

LULAC



NEWS

Official Organ of the League of

United Latin-American Citizens

ALBUQUERQUE, N. M. ALICE, TEXAS ARTESIA, N. M. AUSTIN, TEX. BAYTOWN, TEX.
BRYAN, TEX. BUENA VISTA, TEX. CARLSBAD, N. M. CORPUS CHRISTI, TEX.
D'HANIS, TEX. HOUSTON, TEX.
DEMING, N. M. KINGSVILLE, TEX.
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EAGLE LAKE, TEX. LOS ALAMOS, N. M.
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ESPANOLA, N. M. PASADENA, TEX.
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WHERE TO?

★ ★ ★ ★ ★ ★ JUNE, 1954

**"Your
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Since 1876



A MESSAGE FROM YOUR NATIONAL PRESIDENT

So Long!

During the past twelve months it has been my privilege as your National President to visit many of you in your gatherings and in your homes. I have made, I believe, many friends that I will never forget and that I hope will never forget me. Besides friendships I have made, my experience as your National President has been an education and certainly an experience which I would not have missed for anything in the world.

The first few months of any administration only go to "Learning the ropes" and it takes a long time to actually know what a tremendous job it is to lead a National Organization such as ours. It is a job that could not have been done without the collaboration of many people, and in this message I would like to thank all of those who made my task more simple and made whatever success my administration has had possible. It would be impossible to mention the names of those that helped me, but each and everyone of them knows that I know of their splendid cooperation to my efforts. I can only say that I hope my successor can count on those that I hereby thank and many of those that would not lift a finger to participate in the successful operation of the National Office.

I feel deeply honored at the confidence that the membership placed

in me in electing me as National President and I sincerely hope that you now feel that your confidence in me was not misplaced.

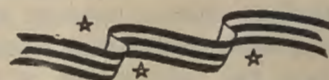
Recently the United States Supreme Court rendered decisions in two very important cases which I had mentioned in one of my previous messages. The first one, as we all know, concerns the question of whether or not we are entitled to a jury of our peers in many counties of the State of Texas. This decision, the result of very able work done by Prof. Carlos Cadena, Bro. Gus Garcia, and Bro. John J. Herrera, immediate Past National President, of Houston, Texas, is destined to take its place as one of the great steps forward of the Latin American population of the United States. For it is, as far as I know, the first time that an issue of this nature has been decided by the Supreme Court of the United States of America, involving the rights of citizens of Mexican or Latin American extraction. We should be proud of the role that the San Antonio Council of this League played in this momentous decision. We should thank God that we have men such as Bro. Pete Tijerina of the San Antonio Council who would face the ire and contempt of his fellow members and provided the sum of \$900.00 from a special fund in his Club, realizing the importance of this decision to all the people that we represent. The Supreme Council also made a small contribution, as we all know, to the cause and it marks another case of cooperation between Lulac and the G. I. Forum for the purpose of securing relief where it was vitally needed.

The other decision outlawed segregation of colored people in the public schools of the Nation and I shall, at the National Convention, comment upon the importance of this decision to the problems which involve us.

The Pecos School case is now ready for the Courts and it will not be long before our organization will again be involved in litigation very important to all of us. We have accomplished that much in the past year and I urge all Lulacs to get behind our new President so that much more will be accomplished.

Thank you all and God bless you.

Albert Amador



THE CONSTITUTION SPEAKS

I am the Constitution of the United States of America. I was conceived by faith, written in hope and clothed with dignity.

The sons of many men have found in me the charter of their freedom, the manual of their progress and the ritual of their morality.

As the generations develop, so shall I also grow in stature, increase in light, expand in influence and mount in respect.

Through the ages to come God willing and men concurring. I shall be the master of the tyrant, the protector of the weak, the testament of justice, the ethics of accomplishment and the cement of society.

HOUSTON LULACS CELEBRATE...



To celebrate Lulac Silver Anniversary the Houston Councils held a ball at the Shamrock Hotel. Some of the personalities that attended this ball are, left to right, Felix Tijerina, Texas Lulac Regional Governor-elect; George J. Garza, Past National President; John J. Herrera, Immediate Past National President; Gilbert Gomez, President of Lulac Council 60.

Among those present at the Lulac Silver Anniversary Dance held in the Crystal Ballroom of the Rice Hotel February 17, 1954 were: Felix Tijerina, Texas Regional Governor-elect; George J. Garza, past National President of Lulac; Gilbert Gomez, Jr., President of Houston Lulac Council No. 60, and John J. Herrera, Immediate Past National President of Lulac. Bro. Garza gave the main speech of the evening reviewing the history of Lulac. Bro. Herrera proposed the following toast to the more than 300 present to honor Lulac: "Ladies and Gentlemen: Tonight I give to

you the lasting memory of the founding fathers of Lulac, who twenty-five years ago tonight, founded our organization based on a firm conviction and an ideal that all men are created equal before God and before Man. I give to you also the memory of those who in the last twenty-five years following the founding of Lulac have through great hardship, sacrifice and adversity kept the faith of our founding fathers and have kept the flame of Lulac burning brightly. To all Lulacs, past, present and future, congratulations and may God continue to bless your efforts."



Alfred J. Hernandez, Public Relations Chairman for Lulac Council 60.



The Ladies' Council No. 22 held their annual Spring Charity Dance at the Shamrock Hotel in Houston on April 24th. Left to right, we have Miss Virginia Ochoa, secretary; Mrs. Maria Reyna, co-chairman of dance; Miss Josephine Lopez, vice-president and chairman of dance; Miss Susie Gonzalez, president; Miss Emily Rimmer, master of ceremonies; Mrs. Carmen Cortez, parliamentarian and committee member.

