAIRMAN HALE: Mr. Chavez?

5 MR. CHAVEZ: Postpone our action tonight
6 and see how these witnesses go, which may be one night
7 with one witness. At that time we can decide.

8 CHAIRMAN HALE: All right. Mr. Kaster has
9 moved that the Chair be authorized to issue these eleven
10 subpoenas. Mr. Laney has moved to postpone action on
11 this until a called meeting of the Committee on Monday.

12 Is there any further discussion?

13 MR. SLACK: Mr. Chairman, Kaster withdrew
14 his motion.

15 MR. KASTER: I think I will, yes, sir.

16 CHAIRMAN HALE: All right. Mr. Kaster
17 withdraws his motion.

18 The motion pending before the Committee then is
19 the motion by Mr. Laney that we postpone action on—or a
20 decision on these eleven subpoenas until a called meeting
21 of the Committee on Monday. Is that correctly stated Mr.
22 Laney?

23 MR. LANEY: Yes.

24 CHAIRMAN HALE: And assuming if this motion
25 carries, Mr. Mitchell, I presume, in the meantime, you

1 can provide the Chair with just a little short synopsis of
2 what you expect from each of these witnesses, so that we
3 would have it available for the Committee when we meet
4 on Monday.

5 MR. MITCHELL: Yes. I will blueprint, if
6 I can, Mr. Chairman, the relevancy of each witness. For
7 example, where we bought our cement; how much of our own
8 equipment we have; this sort of thing. I will keep it
9 relevant as to what has transpired, as best I can.

10 CHAIRMAN HALE: That would be excellent.

11 MR. MITCHELL: And one, for example, is my
12 accountant. I want to be sure he is in pocket.

13 CHAIRMAN HALE: The Chair would certainly
14 appreciate your help on that and I know the Committee would
15 too, to expedite our decision on the issuance of these
16 subpoenas.

17 Then the pending motion is Mr. Laney's motion
18 to postpone action on these eleven subpoenas until a called
19 meeting of the Committee on Monday.

20 (The motion, being put to a vote, carried.)

21 CHAIRMAN HALE: The "Ayes" have it and the
22 motion prevails.

23 The pending business before the Committee is
24 HSR 161. Mr. Canales, if you will, call your next witness.

25 MR. CANALES: Mr. Chairman, I would like to

1 introduce at this time Mr. Eudocio Garcia at this time.
2 E-u-d-o-c-i-o, first name. The last name is Garcia,
3 G-a-r-c-i-a.

4 Mr. Garcia will testify regarding his meeting
5 and introduction to a Mr. Tomas Elizondo.

6 Mr. Tomas Elizondo is the individual who has
7 been discussed before this Committee as being in the
8 employ of Judge O. P. Carrillo and being paid by the
9 County of Duval.

10 CHAIRMAN HALE: Mr. Garcia, it's my duty
11 as Chairman to advise you of your rights with reference
12 to your testimony. You will be sworn to tell the truth
13 and your failure to do so could subject you to prosecution
14 for perjury.

15 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.

20 You can refuse to answer questions only on
21 the grounds that such answers might incriminate you or
22 tend to incriminate you in some way. You are privileged
23 to have an attorney of your selection sit with and advise
24 you as to your answers, if you desire.

25 The Chair will attempt to protect your rights

1 at all times.

2 Do you understand the advice I have given you?

3 MR. GARCIA: Yes, sir.

4 CHAIRMAN HALE: Are you now ready to
5 testify?

6 MR. GARCIA: Yes, sir.

7 CHAIRMAN HALE: Would you please stand and
8 raise your right hand.

9 (The witness was sworn by the Chairman.)

10
11 MR. EUDOCIO GARCIA

12 was called as a witness by the Plaintiff and, being first
13 duly sworn, testified as follows:

14 CHAIRMAN HALE: Would you please, for
15 the record, state your name and your mailing address?

16 A My name is Eudocio Garcia. My mailing address
17 is P. O. Box 4 in Roma.

18 CHAIRMAN HALE: Fine. You may proceed
19 with whatever statement you care to make to the Committee,
20 Mr. Garcia.

21 MR. CANALES: Mr. Chairman, I would like
22 to ask first of Mr. Eudocio Garcia:

23 Q In what county is Roma, Texas? You live in
24 Roma, you said?

25 A Yes, sir.

1 Q In what county is Roma?

2 A Roma is in Starr County.

3 Q As the bird flies, how far is that from Duval
4 County?

5 A I would say about a hundred and probably fifty
6 miles.

7 Q Do you have any political interests in Duval
8 County at all?

9 A No, sir.

10 Q Mr. Garcia, would you tell this Committee then
11 your acquaintance and how it came about with Mr. Tomas
12 Elizondo?

13 A About six weeks ago, I happened to be involved
14 in an election recount in Rio Grande City and I was
15 introduced to Mr. Tomas Elizondo by another gentleman,
16 Fred Pilon from Roma.

17 Q Excuse me, Mr. Garcia. Let me interrupt you a
18 moment at this point.

19 Who is Mr. Fred Pilon?

20 A Mr. Fred Pilon is from Roma.

21 Q What is his occupation?

22 A He is a court interpreter.

23 Q A court interpreter. For the County Court, the
24 District Court, the JP Court?

25 A No, sir. I think he's for the District Court.

Q For the District Court in that area?

1 A Yes, sir.

2 Q That would then be the 229? Right?

3 A Yes, sir.

4 Q Thank you. Proceed with your statement.

5 A Mr. Pilon told me, "This is Mr. Tomas Elizondo
6 and he is a ranch foreman for Judge O. P. Carrillo." He
7 said "Mr. Elizondo would be hauling some water from the
8 city water plant and we would like for you to extend any
9 courtesies necessary to this gentleman." That's the
10 extent of the conversation and how come I met Mr. Tomas
11 Elizondo.

12 Q Mr. Garcia, as far as hauling water, what is
13 your occupation there in Roma?

14 A I am the manager for the Utilities Department
15 for the City of Roma.

16 Q Why would anybody want to be hauling water?

17 A We are having a pretty bad drought in that
18 area and this water is used for cattle out in the ranches
19 and it's done very commonly. Most of the people in our
20 area haul water.

21 Q And this water then was intended to be used to
22 water livestock with?

23 A Yes, sir.

24 Q Who were you to look for payment to? Mr. Tomas
25 Elizondo?

1 A No, sir. Mr. Fred Pilon takes care of the bills.

2 Q Mr. Fred Pilon will take care of the bill?

3 A Yes, sir.

4 Q Where does Mr. Fred Pilon live?

5 A Mr. Fred Pilon lives in Roma.

6 Q In Roma proper?

7 A Yes, sir.

8 Q Thank you, Mr. Garcia.

9 MR. CANALES: I have no further questions,
10 Mr. Chairman.

11
12 QUESTIONS BY THE COMMITTEE MEMBERS

13 BY CHAIRMAN HALE

14 Q Who is Fred Pilon? How does he get into this
15 investigation that we are in?

16 A Mr. Pilon is an interpreter for, I think, the
17 District Court in Rio Grande City. And, of course, he
18 does some water hauling on the side for ranchers out in
19 the surrounding areas and particularly for Judge Carrillo.

20 Q As I understood it, you talked to Tomas Elizondo?

21 A Yes, sir.

22 Q And he told you that Fred Pilon would be hauling
23 some water?

24 A No, sir. Fred hauls water most of the time,
25 but he was the one that introduced me to Mr. Elizondo.

1 Q I see.

2 A He told me that Mr. Elizondo would be hauling
3 some water, and for us to just go ahead and extend the
4 courtesy and just charge him the bills to Mr. Pilon.

5 Q I see. I see.

6 In other words, Mr. Pilon says, "Look, I'll
7 pay the bill, but you go ahead and give Mr. Elizondo
8 whatever he wants", in effect. Is that about what it
9 amounts to?

10 A Yes, sir.

11 Q Did you know who Mr. Elizondo was?

12 A No, sir. Not at the time, until later on, that
13 I was told that he was from Duval County and he was work-
14 ing for the county in Duval County.

15 Q Did Mr. Elizondo then later contact you?

16 A He came by to take water.

17 Q Did he get water?

18 A Yes, sir.

19 Q Did you supply him with water?

20 A Yes, sir.

21 Q How much?

22 A I don't know the exact amount. They have a
23 pretty big water-trailer truck that hauls in the vicinity
24 of 6,000 gallons. And that truck comes around there
25 about, oh, about three times a day.

1 Q Does he come every day?

2 A I see him almost every day.

3 Q So they were hauling about 18,000 gallons of
4 water a day?

5 A Yes, sir.

6 Q How much do you charge for a thousand gallons
7 of water?

8 A We are charging two dollars per thousand.

9 Q Have you been billing Mr. Pilon for all that
10 water?

11 A Yes, sir.

12 Q Is Mr. Elizondo driving the truck, or whatever
13 the vehicle was?

14 A No, sir. When I saw Mr. Elizondo he was not
15 driving. Mr. Pilon is the driver.

16 Q I see. Mr. Elizondo is not there with the
17 truck every time it loads water?

18 A No, sir.

19 Q How many times did you see Mr. Elizondo?

20 A I saw Mr. Elizondo, after I met him, probably
21 about twice or three times; two or three times.

22 Q If they took 18,000 gallons of water a day,
23 that would be \$36 a day you'd be billing them. Is that
24 right?

25 A Yes, sir. That would be correct.

1 Q About \$36 a day for water. Do you know where
2 this water was going to be used?

3 A No, sir. Not exactly. I couldn't tell you. All
4 I know is that Mr. Pilon tells me that this was for O.
5 P.'s cows. I would just have to assume that that's where
6 it goes.

7 Q Does Judge Carrillo have a ranch close to
8 Roma?

9 A It's fairly close.

10 Q How large a ranch is it?

11 A I wouldn't know exactly, sir.

12 Q About how many head of cattle does he run?
13 Do you have any idea?

14 A There again, I couldn't tell you.

15 CHAIRMAN HALE: Thank you.

16 Mr. Maloney?

17 BY MR. MALONEY

18 Q Mr. Garcia, you said that you were introduced
19 to Mr. Elizondo about six weeks ago?

20 A Approximately. Yes, sir.

21 Q This would be then somewhere around the first
22 week in April?

23 A It was about the middle of April.

24 Q Under what circumstances did you meet him? You
25 said something about an election recount?

1 A Yes, sir. We were having an election recount.
2 Of course, Mr. Elizondo had a brother that is also the
3 Court Reporter and I imagine it is sort of a family
4 affair. They were all out at the Courthouse in Rio Grande
5 City when I met him.

6 Q Do they live in Rio Grande City?

7 A No, sir. I don't think so. They live up in
8 Duval County, somewhere.

9 Q Was there any particular reason that you know
10 of that they were involved in your election recount?

11 A Other than they either work for the Judge or
12 they are close friends to the Judge, that they would be
13 there. Other than that, I wouldn't know.

14 Q Well, what has the Judge got to do with your
15 election recount?

16 A He's in charge of the process, in the recounting
17 process.

18 Q What type of an election was this?

19 A We had two elections and they were both
20 counted at the same time. A city election and a school
21 district election.

22 Q Tomas Elizondo was there at that time?

23 A Yes, sir.

24 Q Mr. Pilon was there at that time?

25 A Yes, sir.

1 Q Is Mr. Pilon an official of any kind?

2 A He is an interpreter for the District Court in
3 Rio Grande City. That's the only official capacity that I
4 know he has.

5 Q What District Court is that?

6 A 229th.

7 Q Who is the Judge of that?

8 A Judge O. P. Carrillo.

9 Q Will you relate to us, as best as you can remem-
10 ber, the conversation you had with Mr. Pilon in which
11 he introduced Mr. Elizondo to you?

12 A I believe that all we were talking about at the
13 time was how bad a drought we were having and that's about
14 the time when he introduced me to this gentleman.

15 Q Was the gentleman you were introduced to
16 present at that time?

17 A Yes, sir.

18 Q Was there anyone else present at this intro-
19 duction, other than Mr. Pilon, yourself and Mr. Elizondo?

20 A There was a pretty large crowd at the time, and
21 we were right at the entrance of the District Courtroom
22 where the recount was taking place. There were, oh, six
23 or eight or ten people around there.

24 Q Were they involved in your conversation?

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

1 Q What, exactly, did Mr. Pilon say to you in
2 regards to this introduction?

3 A All he said is he called me Botcher. He
4 said, "Botcher, I want to introduce to you this gentleman.
5 He is the ranch foreman for Judge O. P. Carrillo. He
6 will be hauling some water from your plant. I would
7 appreciate it if you would extend any courtesies
8 necessary to Mr. Elizondo and charge any bill he
9 may need. I will take care of it later." And that was
10 the extent of it.

11 Q Had you ever met Mr. Elizondo before?

12 A Not before.

13 Q And the only times you have ever seen him
14 since were the times he was with Mr. Pilon?

15 A That is correct, sir.

16 Q When was the next time you saw him after this?

17 A It was either the following day, or the day
18 after that—after the recount. He was at the water
19 plant and I greeted the man when he came there and we
20 talked briefly about the weather and the drought. I saw
21 him another time after that. I don't stay at the plant
22 all the time, but I do know that the truck comes by every
23 day.

24 Q Will you describe to the Committee the pro-
25 cedure by which someone buys water? Do they drive their

1 truck up to your plant?

2 A We have a special water attachment right there
3 by the plant that has a special built water pipe that comes
4 up from the ground and then comes off the side like a
5 "T". It's got a flexible hose and it's got a big old
6 gadget to turn it on and off. And you fill up either
7 a pickup or a truck or a big trailer that comes in for
8 water. It's a very simple operation and you have this
9 done every day a whole bunch of times a day.

10 Q I imagine there are a lot of trucks then that
11 come in and fill up at your plant?

12 A Yes, sir.

13 Q After a person has filled up their truck, what
14 do they do then?

15 A Either they pay cash or they will tell the
16 water pump attendant to charge it to so and so and what
17 the attendant does, he will just put down the date and
18 the amount, and that's the extent of it.

19 Q No one signs for the water?

20 A No, sir.

21 Q Have you checked your records in regards to
22 these events before you came up here to testify?

23 A Yes, sir.

24 Q Are there any records in your possession or
25 as part of your business that have anything to reflect

1 that water was bought by Tomas Elizondo?

2 A We wouldn't have charged it to Tomas Elizondo
3 anyway.

4 Q Why not?

5 A We charged it to Fred Pilon and, in turn, Fred
6 will get the money from the Judge and pay us.

7 Q What was the point of asking you if Mr. Elizondo
8 asking you to extend every courtesy to Mr. Elizondo?

9 A The point was that I did not know Mr. Elizondo,
10 prior to that conversation. Therefore, we don't extend
11 credit to just anybody that walks up there and says,
12 "I want 6,000 gallons of water. Charge them to me."
13 We don't do it like that. They either put up a deposit
14 and then we let them take so much and we'll take the
15 money out of that deposit. If we can't do that, then
16 they pay cash every time they take a load of water.

17 Q Did Mr. Pilon have an account with you
18 already, did he not?

19 A Yes, sir.

20 Q And he was just continuing to charge this
21 water to himself, was he not?

22 A That is correct.

23 Q So, actually, you never entered into any
24 financial transactions with Elizondo or Judge Carrillo?

25 A No, sir.

1 Q And your records do not reflect that you ever
2 did?

3 A Yes, sir. The record reflects that Fred Pilon
4 is hauling for O. P. Carrillo. That's what it says on the
5 record.

6 Q It does say that on your record?

7 A Yes, sir. Because that's the way Fred Pilon
8 told us to do it.

9 Q What is your business address?

10 A P. O. Box 4— I mean, P. O. Box 18. We don't
11 have a street address, but it is right there, well, the
12 only way to tell you is where the water tower is.

13 Q But it is in Roma?

14 A Yes, sir. It's in Roma.

15 Q Let me ask you this: How do you bill? Do you
16 send someone a statement at the end of the month, or does
17 someone come by and just settle up with you?

18 A Some people, we send them a statement at the
19 end of the month. Others, they come in every two weeks
20 or once a week, or once a month and settle with us.

21 Q How about Mr. Pilon?

22 A Fred pays us about every two weeks.

23 Q Does he pay cash? You do not send him a
24 statement?

25 A No, sir. We don't.

1 MR. MALONEY: That's all that I have. Thank
2 you.

3 CHAIRMAN HALE: Mr. Slack?

4 MR. SLACK: Mr. Chairman, if I may, I would
5 like to direct a question to counsel, Mr. Canales.

6 I don't understand, Mr. Canales, what's being
7 shown here? I regret very much my inability to digest
8 this, but I don't know what we are doing, really. If you
9 would help me, I would appreciate it.

10 MR. CANALES: Mr. Slack, there has been a
11 question before the Committee as to whether Mr. Tomas
12 Elizondo was actually in the employ of Judge Carrillo
13 while getting paid by the County payroll. On the records
14 that we had yesterday, we went over with Mr. Octavio
15 Hinojosa, if you will recall, Mr. Tomas Elizondo was
16 on the first page to the tune of \$750 per month. This is
17 the same Tomas Elizondo, who was introduced by Judge
18 Carrillo's court interpreter as being "Judge Carrillo's
19 ranch foreman."

20 This man was being paid \$750 a month by the
21 County in Duval, was down in Starr County hauling water
22 for Judge Carrillo's ranch and was introduced as his
23 ranch foreman, by the court interpreter.

24 MR. SLACK: Thank you, sir. I appreciate
25 it. Sorry I didn't grasp that. That's all I have.

1 MR. HENDRICKS: I pass.

2 CHAIRMAN HALE: Mr. Nabers?

3 Mr. Kaster? Mr. Donaldson? Mr. Laney?

4 MR. LANEY: Pass.

5 CHAIRMAN HALE: Ms. Thompson?

6 Ms. Weddington?

7 BY MS. WEDDINGTON

8 Q I have a couple of quick questions. Did Mr.
9 Elizondo, when you either met him or had subsequent con-
10 versations with him, say anything that would either con-
11 firm or deny this statement that he was Judge O. P.
12 Carrillo's ranch foreman?

13 A No, ma'am.

14 Q Did he say anything to you about his duties or
15 that he needed to get back to the ranch?

16 A He did not make any statement.

17 Q Do you know who owned the truck that Fred Pilon
18 was driving?

19 A Fred told me that it belonged to Judge Carrillo.

20 Q When did he tell you that?

21 A He told me the first time I saw him with it.
22 Fred is a friend of mine and we talk. I asked him where
23 he got the rig? And he said, "It belongs to the Judge."

24 Q Did you ever see Elizondo driving a truck?

25 A No.

1 Q In what hours did you see them picking up the
2 water?

3 A I wouldn't remember, ma'am, but very likely in
4 the morning, because Fred comes in first thing in the
5 morning, every morning.

6 Q What hours does Fred Pilon normally work for the
7 Judge? Is his a full-time job?

8 A I don't know. As far as I can see now, it's
9 been a full-time job for the last two months.

10 Q His court-reporter duties, or I mean his court
11 interpreter duties?

12 A I don't know about his court duties, but I hardly
13 ever go to the Courthouse.

14 Q But you would say that he recently has just
15 spent a whole lot of time hauling water?

16 A Yes, ma'am. A lot of the ranchers have been
17 doing the same thing.

18 MS. WEDDINGTON: Thank you, Mr. Chairman.

19 CHAIRMAN HALE: Mr. Chavez?

20 BY MR. CHAVEZ

21 Q These two or three times that you saw Mr. Eli-
22 zondo when he was in the truck with Mr. Pilon?

23 A Two times he was in the truck.

24 Q You don't know what time of day this was?

25 A No, sir.

1 Q How long have you known this fellow, Pilon?

2 A I have known Fred for, oh, twenty-five years.

3 Q You have always known him to be a court in-
4 terpreter?

5 A No, sir. I have seen him at the Courthouse as
6 an interpreter.

7 Q Frequently?

8 A No, I don't go there too often. But I have been
9 there several times in the past year and Fred has always
10 been there.

11 Q Is that in connection with the case that they
12 tried down there with the Guerras?

13 A It's been in connection with several lawsuits
14 and cases that have been tried.

15 Q And the bank suit?

16 A And mostly in regards to politics; either school
17 election lawsuits or city lawsuits.

18 Q You don't have any personal knowledge as to
19 whether Pilon is a full-time employee or a part-time
20 employee?

21 A No, sir. I don't.

22 Q And you have no personal knowledge, either,
23 about Elizondo, either way?

24 A No, sir.

25 Q The truck, this rig, does it have any lettering

1 on it, signs, or anything?

2 A No, sir. It doesn't say anything on it. I
3 haven't noticed.

4 Q Does it have an exempt license plate or a
5 regular license plate?

6 A It didn't have a license plate at the beginning.
7 I don't know if they have one on it now.

8 Q What about the truck?

9 A I don't think there was one on there either.
10 See, my police officer asked me if it was all right to
11 give that man a ticket and I told him to let him go.
12 He said, "He doesn't have a license plate on it."

13 Q Now, when you say "my policeman," are you—

14 A The fellow works for the City of Roma. The
15 police officer that works for the City of Roma.

16 Q Are you an elected official also?

17 A No, sir. I am an appointed one.

18 Q What's your capacity?

19 A I am the manager.

20 Q The city manager?

21 A I manage the Utilities Department.

22 Q When you said, "My police officer," you meant
23 a police officer from Roma?

24 A Yes, sir.

25 Q You don't have any authority over him?

1 A No.

2 Q Well, why would he ask you whether to give him
3 a ticket or not?

4 A I beg your pardon?

5 Q Why would he ask you whether to give him a
6 ticket or not?

7 A I kind of run the show in the City Hall. They
8 all look to me to answer some of their questions and
9 help them with their problems and I sometimes call the
10 shots.

11 Q Whose is the Mayor there?

12 A The Mayor is Mrs. Irma Eunice.

13 Q But you run the program there?

14 A Yes, sir.

15 Q You didn't participate in any way as a witness
16 in any of those lawsuits? I am not talking about the
17 election lawsuits. I am talking about the bank, the
18 Guerras, and Manges?

19 A No, sir.

20 Q Cliff Manges? Do you know Cliff Manges?

21 A No, sir.

22 MR. CHAVEZ: That's all, Mr. Chairman.

23 CHAIRMAN HALE: Fine. Thank you, Mr.
24 Chavez. Are there any further questions of this witness?
25 Mr. Maloney?

1 BY MR. MALONEY

2 Q Just one short one.

3 Mr. Garcia, you said that Mr. Pilon was the court
4 interpreter in the 229th District Court?

5 A That is correct, sir.

6 Q And you said that you had discovered that,
7 you had seen him at the Courthouse? Is that correct?

8 A I will have to assume this, because every time
9 I go there, he is the interpreter, but I cannot tell you
10 that this was what the record shows.

11 Q What do you mean, "he is the interpreter"?

12 A Well, we have many cases in Starr County where
13 one of the parties involved cannot speak English. Therefore,
14 they hire Mr. Pilon to interpret for this fellow that is
15 deficient in the English language.

16 Q How do you know that?

17 A Because I have been present when this is taking
18 place.

19 Q You have been present in the courtroom where he
20 was doing some interpreting for a witness? Is that
21 correct?

22 A That's correct.

23 Q How do you know that he was an employee of the
24 courthouse?

25 A I didn't say that he was an employee, but he is

1 an interpreter. As far as the employment part of it is,
2 I don't know if this man is doing it on a voluntary
3 basis or for monetary gain, but it is a known fact that
4 Mr. Pilon is a court interpreter.

5 Q Well, that's what I am asking you. How do you
6 know that? You said, "It's a known fact." I didn't know
7 it. Now, how do I know it?

8 A If you want to take my word for it.

9 Q No, sir. I would be glad to take your word for
10 it. You are under oath.

11 A Yes, sir.

12 Q I just want to know how you know he is employed
13 by the courthouse?

14 A I just happen to know, because I see the man there
15 all the time and as far as I am concerned, it's a known
16 fact.

17 MR. MALONEY: That's all I have.

18 CHAIRMAN HALE: Ms. Thompson?

19 BY MS. THOMPSON

20 Q You indicated that you are appointed to your
21 position?

22 A Yes, ma'am.

23 Q By whom?

24 A By the Mayor.

25 MS. THOMPSON: Thank you.

1 CHAIRMAN HALE: Mr. Kaster?

2 BY MR. KASTER

3 Q How often does the court meet there in Roma?
4 Does the Judge come— I mean, that's not the normal?

5 A We don't have a court in Roma. It's in Rio
6 Grande City.

7 Q Is that the normal place where the court is?

8 A Yes, sir.

9 Q How far is it from Roma to Rio Grande City?

10 A Thirteen miles.

11 Q Right close. Rio Grande City then is in Starr
12 County?

13 A Yes, sir.

14 Q Is that the headquarters of the 229th District
15 Court? Is that where they normally sit?

16 A Yes, sir.

17 Q And this ranch that the water is going to, is
18 that near Roma?

19 A It is closer to Roma than it is to Rio Grande
20 City.

21 Q And Mr. Pilon always pays you by cash; not check?

22 A No. He did give us a check this last time.

23 Q Was it his personal check, or a company check?

24 A I am not altogether sure on this one, but I
25 think this was a check made out by O. P. Carrillo, to

1 Fred and Fred turns it over to the Water Department. Prior
2 to that, he was always paying cash for it and he was
3 getting reimbursed for expenses.

4 Q And then you just saw Mr. Elizondo a couple of
5 times?

6 A Yes, sir. I don't spend a lot of time at the
7 plant myself.

8 Q You spend most of the time at your business
9 as a manager of the Water District?

10 A Mostly at City Hall and running other businesses.

11 Q I didn't understand. Did you see him driving
12 the truck and picking up water?

13 A No, sir. Not him. Fred is the driver. He
14 rides shot-gun.

15 Q So you just saw Mr. Elizondo a couple of times
16 in Roma. Then he lives where? Does he live— Do you know
17 where Mr. Elizondo lives?

18 A I don't know where he lives. He's in Duval
19 County, but I wouldn't know exactly where he lived.

20 Q And it was some time during the day you would
21 see him and just a couple of times?

22 A That is right.

23 MR. KASTER: Thank you.

24 CHAIRMAN HALE: Are there further questions?
25

1 BY CHAIRMAN HALE

2 Q Mr. Garcia, is this gentleman's name Fred Pilon?

3 A Yes, sir.

4 Q P-e-l-o-n?

5 A P-i-l-o-n.

6 Q P-i-l-o-n. Thank you.

7 The interpreting that you saw him doing was
8 in Starr County?

9 A That is correct, sir.

10 Q Have you ever seen him interpret in any other
11 county?

12 A No, sir.

13 CHAIRMAN HALE: Are there any other
14 questions of this witness?

15 Mr. Canales, do you have any further questions
16 that you want to ask?

17 MR. CANALES: No, sir.

18 CHAIRMAN HALE: Thank you very much. We
19 appreciate your being here.

20 (The witness, Mr. Eudocio Garcia, was excused.)

21 CHAIRMAN HALE: Call your next witness,
22 Mr. Canales.

23 MR. CANALES: Mr. Chairman, at this time
24 I would like to call a Mr. F. H. Canales.

25 Mr. Chairman, Mr. F. H. Canales is a resident

1 of Benavides, Texas and can enlighten the Committee on
 2 any of the transactions that took place regarding the
 3 removals and suspensions and appointments, et cetera,
 4 and I believe, and he will correct me if I am wrong, he
 5 is employed with the Duval Water Conservation, or whatever
 6 it is called, Water District, as far as I am concerned.
 7 And I think he has been employed there for about a year,
 8 and was an insurance salesman for the rest of his career.

9 I am sure the Committee knows more or less the
 10 area in which he will be testifying as far as the removal
 11 suits.

12 I think Mr. Canales will also testify to a
 13 conversation which he had with Judge Carrillo a few days
 14 before the removal suits were even filed in court, in
 15 which Judge Carrillo personally told him that they would
 16 be removed. I don't know whether it was a few days or
 17 not before, but Judge Carrillo told them it didn't make
 18 any difference if Parrs people ran or not, they were
 19 going to get removed anyway, if they won.

20 CHAIRMAN HALE: Thank you, Mr. Canales.

21 Mr. Canales (to the witness), it is my duty
 22 as Chairman to advise you of your rights with reference
 23 to your testimony. You will be sworn to tell the truth
 24 and your failure to do so could subject you to a
 25 prosecution for perjury.

1 After you have completed your statement,
2 members of the Committee may ask questions concerning
3 your testimony. You must answer these questions
4 truthfully and your refusal to do so, could subject you
5 to punishment for contempt.

6 You can refuse to answer questions only on the
7 ground that such answers might incriminate or tend to
8 incriminate you in some way. You are privileged to have
9 an attorney of your selection sit with and advise you as
10 to your answers, if you desire.

11 The Chair will attempt to protect your rights
12 at all times.

13 Do you understand the advice I have given you?

14 THE WITNESS: Yes, sir.

15 CHAIRMAN HALE: Are you now ready to
16 testify?

17 THE WITNESS: Yes, sir.

18 CHAIRMAN HALE: Would you stand and be
19 sworn, please.

20 (The witness was sworn by the Chairman.)
21
22
23
24
25

1 MR. F. H. CANALES

2 was called as a witness by the Plaintiff and, having
3 been duly sworn, testified as follows:

4 CHAIRMAN HALE: Would you state your name
5 and your mailing address?

6 A My name is F. H. Canales, Box 422, Benavides,
7 Texas.

8 DIRECT EXAMINATION

9 BY MR. CANALES

10 Q Mr. Canales, before we proceed with this
11 testimony, I wish you would tell the Committee if you
12 are related to me, as I think you informed me earlier
13 that we were related. I wish you would tell the Committee
14 what relationship we are, if we are, in fact, related.

15 A Representative Canales and I are second cousins.

16 Q How do we figure that one?

17 A Your father and my father were first cousins.

18 Q That would make us second cousins?

19 A Second cousins.

20 Q Now, Mr. Canales, you have before you on your
21 left side a list of five people, the first one being
22 Mr. Manuel Amaya. Would you tell us what the occupation
23 of Mr. Manuel Amaya, Jr. is right now?

24 A At the present, he is an appointee by Judge
25 O. P. Carrillo to Commissioner, Precinct 1.

1 Q Was he appointed by Judge O. P. Carrillo or
2 was he appointed—

3 A I mean appointed by Dan Tobin. I'm sorry.
4 Dan Tobin was appointed by Judge Carrillo.

5 Q Do you know Mr. Nicolas Garcia, personally,
6 from Concepcion, Texas?

7 A No.

8 Q Do you know Ernesto Benavides from Realitos,
9 Texas?

10 A No. I know him, but— Yes, I know him.

11 Q Do you know Roberto Elizondo from Benavides,
12 Texas?

13 A Yes.

14 Q Would you tell us what his official position
15 is, if any?

16 A He is a Court Reporter to the 229th District
17 Court.

18 Q Would you tell us who Mr. Morris Ashby is?

19 A At the present, he is the President of the
20 appointed board by Judge O. P. Carrillo.

21 Q Is that on the Benavides Independent School
22 District Board?

23 A Yes. That's right.

24 Q Is he also employed by Mr. Clinton Manges of
25 the Duval County Ranch Company or Corporation?

1 A That, I have heard, but I couldn't tell you
2 exactly on that.

3 Q Mr. Canales, you do work with the Water District
4 in some fashion. What is your position there?

5 A I don't exactly work for it. I am a Board
6 Member, a Director of the Water District. I am the
7 Secretary to the Board.

8 Q How much do you get paid in that particular
9 position?

10 A \$25 a meeting.

11 Q \$25 a meeting.

12 Have you ever been approached by Mr. Manuel
13 Amaya in the capacity in which you serve as a Director
14 of the Water District?

15 A Yes.

16 Q What was the request of Mr. Manuel Amaya, when
17 he approached you?

18 A He requested that he wanted to be put in the
19 agenda, because Mr. Clinton Manges wanted for the Duval
20 Water and Conservation District, which I am a Board
21 Member, to throw a water line to his ranch.

22 Q How far is the ranch from the nearest source of
23 water?

24 A That would have to be thrown from Freer, which
25 Freer has its own Water District and we would have to

1 throw it about five and a half miles.

2 Q What size of pipe line?

3 A This discussion of the size of the pipe line
4 was not entered into.

5 Q Do you have any idea of what a pipe line of
6 this nature would cost, assuming an average pipeline
7 that would be necessary to deliver water five and a
8 half miles?

9 A No, sir.

10 Q Not even a guess?

11 A No.

12 Q Okay. What did Mr. Manuel Amaya tell you on
13 the date on which he asked you to put the construction
14 of this five and a half mile water line from Freer to
15 Duval County ranch headquarters? What did he indicate,
16 or who did he indicate he was working for at that time?

17 A For Mr. Ginton Manges.

18 Q Duval County?

19 A Duval County ranch. He also approached the
20 general manager of the Water District and informed them that
21 we needed a letter to that effect to be put in the
22 agenda, which it was and I have a copy of that letter.

23 Q You have a copy of a letter that he gave to the
24 Water Districts stating that he was employed by the Duval
25 County Ranch?

1 A I do.

2 MR. CANALES: I would like to submit this
3 into evidence, unless the Committee would like to get
4 copies for their own personal use.

5 CHAIRMAN HALE: Are these duplicate copies?

6 A Yes, sir.

7 CHAIRMAN HALE: We don't need them both.
8 Give him that one back. Take one of these and make copies
9 for everybody here.

10 (The letter referred to was
11 marked "Exhibit-16" for
12 identification.)

12 CHAIRMAN HALE: Is there something on the
13 back of the letter?

14 MR. CANALES: Yes, Mr. Chairman, I think
15 there is a copy of the letterhead, or some letterhead.

16 CHAIRMAN HALE: Photocopy both sides of it.
17 Get copies of both sides. You may proceed, Mr. Canales.

18 Q Mr. Canales, in front of you, on the other
19 legal size page there that you have in the front, would
20 you go through that list and tell us the members who are
21 presently serving on the Grand Jury, and I guess it's
22 convened in San Diego. Would you tell us which one of
23 those members that are listed there are serving on the
24 Grand Jury?

25 A I don't know if I could do all that correctly.

1 Q Well, if you will hold on, I think I have a
2 copy.

3 Gentlemen, I have one right here.

4 Would you look at the first name on that
5 list of Grand Jurors chosen and state that name for the
6 Committee, please?

7 A Santiago Garcia.

8 Q Do you know Mr. Santiago Garcia?

9 A Yes, sir.

10 Q In what capacity does Mr. Garcia work?

11 A He is appointed to the Benavides Independent
12 School District Board, which was appointed by Judge
13 O. P. Carrillo.

14 Q Judge O. P. Carrillo appointed this same
15 Santiago Garcia, to the Benavides Independent School
16 District Board?

17 A Yes, sir.

18 Q Could you tell me the name of the next member
19 on the Grand Jury list there that was chosen?

20 A C. A. Jack Dameron.

21 Q Dameron, D-a-m-r-o-n, from Freer, Texas.

22 Do you know Mr. Dameron?

23 A No, I don't.

24 Q Do you know where he works?

25 A I don't know that, either.

1 Q Would you tell me the next name on the list,
2 please?

3 A Aurelio Correa.

4 Q Do you know Mr. Aurelio Correa?

5 A I do. He is the present superintendent of
6 the San Diego Independent School District.

7 Q What is the next name on the list?

8 A Fidencio Saenz—

9 Q No. I want the names on that short list that
10 says, "Grand Jurors Chosen."

11 A Okay.

12 Q Mr. Jack Demron is on the—

13 A Maria Aguayo.

14 Q Do you know Ms. Maria Aguayo? That's A-g-u-a-y-o.

15 A Ms. Maria Aguayo is employed by the Water
16 District.

17 Q By the Water District.

18 Could you state the next name that is on the
19 list?

20 A Homero Alamaraz.

21 Q Do you know Mr. Homero Alamaraz?

22 A No.

23 Q What is the next name on this list?

24 A Santiago Garcia, the one I just stated a while
25 ago.

1 Q Who is the next one on the list?

2 A Crisanto Garza.

3 Q Do you know Crisanto Garza?

4 A Yes. He is an Uncle to Judge O. P. Carrillo.

5 Q He is Judge O. P. Carrillo's Uncle?

6 A Yes.

7 Q What is the next name on the list?

8 A Juan Martinez.

9 Q Do you know Mr. Juan Martinez?

10 A Just so-so; not too much about him.

11 Q Do you know what he does?

12 A No. I sure don't.

13 Q Mr. Canales, would you read the next name on
14 the list?

15 A Leonel R. Garza.

16 Q Do you know what Mr. Leonel R. Garza does?

17 A He is a filling station operator. He was
18 appointed to the first removal of the Benavides Independent
19 School District Trustees; later resigned.

20 Q He was appointed by Judge O. P. Carrillo to the
21 Board?

22 A He was appointed by Judge O. P. Carrillo.

23 Q Would you give us the next name on the list, or
24 have we run out of them?

25 A Fidencio Saenz. I don't know him.

1 Q Okay.

2 A Raul Palacios. He works for the-- I am not
3 positive of that.

4 Q Who do you think he works for?

5 A I don't know. He might work for the Water
6 District.

7 Q And the next name?

8 A Enrique S. Carrillo.

9 Q Who is Mr. Carrillo?

10 A He is a first cousin to O. P. Carrillo.

11 Q Are there any more names on the list?

12 A Joe R. Nicholes.

13 Q Is that Jose R. Nicholes, or Joe?

14 A Jose R. Nicholes. I'm sorry.

15 Q Do you know what he does?

16 A I don't know what he does. No.

17 Q Okay.

18 A And Aurelio Correa, I have already testified.

19 MR. CANALES: Thank you.

20 Mr. Chairman, Mr. Canales has read off the
21 list of Grand Jurors who are presently serving as Grand
22 Jurors in the County of Duval. There are twelve appointed
23 and only eleven are present. One is absent.

24 Of the seven appointed, I believe we have a
25 witness who will come up later, Those that Mr. Canales

1 has not identified, he will identify that Mr. Santiago
2 Garcia was one of the members who Judge O. P. Carrillo
3 appointed to the School Board. Mr. Jack Damron is an
4 employee of the Duval County Ranch Company, which is
5 owned by Clinton Manges. He will testify that Enrique
6 S. Carrillo is the first cousin of O. P. Carrillo, son
7 of Eusebio Carrillo. I believe there was a question
8 here yesterday as to who Mr. Eusebio Carrillo was and if
9 he was related to Mr. Carrillo.

10 Q Is Eusebio Carrillo related to Judge O. P.
11 Carrillo?

12 A That is his uncle, his father's brother.

13 Q Were you here yesterday when he was being
14 discussed and Mr. Hinojosa stated that he did not know
15 whether they were related?

16 A Yes.

17 Q That is the same Eusebio Carrillo?

18 A Yes.

19 MR. CANALES: The witness will also testify
20 —the next witness I anticipate—will testify that Leonel
21 R. Garza was also appointed by Judge O. P. Carrillo to
22 the School Board, one of his appointees; that Mr. Crisanto
23 Garza is O. P. Carrillo's uncle; that Mr. Jose R.
24 Nicheles is an employee of the Clinton Manges and Duval
25 County Ranch Company; and that Mr. Verlon Bridges is—

1 A No, I didn't testify to Verlon Bridges.

2 Q He is not on this?

3 A He is not on this.

4 Q Oh, I'm sorry. I thought he was a member of
5 the Grand Jury.

6 MR. CANALES: I would offer this list
7 into evidence right now, Mr. Chairman. It is a
8 Certified Copy of the list. I have in addition, a
9 Certified Copy of the Grand Jurors actually chosen.

10 The procedure in this particular matter is
11 first the Judge appoints his Grand Jury Commissioners,
12 three of whom—well, one works for him; one is an
13 employee of Duval County Ranch; and the other one is an
14 appointee of an appointee of his.

15 These people appointed a Grand Jury, which I
16 believe the count will reflect is seven of them have a
17 direct relationship, either to Judge G. P. Carrillo or
18 to Mr. Clinton Manges.

19 I will offer these certified copies into
20 evidence at this time.

21 (The certified copies referred
22 to were marked "Exhibit-17"
for identification.)

23 Q Now, Mr. Canales, I'd like to ask you about a
24 conversation which we have discussed earlier and you
25 mentioned to me that you had had. We have discussed

1 previously in this Committee a date, I believe March 19th,
2 if I am not mistaken, in which Judge Carrillo made a
3 statement in which he was going to remove or split with
4 the George Parr Old Party. Several days subsequent to
5 that, four members of the Benavides Independent School
6 District were removed and subsequently, one other one
7 was removed out of a Board of seven, leaving two nephews
8 of Judge O. P. Carrillo, the only ones on the Board.

9 Now, in relation to these removals and that
10 first statement made by Judge O. P. Carrillo, you told
11 me that you had had a conversation with him. Would you
12 please tell the Committee when you had this conversation
13 and what transpired, as far as communications or words
14 between you and Judge O. P. Carrillo?

15 A We were both at a Rosary of Manuel Carrillo.
16 He approached me and got me by the arm while we were
17 waiting for the Rosary to start. He took me to the
18 side, to the front part of the Funeral Home where they
19 were adding on to it. It had not exactly been filled
20 in before, I mean, the walls hadn't been closed in yet.

21 Q Mr. Canales, do you remember the date?

22 A February the 16th.

23 Q February the 16th. Thank you.

24 A On or about that date, that is when it happened.
25 We were at this Rosary and he took me out and I assumed

1 he wanted to talk to me, which he did.

2 And the extent of the conversation started as
3 saying that we'd been together in a lot of political
4 campaigns and we had worked hard to get what was already
5 had. On which time, I said, "You have; we don't have
6 anything." Then he said, "You are referring to your
7 family, my wife, being out of the School Board and out
8 of working for the school?" And he said, "It wasn't me."
9 And I said, "It wasn't us or me." And I said, "Anything
10 that was done, was done through you all." At that time,
11 I was working for American National, which I worked for
12 thirteen years. And we kept on talking and which he
13 said that he didn't want to go into this, if George Parr
14 couldn't handle the Chapas or he mentioned "Buffalos"
15 which is a nickname for them. Ruben Chapa ran for the
16 race at the time. Then he would not hold back, that he
17 had to help his family.

18 In that time I had told him there were two
19 Trustees running, and I told him, "Look," I said, "we
20 offered you one Trustee and you run one and we run one."
21 I say, "we," I was just a supporter for this Trustee.
22 And he said, "No, because we won't have enough Board
23 members on the Board."

24 And I said, "Well, if you get two more, and
25 you get these two and the next year, you'll come right

1 back and run two more and then you'll have control of
2 the Board." And he said, to a fact, he said, "Look, I
3 promise you, I will not run anybody against those other
4 two." I told him, "You might not, but your brother,
5 Oscar, will." So we were right back to the deal, that if
6 Oscar ran him, he still had to support Oscar.

7 He said his family were getting impatient with
8 him, because he wouldn't do anything, and that he had
9 to go with his family and help them. "Don't you think I
10 should do that?"

11 And I said, "Well, you do whatever you want to."
12 And he said, "Well, really, I don't care how this
13 election comes out. I'm going to remove the Trustees."

14 And I said, "Well, you do what you want."

15 He said, "What are you going to do then?"

16 I said, "We'll just start right back until we
17 win the election, win them by election," which we did.
18 We beat them in that last election, 600 to a little over
19 1,100, for our candidates. That put in a little extra
20 which was not in the— The end of the conversation was
21 when I said, "We'll just go ahead and start from the
22 bottom again and start building a school board again
23 for our own."

24 Q Then he told you, Mr. Canales, that it didn't
25 make any difference who won the election; that he was

1 going to remove the people that weren't his relatives?

2 A That's right.

3 Q And did he—

4 A But he didn't say "the relatives." He just
5 said he was going to remove them.

6 Q He said he would help his family?

7 A That's right.

8 Q After all of the removals had taken place,
9 Mr. Canales, who were the only two members left on the
10 Board?

11 A Mrs. Hilda Parr and Ruben Chapa and—

12 Q No. These people were elected subsequently
13 to the removals, or at that particular election, were
14 they not?

15 A I—

16 Q I am talking about the removal suits, when he
17 began removing, when he removed five of the seven
18 Trustees from the School Board? Who was left after he
19 finished removing all of the members?

20 A Let me correct you, Mr. Canales. He removed
21 four.

22 Q He removed four.

23 A He removed four Trustees first.

24 Q Who was left?

25 A Al Schuenemann and Rogelio Guajardo.

- 1 Q Who is Rogelio Guajardo?
- 2 A O. P.'s nephew.
- 3 Q Okay. And who else?
- 4 A David Romero Carrillo.
- 5 Q Who is he?
- 6 A Also his nephew.
- 7 Q So he left two nephews and Mr. Schuenemann?
- 8 A That's right.
- 9 Q What later happened to Mr. Schuenemann?
- 10 A Well, later, we were trying to keep some kind of
- 11 thing going. We didn't know how to fight him, or any-
- 12 thing. So the County Attorney removed, made a motion to
- 13 remove Al Schuenemann and his two nephews.
- 14 Q Mr. Garcia, the County Attorney in Duval?
- 15 A Yes, sir.
- 16 Q Made a motion—
- 17 A Made some kind of a—
- 18 Q —filed a petition in the court after the other
- 19 four had been removed, the first four?
- 20 A Yes.
- 21 Q —to remove the remaining three from the school
- 22 board?
- 23 A That's right.
- 24 Q And what happened at that time?
- 25 A District Judge O. P. Carrillo acted only on—

1 Q On Schuenemann?

2 A — Schuenemann and left his two nephews on the
3 Board.

4 Q And they are still on the Board today?

5 A No. They were defeated—well, one of them
6 was defeated and the other one didn't run. They were
7 defeated. They aren't on the Board any more.

8 Q They were, in effect, beat in the last election
9 by Ms. Hilda Parr and Ruben Chapa?

10 A And Ruben Chapa. That's right.

11 Q Let's get to this point now where we discussed
12 last night, or Mr. Bercaw said last night that there are
13 two wards.

14 A Yes. We, like I said a while ago, we were
15 trying to keep control, or find some way that we could
16 get our Board back or get something back. So the lawyers
17 came up with an idea for the old Trustees to resign on
18 some kind of a statute or law or, I don't know.

19 Q They would resign to the two newly elected
20 members?

21 A To the two newly elected members at which
22 time the lawsuit or statute or whatever it is, that the
23 three remaining Trustees would—

24 Q Appoint the remainder?

25 A —appoint the remainder and which the quorum

1 would be two, out of the three; which would, in turn,
2 appoint another one; which, in turn, would appoint another
3 one and so on. That was done in a meeting before
4 4:00 or 5:00 o'clock and O. P.'s Board had a meeting
5 at 7:00.

6 Q Now, you are talking about "O. P.'s Board."
7 Where did they come from?

8 A Well, they still kept—

9 Q Were they all appointed?

10 A They were all appointed. Yes.

11 Q None of them are elected?

12 A None.

13 Q Not one of them?

14 A Not one of them.

15 Q Okay.

16 A They had another meeting after that one at
17 which time they started firing the County Superintendent—
18 I mean the School Superintendent and—

19 Q Who replaced the School Superintendent?

20 A Well, he was not actually replaced. They had,
21 according to the paper—this was all in the paper— They
22 hired or tried to hire a man from Corpus by the name of
23 Loran, and they were going to hire another for Freer,
24 because the Superintendent in Freer, who was just
25 temporarily appointed, when they lost their Superintendent,

1 and didn't want it any more and they appointed a man in
2 Corpus.

3 Q Are they having trouble finding superintendents?

4 A No. It's just that this particular man didn't
5 want the job.

6 Q Didn't want the job.

7 Mr. Canales, did you think, when the removals
8 began, that they might have had some relation, or did
9 you think that the Judge was actually following through
10 on the comment or threat that he had made earlier to
11 the effect that he would remove the members from the
12 School Board, if these other people ran in the
13 election? Do you think there is any tie between the
14 fact that he had told you earlier, if these people run
15 and win, I will still remove them, and the actual removals?

16 A Well, that was not a surprise to me. I knew
17 it was coming.

18 Q You knew it was coming.

19 A I knew it was coming. Yes. He had told me.

20 Q This was way before any suits were filed to
21 remove?

22 A That's correct.

23 MR. CANALES: Thank you, Mr. Canales. I
24 have no further questions of this witness, Mr. Chairman.

25 Would you like to continue with your statement?

1 A Yes. You didn't let me finish the story of
2 the Boards, and I would like to get it through.

3 Q Go ahead.

4 A When this other Board had their meeting, they
5 didn't know, I guess, what had actually happened in our
6 meeting. We posted it. We called it in for an emergency
7 meeting. And then so it was posted two hours before, like
8 everything else, like the law requires. Then they didn't
9 come to our meeting. We didn't go to theirs either.

10 So, the next morning, it came out in the paper.
11 We had a Reporter there, Mr. Pearson, at our meeting. And
12 it came out of what our Board had done.

13 Well, they called an emergency meeting on
14 Saturday. We had the meeting on Friday. They called one
15 on Saturday, the following day, and they had a meeting that
16 appointed a Board and they accepted the resignations also,
17 which none of them had in their possession; at which time
18 they reapointed themselves to the Board.

19 Our biggest concern was at the time, and it
20 still hasn't happened, as far as I know, that Judge
21 O. P. Carrillo would not accept the resignations, at
22 which time the trial would not be terminated, I mean
23 the trial would end. But then the Board went out there
24 and accepted those resignations and resigned and then
25 they appointed themselves to the Board with what

1 authorization, I don't know. That's it.

2 MR. CANALES: Thank you. I have no
3 further questions, Mr. Chairman.

4 CHAIRMAN HALE: Mr. Canales, you tendered
5 a letter here a moment ago. I'd like to ask you some
6 questions about that.

7 Did you return a copy to him, Mr. Canales? Does
8 he have a copy?

9
10 QUESTIONS BY THE COMMITTEE MEMBERS

11 BY CHAIRMAN HALE

12 Q This letter is addressed to the Honorable
13 Gilbert Sharpe. Is that correct?

14 A That's right, sir.

15 Q Who is Gilbert Sharpe?

16 A Gilbert Sharpe at the time was the Conservator
17 of our Water District. The Water Rights Commission
18 appointed a Conservator, or the Attorney General or
19 together, I don't know which—and he is a District Judge
20 now, was appointed shortly, but he was appointed by the
21 State to look on our Board, our transactions.

22 Q Where did you get this letter?

23 A From the Water District.

24 Q Mr. Sharpe had filed it there with—

25 A No, no, no. This was given to the Water District,

1 to the manager there. Gilbert Sharpe lives in the Valley.
2 This letter was given to the Manager.

3 Q The Water District.

4 A The Water District manager. That's right.

5 He requested to be put on the agenda.

6 Q Who is Manuel Amaya, Jr.?

7 A He is the one that Mr. Judge O. P. Carrillo
8 appointed—not him, I'm sorry— Dan Tobin appointed to
9 Commissioner of Precinct 1.

10 Q But this letterhead is on a "San Diego Inde-
11 pendent School District Follow-Through Project Head
12 Start" letterhead.

13 A That was his job in the place. That's where
14 he worked.

15 Q Does he still have this position?

16 A No.

17 Q Did he resign this position?

18 A He resigned.

19 Q He resigned, and was appointed County
20 Commissioner?

21 A That's right.

22 Q In Duval County?

23 A That's right.

24 Q Who is the County Judge that appointed him?

25 A No. This is appointed by the School Board, I

1 believe. I'm not certain of that.

2 Q How did he get to be County Commissioner?

3 A Dan Tobin appointed him.

4 Q That was my question. Who appointed him
5 County Commissioner?

6 A Dan Tobin.

7 Q And Dan Tobin was County Judge of Duval County?

8 A Yes, sir.

9 Q How did Dan Tobin get to be County Judge of
10 Duval County?

11 A District Judge O. P. Carrillo appointed him.

12 Q How did the vacancy occur?

13 A Well, Dan Tobin was Commissioner of Precinct 1.
14 And he resigned that position, I guess, to take the
15 Judgeship.

16 Q Who was Judge before Mr. Tobin was appointed?

17 A Archer Parr.

18 Q How did Archer Parr get out of the office and
19 Mr. Tobin get into the office?

20 A Judge O. P. Carrillo removed him.

21 Q He removed Mr. Parr and appointed Mr. Tobin?

22 A That's right.

23 Q When did that take place?

24 A Shortly after the School Board removal of the
25 first four trustees..

1 MR. CANALES: Mr. Chairman, may I
2 interrupt the Chair at this time? I think there is a
3 matter which is very pertinent, as far as the questions
4 you are asking at this time.

5 Mr. Dan Tobin was the man who was appointed
6 by Judge O. P. Carrillo to the County Judgeship after
7 removing Archer Parr. Mr. Dan Tobin—I have here a
8 "Notice of Lis Pendens" filed in the District Court of
9 Starr County, in which the First State Bank and Trust
10 Company is suing Mr. Dan Tobin in the amount of \$30,000
11 plus \$2,625 in interest and attorney's fees. The First
12 State Bank and Trust is the same bank and trust which
13 is owned almost in its entirety by Mr. Clinton Manges.

14 The reason that I introduce it at this time
15 for the Committee's review is that it tends to link the
16 theory that I have that there is a conspiracy between
17 Judge O. P. Carrillo and Mr. Clinton Manges to remove
18 all elected officials and appoint political allies.

19 At this time, I would offer to the Committee
20 this "Notice of Lis Pendens." And, if I am not mistaken,
21 the records will show that no action has been taken
22 on this particular matter since Dan Tobin was appointed
23 to the Judgeship. But I am not sure on that particular
24 point.

25 CHAIRMAN HALE: Why would a bank controlled

1 by Judge Carrillo or Clinton Manges sue a County Judge
2 that had been appointed by Judge Carrillo?

3 MR. CANALES: No. The suit took place
4 prior to the appointment to the County Judgeship, Mr.
5 Hale. It is my intention to show that Mr. Dan Tobin, who
6 was appointed to the County Judgeship, is financially
7 indebted to Mr. Clinton Manges, and that this suit, al-
8 though pending, no action has been taken upon it.

9 It tends to show a relationship, or at least
10 a subserviency of Mr. Dan Tobin to the First State Bank
11 and Trust, which is owned by Mr. Clinton Manges. Well, it
12 goes in with the story which I will try to summarize at
13 the end of the presentation of my testimony.

14 CHAIRMAN HALE: That's fine. Hand it to
15 the Court Reporter and have it identified.

16 (The notice referred to was
17 marked "Exhibit-19" for
identification.)

18 MR. CANALES: Mr. Chairman, it is the
19 design to show that all of these people are in one way
20 related financially or by consanguinity.

21 BY CHAIRMAN HALE

22 Q Mr. Canales, back to the letter, this photocopy
23 that we have obtained here is almost illegible. I can
24 hardly read the last part of it. Would you take your
25 copy and, if you would, read, starting about the middle

1 of the page where it says, "The purpose---"?

2 A "The purpose of this above request is to
3 represent the Duval County Ranch Company on
4 Water District related matters. Please advise
5 me if I am on the Agenda and inform me as to the
6 time and the date."

7 Q Who signed it?

8 A "Respectfully yours, Manuel Amaya, Jr."

9 Q In other words, Mr. Amaya purported to repre-
10 sent the Duval County Ranch Company in requesting this
11 appearance on the agenda?

12 A That is right, sir.

13 Q When we refer to the Agenda, that would be
14 an Agenda of the meeting of the Duval County Conservation
15 and Reclamation District Board? Is that right?

16 A That's right.

17 Q What did he want on the Agenda for?

18 A On the meeting, he related that Mr. Clinton
19 Manges wanted a water line thrown from the Freer Water
20 System, which they had already spoken to, that it could
21 be tapped. He gave me the amount. I don't remember
22 exactly how much it would cost him to get tapped to it;
23 and that we were supposed, and for us to furnish this
24 water line to his place.

25 Q To the Carrillo ranch?

1 A No. Clinton Manges. I'm sorry.

2 Q To the Manges Ranch?

3 A That's right.

4 Q Is that the one that is five and a half miles?

5 A Well, according to him— I don't know exactly
6 how far it is. He wanted for us to throw the line five
7 and a half miles.

8 Q Did you understand that he was going to pay
9 you to put the water line out there?

10 A No. The way he said it was: "Clinton Manges
11 said that he wanted a fair shake, or, for that matter,
12 because he paid a lot of taxes to the Water District,
13 and he just wanted for us to do, to put this line for
14 him."

15 Q Where does Judge O. P. Carrillo fit into this
16 request?

17 MR. CANALES: Mr. Chairman, I don't know
18 that the witness said that. It's my plan to show that
19 there is a relationship between O. P. Carrillo. This
20 began back with the testimony of Mr. Bercaw that Judge
21 O. P. Carrillo was removed in a case involving Clinton
22 Manges in which the Judge said that there was no way in
23 which he could possibly be impartial, because of several
24 hundred thousand dollars he was indebted to Mr. Clinton
25 Manges. This is the Judge to Mr. Manges and he had bought

1 him a car and he was giving him free rent on his ranch,
2 et cetera, et cetera.

3 I am trying to show a relationship between
4 these two men and the appointments to the Grand Jury,
5 Commissioners and subsequently to the Grand Jury itself;
6 additionally, to the Benavides Independent School Board;
7 the appointment of the same members to the Grand Jury,
8 the Grand Jury Commissioners to the Benavides Independent
9 School District and to the County Commissioners Court.
10 They are all tied in and they are all traceable back
11 either by consanguinity to Judge O. . . Carrillo or
12 financially to Mr. Clinton Manges.

13 CHAIRMAN HALE: Then I was in error in
14 my interpretation of the earlier remarks. The pipe line
15 was not going to the Carrillo ranch then?

16 MR. CANALES: No. The pipe line was
17 going to the Duval County Ranch Company.

18 CHAIRMAN HALE: Owned by Clinton Manges?

19 MR. CANALES: Owned by Clinton Manges.

20 It is a very complicated web, Mr. Chairman,
21 and it's going to be very difficult to understand. I
22 will try to summarize the entirety of the testimony at
23 the completion of the presentation by the witnesses,
24 and hope that I can relate the matter in some sensible
25 form. I realize that the members of the Committee don't

1 know all of the individuals involved. They don't know
2 the personalities. They don't know the politics, but
3 I'll try to tie them all in, if the Committee will try
4 to remember some of the names and the context in which
5 they were mentioned.

6 CHAIRMAN HALE: Fine. Thank you.

7 BY CHAIRMAN HALE

8 Q Now, Mr. Canales, you testified that you had
9 a meeting with Judge Carrillo at the Manuel Carrillo
10 Rosary?

11 A That's right.

12 Q What is a "Rosary"?

13 A It's a wake. You know, we hold a Rosary for
14 our dead.

15 Q It's a part of a funeral ceremony, is it not?

16 A That is right.

17 Q Did Manuel Carrillo die at this time?

18 A It was his funeral.

19 Q It was his funeral?

20 A Yes.

21 Q It was at the funeral that you had this con-
22 versation with Judge O. P. Carrillo?

23 A That is right. At the Rosary.

24 Q At the Rosary. How do you fix a date for that?

25 A About Manuel, well, I looked up when Manuel

1 Carrillo, when he died.

2 Q I see. The meeting was, I believe you said,
3 on or about February 16th?

4 A That's right.

5 Q When you say "on or about," that would be
6 within one or two days of being correct?

7 A That's right.

8 Q And it was in this conversation where if I
9 listened and heard and read your testimony correctly
10 that Judge Carrillo told you that it didn't matter who
11 won the election for trustees, but if his candidates
12 didn't win, he was going to remove the others anyway.
13 Is that the substance of it?

14 A That's the whole thing. Yes.

15 Q And he later did remove them?

16 A He later removed them, before the election.

17 Q I believe you testified he removed four of
18 them at first and the three that were left were his
19 own nephews, plus Mr. Schueneman?

20 A That is right.

21 Q Then at a later proceeding, Mr. Schueneman
22 was removed?

23 A That is right.

24 Q And that left who? David H. Carrillo and
25 Rogelio Gonzalez?

1 A That's right.

2 Q And both of those gentlemen are nephews of
3 Judge O. P. Carrillo?

4 A That is right.

5 CHAIRMAN HALE: Thank you very much.

6 Mr. Maloney?

7 BY MR. MALONEY

8 Q Mr. Canales, when did you say this conversation
9 was with Judge Carrillo?

10 A On or about February the 16th.

11 Q Was that of this year?

12 A Yes, sir. '75.

13 Q I believe that in telling us, you said that
14 you were with American National at that time?

15 A No. I had worked. Before this, I had worked
16 for American National.

17 Q That's a—

18 A I mean, I don't remember how I said it, but I
19 used to work for American National before.

20 Q I take it that's an insurance company?

21 A That's right, sir.

22 Q Were you in the insurance business?

23 A At the time. No. Not any more.

24 Q At the time you were with American National,
25 were you in the insurance business?

A Oh, yes, sir. I was a debit man.

1 Q Does that mean you worked in the office,
2 rather than being a salesman?

3 A No. A debit man means I used to collect
4 insurance. I had a book that I went by and knocked
5 on the house and collected insurance.

6 Q When did you cease to work for American National?

7 A In September of last year.

8 Q Of 1974?

9 A Yes.

10 Q Was that your only source of income at that
11 time?

12 A No. I have a little ranch and I have a little
13 store.

14 Q What is that little store?

15 A Auto Parts.

16 Q In Benavides?

17 A That's right, sir.

18 Q Do you do any trade with the County in that
19 auto store?

20 A Yes.

21 Q Do you still have that store?

22 A Yes, sir.

23 Q Do you still do trade with the county?

24 A Very little. When they can't find anything else,
25 they will come by.

1 Q How do you bill the County when you do business
2 with them?

3 A Duval County, Precinct 3.

4 Q You just send in a bill?

5 A Yes.

6 Q What is the name of that company?

7 A Canales Auto Parts.

8 Q All right. When you ceased to work for American
9 National, did you take up any other occupation in addition
10 to your auto store?

11 A Yes. Later on, I was appointed the tax assessor
12 to the Benavides Independent School District and was re-
13 lieved of my duties in April, after the removal of the
14 other trustees.

15 Q Let me get this straight. When did you cease to
16 work for American National?

17 A In September. And I went to work for the Ben-
18 vides Independent School District, either in October or
19 in November.

20 Q Were you offered the job with the School
21 District?

22 A That's right.

23 Q And that is what caused you to leave your job
24 with the insurance company?

25 A No. I never had any intention to leave the

1 American National, but just prior to this political
2 deal that started in March or April of last year, I got
3 into it and Oscar Carrillo, Judge Carrillo's brother,
4 who was running for Senator, wanted my support. I wouldn't
5 give it to him. At which time he started calling my
6 company, calling my boss and writing letters to my—getting
7 mixed up in politics—and that he didn't want me to go
8 to his home to collect; that he was going to drop his
9 insurance.

10 About every week from then on, until I got out,
11 there was something going on most of the time. Even
12 Judge O. P. Carrillo just before I quit, came over and
13 told me he was going to cash in his own policy also;
14 which, whether he did or not, I do not know.

15 Q Is this what caused you to leave American
16 National?

17 A I believe that is so.

18 Q I believe you said some letters were written
19 to your employer?

20 A As my employer told me so.

21 Q What's your employer's name in American
22 National?

23 A Mr. V. H. Gonzalez, Alice, Texas.

24 Q What is the address of Mr. Gonzalez?

25 A Well, the office—I just couldn't remember.

1 Q How long did you work for American National?

2 A Let me see: I worked 13 years.

3 Q And you can't remember Mr. Gonzalez's address?

4 A Well, I used to go there. I didn't have any
5 need to write, or anything like that. I mean, I used to
6 report to the office.

7 Q What street was it on?

8 A It's in Lucile Drive— I just couldn't remember.

9 Q In Alice, Texas?

10 A In Alice.

11 Q Is that office an office of American National?

12 A It's a District Office. Yes.

13 Q Then when you quit American National, what
14 next job did you take from that point on?

15 A I went into the Benavides Independent School
16 District?

17 Q How did you get that job?

18 A I asked and they said they had an opening, so
19 I went in.

20 Q Who did you ask?

21 A I asked the Board and they hired me.

22 Q Who, in particular, on the Board, did you ask?

23 A I asked Mr. Luis Elizondo and Mr. Enrique
24 Garcia.

25 Q At what salary did you begin?

1 A \$500.

2 Q About how much were you making out at the
3 insurance company?

4 A Last year I made, gross, of around \$14,000.

5 Q So you took a substantial cut in pay?

6 A That is so.

7 Q Is that what you are telling us?

8 A Right.

9 Q Does that \$14,000 include your income from your
10 parts company?

11 A No.

12 Q Then you had the conversation with— Well, let
13 me ask this: How long did you continue being a tax
14 assessor for the Benavides Independent School District?

15 A Just for as long as that board got in, which
16 was in— April, I guess. I don't remember exactly. It
17 was pretty close to the election when we were let out.

18 Q Did you leave that occupation voluntarily, or
19 were you dismissed?

20 A No. The Board had a meeting and the next morn-
21 ing, I was still shaving when a representative of the
22 District Attorney's Office came in with an envelope and he
23 told my wife he was a representative from the Attorney
24 General and said, "You had better come down." So, I came
25 downstairs and I asked him. I said, "What's the matter?"

1 And he said, "I have a letter here. I am a representative
2 from the District Attorney's Office. I have a letter
3 here from the Board of Trustees from the Benavides
4 Independent School District."

5 So, I opened the letter and it said that I
6 had been terminated.

7 Q Was this—

8 A The way they put it was, if I am not mistaken
9 was that I "was being relieved without pay."

10 Q Would this have been from the new board or the
11 old board?

12 A From the appointed board and part of O. P.'s
13 nephew's.

14 Q Could you tell us about what date that would
15 have been, Mr. Canales?

16 A I couldn't— I just—

17 Q Could you pin it down as to a month?

18 A It was either in the last part of March or the
19 first part of April. I don't know.

20 Q Either the last part of March or the first
21 part of April?

22 A That's right.

23 Q Are you just guessing at that, or is that
24 pretty accurate?

25 A No. That's pretty close. It was pretty close

1 to the election time.

2 Q And when was the election?

3 A On April 5th.

4 Q So you were terminated with the School
5 District and then you somehow had a job with the Water
6 District.

7 A Well, it's not a job. I mean, I am a board
8 member. We get paid for the—

9 Q How did you come to get that job?

10 A I was appointed.

11 Q By whom?

12 A By the Board. I mean one of them resigned and
13 I was appointed.

14 Q Well, did you just get a letter that said you
15 had been appointed, or did you go to ask someone?

16 A No. I was asked if I would go, and I went in.

17 Q How soon after your termination with the
18 School District was this?

19 A No, no. I was appointed to the Water District
20 the year before, Mr. Maloney. That was in 1974.

21 Q So you were on the Water District at the same
22 time you were on the School Board?

23 A That's right.

24 Q Or tax assessor. I see.

25 A That was at the time right after Oscar Carrillo

1 ran for Senator and right after the primary in May some
2 time of 1974.

3 Q I'm interested in the conversation you had with
4 Mr. Amaya, as regards some sort of setting on the Agenda
5 of the Water District. Am I correct in that you did have
6 that conversation?

7 A Yes. I just asked him for a letter, so we
8 would have it on record.

9 Q He came to you. Is that correct?

10 A He came to the general manager and then he came
11 and talked to me about it. He talked to another board,
12 Mr. Gab Raymond and then I told him, I said, "Well, write
13 us a letter, so you will be put on the Agenda." And
14 that's it.

15 Q Did you receive the letter? How did you get
16 the letter?

17 A No. He sent it over, I believe. I don't
18 know. I didn't get it. It was turned into the office.

19 Q So you don't know how—

20 A How it got there?

21 Q —it could have gotten there?

22 A No. But with this deal, you know, I asked
23 him if this was— Later I saw him and asked him if
24 this was the letter, and he said, "Yes."

25 Q How did you have occasion to ask him if that was

1 the letter?

2 A I did, because we were trying to— At that
3 time, I think the day or so before or close by, he was
4 appointed to the County Commissioner's Court.

5 Q I am wondering how you took the letter and
6 said, "Is this the letter you sent"?

7 A Because I asked, "Are you sure this is your
8 letter?" and he said, "Yes." Well, I wanted to make
9 sure that it was his letter, so I asked him and he
10 said, "Yes." I went to his house.

11 Q What made you think that it might not be his
12 letter?

13 A Well, there were so many things happening that
14 I didn't know and I just wanted to be sure.

15 Q The letter is on the letterhead of the San
16 Diego Independent School District Follow-Through Project
17 Head Start. Is that correct?

18 A That's correct.

19 Q Is that an organization there in San Diego?

20 A I don't know too much about it. I don't know
21 what it really consists of.

22 Q So you took this letter out to his house and
23 asked him if this was his letter?

24 A That's right.

25 Q And he said, "Yes, it is."

1 A That's right.

2 Q So you were satisfied then and took the letter
3 back?

4 A That's right.

5 Q Have you ever had occasion to do anything
6 like that before?

7 A No, sir.

8 Q Have you ever had occasion to do anything like
9 that since?

10 A No.

11 Q I notice the letter is in handwriting. Is
12 that correct?

13 A That's correct.

14 Q And the letter, the body of the letter—and I
15 am no handwriting expert, but the body of the letter
16 is not in the same handwriting as the signature of the
17 letter.

18 A Well, what I asked, I asked, if that is your
19 signature, right there. That is what I asked him, "Is this
20 your signature?" and he said, "Yes." And that's the
21 extent of it.

22 Q Are you working for anyone else at this time
23 besides your job on the Water District?

24 A No.

25 Q So your only income is the \$25 per meeting and

1 what you are making off your parts store? Is that
2 correct?

3 A Yes. I have a little ranch also and a few
4 cows.

5 Q Where is this ranch?

6 A Right close to Benavides.

7 Q Do you live on your ranch?

8 A No. I live in Benavides.

9 Q Do you have any employees on your ranch?

10 A No.

11 Q You work it all by yourself?

12 A That's right, sir.

13 Q How much money were you making when you were
14 terminated with the Benavides Independent School District?

15 A With the Benavides School District?

16 Q Right.

17 A \$500.

18 Q You made 500 from the time you started until
19 the time you terminated?

20 A Right.

21 Q I hate to belabor the point, but Mr. Canales,
22 but Mr. Terry Canales has provided us with a sequence of
23 events, as regards to the School Board. I find it hard
24 to read, because we keep talking about two boards and I
25 am never sure which one we are talking about.

1 On March 19th he indicates that a Mr. Bercaw,
2 Mr. Schuenemann, Mr. Garcia, Luis Elizondo and Enrique
3 Garcia, David H. Carrillo and Rogelio Guajardo were the
4 School Board, the existing school board. Would that be
5 correct?

6 A That's correct.

7 Q On March 20th, Judge Carrillo removed four
8 members of that school board?

9 A That's right.

10 Q And he appointed four other people.

11 A That's right.

12 Q When we are talking about the "four other
13 people," now we are talking about "School Board No. 2."
14 Is that correct?

15 A No.

16 Q What is School Board No. 2?

17 A Remember, I told you that the elected trustees
18 had a meeting and were presented with the resignation
19 of the original trustees and they appointed a board.
20 They appointed them one at a time, which at that time
21 would be Ruben Chaps and Mrs. Hilda Parr and Mr. Pete
22 Hunter. Mr. Pete Hunter did not attend the meeting, but
23 according to the law or the statute, or whatever it is,
24 they had a quorum because they had two.

25 Q And you mean that the new school board really

1 only consisted of Hilda Parr and Ruben Chapa, to begin
2 with, the elected members?

3 A Let me go back again. Okay, we had the
4 appointees, O. P.'s appointees. There were five already.
5 Okay. And we had two elected trustees. Okay.

6 Q All right.

7 A Then the old board, which four of them— I mean,
8 five of them were out—four of them resigned. They
9 resigned to the elected officials.

10 Q All right, leaving Hilda Parr and Ruben Chapa.

11 A That's right.

12 Q That was the only existing school board?

13 A That's right.

14 Q What is School Board No. 1? If that's School
15 Board No. 1, what is School Board No. 1 now?

16 A That is Santiago Garcia, Wilma Villeres,
17 Ashby, Selco Leveya. Pate Hunter is considered to be a
18 member of both boards. (Laughter.)

19 He was not removed. Nobody resigned for him.
20 We consider him part of our board.

21 Q I think that you have answered my question,
22 because the question is that Mr. Canales' sequence of
23 events is more confusing than what you are telling me.
24 I am beginning to understand now, from what you are
25 telling me.

1 Is Mr. Ruben Chape any relation to Mr. D. C.
2 Chapa?

3 A Not that I know of.

4 MR. MALONEY: Thank you very much, Mr.
5 Canales.

6 CHAIRMAN HALE: Mr. Slack?

7 MR. SLACK: I pass.

8 CHAIRMAN HALE: Mr. Hendricks? He is
9 not here.

10 Mr. Nabers? Mr. Kaster?

11 BY MR. KASTER

12 Q Mr. Canales, apparently politics is the way of
13 life down in Duval County, and I would assume that you have
14 been on the school board or around that you are interested
15 in politics in the entire county. Is that correct?

16 A A little? Oh, yes. Some.

17 Q Well, when Oscar Carrillo asked you for help,
18 in what capacity was he asking you for help?

19 A He was asking for my support.

20 Q Just for you to vote for him?

21 A Well—

22 Q Or would you work for him, or what?

23 A I guess campaign for him and get as many votes
24 as I could for him.

25 Q Had you campaigned in other campaigns for other

1 people?

2 A Oh, yes.

3 Q So you were interested in politics enough to
4 campaign in them?

5 A Well, now, you better come again. What's that?

6 Q You were interested enough in politics that
7 you actually worked for candidates that you would go out
8 and campaign for them?

9 A Oh, yes. Once in a while I did, at that time.

10 Q When was this that Oscar asked you for your
11 help? Was it the May primary or is that when that
12 happened?

13 A That's right.

14 Q He asked you in February or in March: Is
15 this—

16 A No.

17 Q Or April or—

18 A Sometime around in March, I guess. I don't
19 know. I couldn't tell you exactly.

20 Q Now, at that time, your cousin Terry was
21 already a State Representative?

22 A I couldn't say if he was or he wasn't. I
23 don't remember.

24 Q Did you ever discuss with him about the
25 politics— Or was he running then himself?

1 A Let me enlighten you on Representative Canales.
2 I had not actually talked to him at length in my entire
3 life prior to this deal here. I had met him the first
4 time probably when he ran the first time for the House.
5 So I had never had any contact whatsoever with him
6 prior to that. He lives in another community or another
7 town from where I live.

8 Q How far is it between them?

9 A Oh, about forty miles, I'd say.

10 Q Forty miles?

11 A I'd say.

12 Q Does his District include where you live or
13 not?

14 A Oh, yes. It does.

15 Q It does.

16 A Yes.

17 Q Okay. Now, when you told Oscar that you
18 wouldn't help him, I would assume that that's when your
19 trouble started after the election then. Did he lose then
20 or win?

21 A No. He lost.

22 Q To?

23 A Senator Traiger.

24 Q Did he indicate anything at that time that if
25 you didn't help him, he was going to make life tough for

1 you, or not?

2 A Well, I don't know if he indicated it or not,
3 but he made it. (Laughter.)

4 Q So that now there was bad blood between you
5 and at least Oscar Carrillo, at that time?

6 A Let me enlighten you a little bit, Mr. Kaster.
7 We don't have any "bad blood" or anything like that.
8 We are in politics. We work politics. But as far as
9 us trying that I know this will go also with Judge
10 Carrillo and myself and the rest of them: Bodily harm
11 or anything like that, we don't do.

12 Q I didn't mean to imply that.

13 A Well, you said "bad blood," feud.

14 Q Well, meaning there was unhappiness between
15 you and Mr. Carrillo to the extent that he started
16 harassing your employer, according to you and it resulted
17 in your termination. That's not a friendly act, in my
18 opinion.

19 A It sure isn't.

20 Q Then you aren't friendly with each other?

21 A I wasn't terminated—

22 Q Well— All right—

23 A I resigned. Yes. I got out.

24 Q Because people you had sold policies to were
25 cashing them in, or something. It wasn't going very

1 well.

2 A Well, it was a little hot.

3 Q Now, did this spill over in any way to Judge
4 Carrillo?

5 A The only thing which I have stated, Judge
6 Carrillo told me just before I got out that he was
7 cashing in his policies, also.

8 Q Now, let's come forward then to the Rosary on
9 February the 16th, on or about February the 16th at
10 the Rosary. Rosaries usually last 20 minutes or something
11 and then everybody stands around and talks a long time.
12 At least the Rosaries I have been to, this is kind of
13 what happens.

14 A More or less. Yes.

15 Q You indicated that Judge Carrillo wanted to
16 talk to you. You told us that he wanted to talk to
17 you and that you stepped outside or in front of the---

18 A We stepped in the shell. The walls and the
19 inside were not covered.

20 Q You were off by yourself; just the two of you?

21 A Oh, yes. There were people around, but we
22 were to one side.

23 Q So that nobody heard you two?

24 A No.

25 Q So that anything you tell us is just your

1 impression of what the conversation was and nobody is
2 there to corroborate it and it's just your word against
3 the Judge's?

4 A Well, I took an oath.

5 Q Okay. Now, could there be an interpretation,
6 maybe, and you're talking about politics again. Is
7 that correct?

8 A That's right.

9 Q Is the school board election coming up?

10 A That's right.

11 Q Now, you were talking about two trustees and
12 maybe you suggested that he run one and you run one. Had
13 these people already filed and were running?

14 A They were preparing for it.

15 Q They hadn't actually filed?

16 A Ruben filed for it.

17 Q What about Mrs. Parr?

18 A I don't recall, if she had filed.

19 Q But Ruben had filed?

20 A I believe so. Or he was already on there that
21 he was going to run.

22 Q And you were backing him, or you were for him
23 or for both of them?

24 A I backed Mrs. Hilda Parr and Mr. Ruben Chapa.

25 Q Now, I would assume from the conversation that

1 Judge Carrillo wasn't in favor of these two?

2 A No. He wanted for his Daddy and Rogelio Guajardo
3 to run.

4 Q That's D. C. Chapa, or what's his—

5 A D. C. Chapa. That's right.

6 Q He wanted his Daddy to run, but his Daddy
7 hadn't announced. Is that right?

8 A (No response.)

9 Q Or he was already on the Board? No, he wasn't
10 on the Board then.

11 A I don't know if he did at the time, but I
12 think that David Homero, or, I couldn't recall exactly.
13 D. C. Chapa had already announced or anything, but
14 Rogelio Guajardo and David Homero Carrillo were the in-
15 cumbents at the time and they were going to run. Then later
16 on, David Homero resigned and at one time they had
17 David Homero and they had D. C. Chapa and Rogelio Guajardo
18 and finally pulled out.

19 Q So he was against the two that were running.

20 Just in curiosity, how long did you all stand
21 there talking?

22 A I couldn't tell you, you know, when you are
23 talking and you are interested, I couldn't put a time to
24 it.

25 Q Just a little while?

A Just a little while.

1 Q Now when you say he stated that I promise you
2 I won't run anybody and then you said, "Yes, but Oscar
3 might", because you had had dealings before with Oscar,
4 I would assume.

5 A Well, let's just say that you learn a little
6 while you are in that kind of a deal.

7 Q Now then, when you say that the Judge says
8 that it doesn't make any difference who wins, I am going
9 to remove them, did he indicate any reason for that, or
10 did you question it, or wonder about it?

11 A Well, I didn't question it at all. He said he
12 was going to do it. It had happened before back in the
13 50's. A judge came in there and removed a lot of
14 elected officials to get control of the Board or the
15 Commissioners or whatever it was. And I had, you might
16 say, prior knowledge that he had the power or he could
17 do it, if he wanted to.

18 Q Did he indicate that they had done anything
19 that he was concerned about enough to remove them, or
20 he didn't mention any reason why he was going to remove
21 them, or was it just an offhand remark, or were you
22 talking about it?

23 A No. He mentioned something about that they had
24 taken \$300,000 some way and I told him, "O. P., nobody
25 has nothing 'nothing' out of that place," out of the

1 Benavides Independent School District.

2 And he said, "Yes." And I could not verify
3 one way or the other. The only thing that I can tell
4 you is that there was some money put in C. D.'s for
5 \$300,000 and then they were put back and someway or the
6 other that caused the confusion there. I don't know too
7 much about it. I couldn't deliberate on it at all. This
8 is just hearsay what I am telling you.

9 Q But he didn't indicate that he felt there was
10 something wrong. He just said, "You are talking about
11 \$300,000 and you think there is nothing to it." And he
12 apparently thinks there is something to it?

13 A Well, that's what he said, but mainly, you know,
14 he was trying, he was telling me that he could remove the
15 Board, which he did.

16 Q Then, later on, you were removed from your
17 position with the School District after the new board
18 took over.

19 A That's correct.

20 Q I would assume it didn't come as a big surprise
21 to you, did it?

22 A Well, you may say it comes with the hazards of
23 the job, you know,

24 Q This man, Mr. Amays, who wrote this letter, he
25 talked to you about it and you told him, "You have to

1 write a letter." Is that right?

2 A I told him to make a request.

3 Q Did they indicate they were going to pay for
4 the line or they wanted it for free, or what?

5 A No. They wanted for us— When I say, "us,"
6 the Water District to pay for it.

7 Q Because he said he paid a lot of taxes and did
8 he say he wasn't getting anything for it? Why did he say
9 he wanted—that he paid a lot of taxes and he deserved
10 a line, or what?

11 A That's more or less what he said. Yes.

12 Q Whose decision is it to decide that? Is it the
13 Water District's, then the Board— He asked to be placed
14 on the Agenda. Then I assume he asks the— Is it the
15 Board then that makes the decision whether they throw the
16 line or not?

17 A Well, it's the decision of the Board, but, I
18 guess, if we were going to throw a water line to Clinton
19 Manges's ranch, we would have to throw a water line to
20 every ranch in Duval County and we would be in a fix!

21 Q Well, I can understand that. But, again, he asked
22 for, according to this letter, to be placed on the Agenda
23 so that he could discuss it with the Board. Is that what
24 this letter says?

25 A According to— I can be corrected on this, but

1 according to this, anything that is going to be discussed
2 in the meeting has to be put in the Agenda.

3 Q Okay. So he was asking to be placed on the
4 Agenda so he could make the proposition for Mr. Manges
5 as to what they wanted.

6 A That's right.

7 Q Who are the members of this Water Board at the
8 time?

9 A Mr. Gab Raymond, Mr. Olvera and Mr. Perez and
10 myself.

11 Q Are they any relation to Mr. Manges, any of
12 those people?

13 A No.

14 Q Then it's the Board that has the final
15 decision on whether you grant a request or not?

16 A That's right. And we also have the State
17 Conservator, appointed by the State which guides us.

18 Q Was a Conservator appointed, because the Water
19 District was in financial trouble?

20 A Well, the Water District was in a lot of deals,
21 you might say, and a lot of newspapers— There were in the
22 newspapers, because there were some misdoings in the
23 Water Board and right after that there was a lot of
24 resignations and reappointments and then the State—when
25 we got into the Board—the State, afterwards, appointed

1 a Conservator.

2 Q Is there anything in Benavides or Duval County
3 that doesn't have Boards that have just resigned and
4 started over? Is there anything that is solid down there?

5 A I ran last time. I am not appointed. I ran and
6 won last time.

7 Q What was the decision of the Board in throwing
8 a line there to Mr. Manges's ranch?

9 A Well, the decision was that we would take it
10 into consideration. There was nothing ever said. He
11 never came back and we never heard from him.

12 Q So you didn't throw a line out there?

13 A We'd never throw a line. No.

14 MR. KASTER: Okay. I'm through.

15 CHAIRMAN HALE: Mr. Donaldson? Mr. Laney?

16 BY MR. LANEY

17 Q Just two questions for the record, Mr. Canales:
18 What was your employer's name or your superior in
19 American National?

20 A I had the District Manager, Mr. V. M. Gonzalez,
21 and Mr. Raul Sguirra.

22 Q What was the name of your Auto Parts Store in
23 Benavides?

24 A Canales Auto Parts.

25 Q Canales Auto Parts. Okay.

1 MR. LANEY: That's all, Mr. Chairman.

2 CHAIRMAN HALE: Ms. Thompson?

3 BY MS. THOMPSON

4 Q Mr. Canales, did you say you lived in Benavides?

5 A That's correct.

6 Q Are you familiar with the Farm and Ranch Store?

7 A Oh, yes.

8 Q Have you ever bought food at the Farm and
9 Ranch Store?

10 A No. The Farm and Ranch Store is not a food
11 store, ma'am. You might say it's a general hardware
12 store for ranches and ranchers. I think they had or
13 have little auto parts, ranching equipment and stuff like
14 that.

15 Q Did you ever buy anything from the Zertuche
16 Store?

17 A No, ma'am. I never did.

18 Q Do you know where that store is located?

19 A No, ma'am. I've never seen it.

20 Q When you were in the employment of the Benavides
21 School District, did you come across any checks that were
22 made to either the Farm and Ranch Store or the Zertuche
23 Store?

24 A No, ma'am.

25 Q What about the Benavides Implement Company? Is

1 that the name of that? Benavides Hardware?

2 A Benavides Implement?

3 Q Yes.

4 A I don't remember. I don't know. I didn't—

5 Q Mr. Canales, do you know whether or not the
6 District Manager that you worked under with the insurance
7 company was a friend of Judge Carrillo?

8 A Of Judge Carrillo?

9 Q Yes. Were they friends?

10 A I had what you might call a staff supervisor
11 and then I had a District Manager. Which one did you
12 want?

13 Q Both of them.

14 A Well, my staff supervisor which was Raul
15 Saguirre, he is a friend of O. P. Carrillo and also a
16 friend of mine.

17 Q And what about the District Manager?

18 A And V. M.? I presume he might be a friend of
19 O. P. Carrillo. I don't know.

20 Q Did you ever see any of the letters that were
21 supposed to have been written requesting your resignation?

22 A There were letters and telephone calls. I
23 never saw it. I was just told.

24 Q Did any of your clients just start canceling
25 their policies, persons that you had been going by, picking

1 up their premium? The people started canceling policies
2 with you?

3 A No. With the exception of that, what happened
4 there. That's it.

5 Q Who really runs the school board now, the
6 elected school board or the appointed school board?

7 A That's a good question. (Laughter.)

8 CHAIRMAN HALE: Ms. Weddington?

9 BY MS. WEDDINGTON

10 Q How soon after your conversation with Judge
11 Carrillo were you able to warn the two people that you
12 were backing about that conversation?

13 A Warn them? In what respect?

14 Q Or tell them about it.

15 A We talked about it. Yes. We talked about it.

16 Q How soon after your conversation with the
17 Judge were you able to get that message to them?

18 A How soon after did the removal of the—

19 Q No. What the Judge told you, didn't you
20 communicate that to your two candidates?

21 A Well, we communicated. That's not only—we
22 have sort of a— Like a few of us were working mostly
23 on this election and I told them about this conversation.
24 Yes.

25 Q The same day?

1 A No. I don't remember when, but I told them.

2 Q You didn't just go immediately to them and tell
3 them what was happening?

4 A Well, not really, ma'am. It was at night
5 when the conversation occurred and I was at the Rosary
6 and then I went home and went to bed.

7 Q You didn't even call them that night to tell
8 them?

9 A No. Why call them? I didn't call them. I
10 didn't see any reason for it at the time.

11 Q Did you take seriously what he said?

12 A Sure, I took it seriously.

13 Q But not seriously enough to tell the people
14 that were running?

15 A Well, ma'am. Remember, we only had one— I am
16 not sure whether Mrs. Hilda Parr had already filed, or
17 not. The only one was Ruben Chapa. I didn't tell him. I
18 came home. It probably would have been about 10:00
19 o'clock when I got home, because the Rosary was in
20 Santiago, which is about sixteen miles from my home
21 town. Then I went to my home and went to bed.

22 Q Did you tell them the next day?

23 A Oh, sure. We discussed it.

24 Q What was the general drift of the conversation
25 about it?

1 A Well, to tell you the truth, they told me he
2 wouldn't do it, so—

3 MS. WEDDINGTON: Thank you, Mr. Chairman.

4 BY MR. CHAVEZ

5 Q Mr. Canales, how long have you been on this
6 Board?

7 A A year this month.

8 Q But you lived there in Bensvides all your life?

9 A Yes.

10 Q Did you think that this request by Mr. Manges
11 was unusual or extraordinary?

12 A I think it's very unusual.

13 Q Do you know whether anybody else has any lines
14 to their ranch that are tapped into the Water District?

15 A Not that I know of. No.

16 Q Would it surprise you if D. C. Chapa had a line?

17 A It would surprise me. Yes. I couldn't tell
18 you that he had, but I can't tell you that he doesn't. I
19 mean, in fact, I could almost tell you that he doesn't
20 have it. Yes.

21 Q You don't know whether or not the Conservator
22 has requested that somebody from your Board notify D. C.
23 Chapa that his line is to be disconnected?

24 A Disconnected?

25 Q Yes.

1 A Yes. D. C. Chapa, while he was on the Board, the
2 Water Board, a person of the Water Board, connected a
3 two-inch line to a fire hydrant and connected it to his
4 own home and it is still connected.

5 Q That's what I was asking you, if you knew if
6 anybody was tapping.

7 A That's not to the farm, Mr. Chavez.

8 Q But they are tapped in. Okay.

9 A And the Conservator who is now the Conservator
10 wrote a letter to the effect that it's a fire hazard to
11 have such a thing, because if that fire hydrant has to be
12 used, the fire engine cannot connect.

13 Q And do you know if anybody else has any lines
14 tapped on to their homes?

15 A From the fire hydrants?

16 Q Yes.

17 A No.

18 Q Was your wife working? Was your wife working
19 at the time that you had this conversation with Judge
20 Carrillo?

21 A Working? No. Well, she runs the Auto Parts.

22 Q What Auto Parts?

23 A The Canales Auto Parts, mine; my little store.

24 Q Did you say that one of your supervisors was
25 Raul Saguirre?

- 1 A That's correct.
- 2 Q Is he related to Lowe Saguirre?
- 3 A That's right.
- 4 Q Are they brothers, or what?
- 5 A No. Lowe is Raul's nephew.
- 6 Q Lowe runs that cash store at Benavides?
- 7 A That's right.
- 8 Q He is not here, is he?
- 9 A No.
- 10 Q Did you know this fellow Couling, R. M. Couling?
- 11 A Yes.
- 12 Q How long have you known him?
- 13 A We went to school together.
- 14 Q Do you know that he owns Benavides Farm and
15 Implement Company?
- 16 A Yes. Benavides Implement.
- 17 Q He has owned it for a long time?
- 18 A What's that?
- 19 Q He's owned it for a long time?
- 20 A Well, it used to belong to his father-in-law
21 and then it was closed for a while and then he opened
22 it again, I guess. I don't know.
- 23 Q When did he open it? Do you know?
- 24 A I don't know.
- 25 Q Has it been in operation for a couple of years?

1 Two or three years?

2 A I couldn't tell you.

3 Q Well, an estimate? More or less?

4 A I couldn't really say, because it was closed
5 and part of the time, and I couldn't really say how long
6 it has been opened..I don't know.

7 Q But it's common knowledge that it was in the
8 family?

9 A Oh, yes.

10 Q Everybody knows that?

11 A That it was in the family?

12 Q Yes.

13 A Oh, yes.

14 Q His wife's family.

15 A That's right.

16 Q And it has been operated.

17 A Yes.

18 Q Now, you mentioned something about Mr. Guerra who
19 filed this petition to remove some of the school board
20 members. And you mentioned that he had not filed against
21 the Judge's nephew. Is that right?

22 A He filed on four.

23 Q Okay. But he did not file on Schuenemann or
24 Guajardo or Carrillo?

25 A That's correct.

1 Q Did anybody ever file on them?

2 A The County Attorney.

3 Q Ricardo Garcia?

4 A That's correct.

5 Q On this political party thing, on what side is
6 Ricardo Garcia? Would he be over there on your side of
7 the party?

8 A That's correct.

9 Q So he would not be on the Judge's side?

10 A Not if he is going to remove his nephews.

11 Q I am trying to find out on what political side.

12 A That's right.

13 Q Of course, no action was taken as to them?

14 A No.

15 Q I guess the election took care of that problem.

16 A Terminated.

17 Q Now, one of the fellows that was removed was
18 **Bercaw.**

19 A That's correct.

20 Q He was here last night.

21 A Yes.

22 Q And you heard about the questions I asked him
23 about the history of the board, the type of business they
24 had done with Couling and so forth?

25 A That's right.

1 Q You don't know if those were enough reasons to
2 have him removed?

3 A Me?

4 Q Yes.

5 A No. I don't know anything.

6 Q You don't know if the Judge already knew about
7 these things?

8 A I don't know.

9 Q So if some of these things had already been
10 brought to his attention and he might be thinking that a
11 petition was going to be filed and they are going to be
12 removed anyway, because of what they had done in the past,
13 you don't know if he had had that in the back of his mind
14 when he was talking to you?

15 A Mr. Chavez, from the testimony I have heard here,
16 if Mr. O. P. Carrillo was going to remove Trustees for
17 that effect, because they were for some illegality, I
18 presume that he could have done it before when they
19 were trading with his own store.

20 Q But at that time, everybody belonged to the same
21 happy political family, because George Parr still ran the
22 show, didn't he?

23 A That's right, but the way I understand, Mr.
24 Chavez, a good Judge starts at home.

25 Q Well, according to the testimony we have heard

1 here, he could start in a lot of homes.

2 A That's correct also.

3 MR. CHAVEZ: Thank you. That's all, Mr.
4 Chairman.

5 CHAIRMAN HALE: Thank you, Mr. Chavez.

6 Are there any further questions of this
7 witness?

8 Mr. Canales, do you have anything further on
9 this witness?

10 MR. CANALES: I would just like Mr.
11 Canales to elaborate on one point which he brought out
12 earlier, as far as politics in Duval County.

13
14 REDIRECT EXAMINATION

15 BY MR. CANALES

16 Q Mr. Canales, you said that "politics were sort
17 of a way of life." Would that be because Duval County
18 has not got any significant amount of industry, and all
19 the jobs that are available in Duval County are either
20 with the Water District, with the County, with the School
21 Districts, the respective School Districts?

22 And, if that is true, wouldn't it be true that
23 anybody who controls the boards that run these particular
24 governmental agencies, would control, in effect, the
25 economy of the entire County? Would that be a fair

1 statement?

2 A That's a fair statement. Yes.

3 Q Whoever controls the Boards and the County
4 Commissioners Court controls the entire economy of the
5 entire County?

6 A That's correct.

7 MR. CANALES: Thank you.

8 CHAIRMAN HALE: Anything else from this
9 witness?

10 Fine. Thank you, Mr. Canales, for your
11 appearance here.

12 (The witness, Mr. F. H. Canales, was excused.)

13 MR. CANALES: Mr. Chairman, I notice that
14 it's 11:30 and it was brought to my attention that the
15 Committee was hoping to adjourn at this time. I have
16 some more witnesses, if you want them. But we are here
17 at the leisure of the Chair.

18 CHAIRMAN HALE: Mr. Canales, as you are
19 well aware, we were here til 2:00 a.m. this morning and
20 we've had a long day on the Floor of the House. And I
21 know all the Committees are weary—the Committee members
22 are, as is the Chair, and I am sure you are.

23 I think we are going to terminate the testimony
24 at this time for this evening.

25 Let the Chair advise all who are interested in

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1 these proceedings that we had a meeting of the Committee
2 yesterday and it was decided at that time that we would
3 not be taking any further testimony on Saturday or
4 Sunday. It was further decided that we would not be
5 taking testimony Monday night. There are other matters
6 which necessitate the presence of the Committee members
7 on Monday night, so we will not have a meeting for
8 testimonial purposes Monday night.

9 We will be having a meeting and the Chair will
10 call a meeting Monday, some time, Mr. Mitchell, to take
11 action on your subpoenas. If you can provide me with
12 some type of little summary as to pertinent testimony
13 by each witness between now and Monday, or by Monday
14 morning some time, or any time Monday, I will call a
15 meeting of the Committee then and we will take up the
16 matter of these subpoenas.

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

18 CHAIRMAN HALE: Mr. Kaster?

19 MR. KASTER: Since we are not going to
20 be meeting until Tuesday—

21 CHAIRMAN HALE: We will be meeting Monday
22 on the call of the Chair.

23 MR. KASTER: I am talking about as far
24 as testimony and witnesses, is there some provision that
25 the witnesses under subpoena could go home with the

1 understanding that they return, those that are still under
2 subpoena on Tuesday? Otherwise, as I understand it, we
3 are going to have to bear the expense of them being here,
4 and I am sure it's an inconvenience to them to be here
5 throughout this time.

6 CHAIRMAN HALE: That's true. Any of the
7 witnesses who are under subpoena are free to return
8 home, as far as the Committee is concerned, so long as
9 you will be available to us on Tuesday night and the
10 other nights when the Committee meets. We will have no
11 reason for you to be here between now and probably 8:00
12 o'clock Tuesday evening.

13 The Chair is of the opinion, as I stated, at
14 the meeting last night in response to an inquiry from
15 someone, that as long as they stay within call of the
16 Committee, and inside the State of Texas, I'm of the
17 opinion they have not violated the subpoena, in any
18 event.

19 MR. KASTER: Are there any of the witnesses
20 that Mr. Canales is through with, and Mr. Mitchell is
21 through with, that we could release from subpoena, so
22 that they won't have to make the trip back?

23 CHAIRMAN HALE: Mr. Canales, did you hear
24 the question? Mr. Mitchell?

25 MR. CANALES: Mr. Chairman, would the

1 witnesses that I have please stand up so I can see. I
2 don't know just exactly—

3 Cleofas Gonzalez, I don't know if Mr. Mitchell
4 wants to talk to him, or if the Committee wants to talk
5 to him, so I imagine he will remain.

6 CHAIRMAN HALE: Yes.

7 MR. CANALES: Mr. Canales, I don't know.
8 You have heard his testimony. Does anybody want him to
9 remain?

10 CHAIRMAN HALE: Mr. Mitchell, do you see
11 any necessity for Mr. Canales returning?

12 MR. MITCHELL: I am in the process of
13 preparing a clause, pursuant to the blueprint set out
14 by the Chairman. The various witnesses, I don't believe
15 I will have any of the gentlemen from the store who
16 invoked the Fifth. I think that would be a useless act
17 and I don't think—

18 CHAIRMAN HALE: That's Mr. Couling, I think.
19 I believe we've already excused Mr. Couling, haven't we,
20 I believe?

21 MR. MITCHELL: Yes.

22 MR. CANALES: He was excused.

23 CHAIRMAN HALE: He's in better hands in
24 this Committee.

25 MR. KASTER: Let me put it this way: Could

1 we just have him available, so we could call him.

2 MR. CANALES: Mr. Chairman, these people
3 are available and they will present themselves. They don't
4 necessarily have to remain under subpoena. I am sure it
5 would be a lot less expensive for the Committee to have
6 them come up and pay them at the time they come up, than
7 to have them on a constant retainer, or whatever.

8 MR. KASTER: Right. In other words, you
9 might have your witnesses for Tuesday that you can and
10 just let the rest of them stay there, until we call them.

11 CHAIRMAN HALE: That would be satisfactory,
12 Mr. Canales.

13 MR. MITCHELL: That's satisfactory with us.
14 They don't need to be here, as far as we are concerned.

15 CHAIRMAN HALE: The ones then that you need
16 to ask questions of, we can have them returned.

17 MR. CANALES: Mr. Chairman, I would like
18 to know who will be released so I can work out with them
19 for their days' present here, as far as compensation goes,
20 and I can present it to the Chairman and that way I'll
21 know definitely who is going and who is coming and whatnot.
22 It will be easier than to just summarily say that you are
23 all gone, or what?

24 CHAIRMAN HALE: It is my understanding from
25 Mr. Kaster's inquiry and the Chair is in agreement that

1 they can all go home, without violating the subpoena,
2 if they will be available, so that we can notify them
3 when to be here.

4 MR. CANALES: My only point is, Mr.
5 Chairman, that I believe.

6 Mr. Johnson, are they, while they are under
7 subpoena, being paid regardless of whether they are here
8 or allowed to go some place? How does it work?

9 MR. JOHNSON: I think only when they are
10 in attendance on the Committee.

11 CHAIRMAN HALE: The pay is the same, if I
12 read the Legislative Reorganization Act correctly, they
13 are entitled to the same pay and mileage that a member
14 of the Grand Jury is entitled to; whatever that is, in
15 Travis County, we'll have to find out. But they are
16 not going to get rich on the pay they get from attending
17 this Committee meeting.

18 So, I think it would be to their interest not
19 to be here as little as they have to be, from the stand-
20 point of cost.

21 MR. CANALES: Will they have the option
22 of choosing between a San Diego Grand Jury and an Austin
23 Grand Jury, the pay?

24 CHAIRMAN HALE: From what we've heard
25 tonight, we might not be able to pay the going rate that

1 Duval County has paid.

2 MR. CANALES: Mr. Chairman, I would like
3 to request the Chair direct the Clerk to deliver whatever
4 forms are necessary to these people to fill out and I
5 will have them delivered and let them fill out the days
6 that they were actually in attendance, so they can re-
7 submit them to the Clerk.

8 CHAIRMAN HALE: You are talking about for
9 reimbursement?

10 MR. CANALES: Yes, for reimbursement.

11 CHAIRMAN HALE: I don't have any of the
12 forms here.

13 MR. CANALES: Doesn't the Clerk have them?
14 That is what I asked.

15 CHAIRMAN HALE: I am sure we don't have
16 any up here. If you will contact Mr. Reynolds tomorrow,
17 Mr. Reynolds will have those forms available.

18 MR. CANALES: Is that all for this evening?

19 CHAIRMAN HALE: Is there anything further
20 that we need to do at the Committee this evening? Do
21 any members of the Committee have anything further that
22 we need to transact?

23 Mr. Johnson, do you think of anything else that
24 we need to do this evening?

25 If not then, Mr. Maloney moves that the

1 **Committee stand recessed until 8:00 o'clock, Tuesday**
2 **evening, or such earlier time as the Chair may call a**
3 **meeting.**

4 **Is there any objection to the motion?**

5 **The Chair hears none. We stand recessed.**

6 **(Gavel.)**

7 **(Whereupon at 11:45 p.m. the hearing was**
8 **recessed to reconvene at 8:00 o'clock p.m. on Tuesday,**
9 **May 27, 1975.)**

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