LULAC NEWS



Official Organ of the League of United Latin-American Citizens

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No. 12



FLASH! John J. Herrera immediate past National President of Lulacs has withdrawn from the race for National President of Lulac this year in order to devote full time to his campaign for the office of Position No. 5 Representative to the State Legislature of Texas from Harris County. Many of his friends have been wishing him success.

The rumor in the Gulf Coast area of Texas is that the majority of the Councils will promote an outstanding young attorney, who by his efforts has indicated to have the ability, the diplomacy and intelligence that go to make a fine National President of Lulac . . . The rumor is that Frank Pinedo is the man.

ATTENTION ALL COUNCILS! The magnificent cooperation that has prevailed in Houston among the Lulacs, the GI Forum and all other Civic and Social groups within our city, and the outstanding results achieved is something to notice and worthwhile to imitate.

FOOD FOR THOUGHT! Special-ly for those delegates who will attend our National Jubilee Convention in Austin this June. Lets put an end to the underhand politics and bickering for the national of-

fice and make this convention a most memorable one, one to go down in Lulac History as a meeting of achievements, something to exemplify our twenty five years of work and effort in behalf of our community, our state and our nation.

ENTHUSIASM. Such is the word for Felix Tijerina when he talks of the plans for making his tenure of office as Texas Regional Governor for Lulacs something to be remembered. Brother Tijerina is bursting at the seams with ideas of organization and promotion. You can look forward to some astonishing projects from Brother Tijerina at our National Convention.

KUDOS to Chester Fabre, Mike Zepeda, Rafael Moreno and all the members of the Fiesta Committee, The Houston Lulac Annual Fiesta this year was by far the most successful, financial indications are that this affair is the largest in the Gulf Coast Area. Much is to be said for the fine cooperation received from other clubs, radio and television stations, newspapers, the local Lulac Councils and a most wonderful and grand public.

AROUND THE HOUSTON LULAC COUNCILS . . . Brother Frank Bret is still soaking his tootsies after serving as cashier for the seventh consecutive year at our annual fiesta . . . **ERNEST EGUIA** is telling his friends of sweet dreams,

he means the Junior Lulac Council . . . **DRAGNET** evades the Houston Council, "Dragnet" is the nickname of **DAN OWANA . . .** Quiz Programs take note, Mike Zepeda outdoes the Houston Council on a TV Quiz Program called "What is It" . . . **BILLY GRAY, PAUL GUTIERREZ AND JULIAN CHAPA** in love with their Boy Scout Troop . . . Bubbling over, **SUSIE GONZALEZ** from the success of the Ladies Charity Ball . . . Great form is what you can see when the Ladies Lulac Council plays ball . . . The Yanks may be in for trouble, Joe Reyna is developing a great ball team within the Houston Lulac Council. Who knows a Lulac League may develop. We played a game in Baytown, the result Houston Council 14, Baytown Council 7. Sunday 16, 1954.

Attorney Alfred Hernandez, Attorney Billy Gray, Fernando Compean, Felix Salazar, and other members of the Houston Lulac Council No. 60 have been taking the lead in certain phases of the Child Welfare and Juvenile Delinquency work of the Community Council. Ralph Moreno has been publicizing in his Spanish language radio program the many kinds of services provided by the Community Council of United Fund.

Firmness or stiffness of the mind is not from adherence to truth, but submission to prejudice.—Locke.

He that is overcautious will accomplish little.—Schiller.

Congratulations!

Harris County Lulacs

VOTE! ELECT!

JOHN J. HERRERA



TEXAS LEGISLATURE

HARRIS COUNTY, POSITION NO. 5

SUBJECT TO DEMOCRATIC PRIMARIES

JULY 24, 1954

Your Support and Vote will be Greatly Appreciated



LULAC IS PROUD...



Every Council has at least one outstanding member who is loved and respected for his great devotion to LULAC and his friendliness to the group. Houston not only has one such member, but a whole family whom we all respect and esteem. It is the Placido Martinez family. Left to right, you see Paul, Ruben, Elias, Placido, Raul, Bonnie, and Albert. Papa Placido Martinez and his six sons are one of the many examples of father-and-son relationship within our organization. Here citizenship, civic responsibility and the companionship of family groups add to the welfare and prestige of the members of our ethnic groups throughout the United States. It is interesting to note that Mr. Martinez who joined the ranks of LULAC 21 years ago in the old historic city of Goliad, Texas now has all of his six sons within our group.



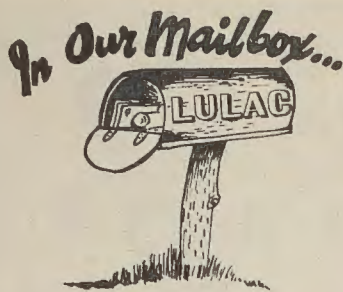
Houston LULAC Council Scout Committeemen—Standing, left to right, Joel Rodriguez, Arnold Mercado, Scoutmaster, Julian Chapa, William C. Gray. Seated, left to right, Lorenzo Rios, Paul C. Gutierrez, Gabe Ramirez, Louis Ramirez, troop mascot, Albert Valentas, Assistant Scoutmaster.

Get good counsel before you begin: and when you have decided, act promptly.—Sal-lust.

God pardons like a mother, who kisses the offense into everlasting forgetfulness.—Henry Ward Beecher.



Gilbert Gomez, president for LULAC Council 60, receives a check for \$100.00 donated for the Houston Lulac Council Scholarship Fund by an outstanding philanthropist and well known Houston restaurant man, Texas LULAC Regional Governor-Elect Mr. Felix Tijerina.



Dear Luciano:

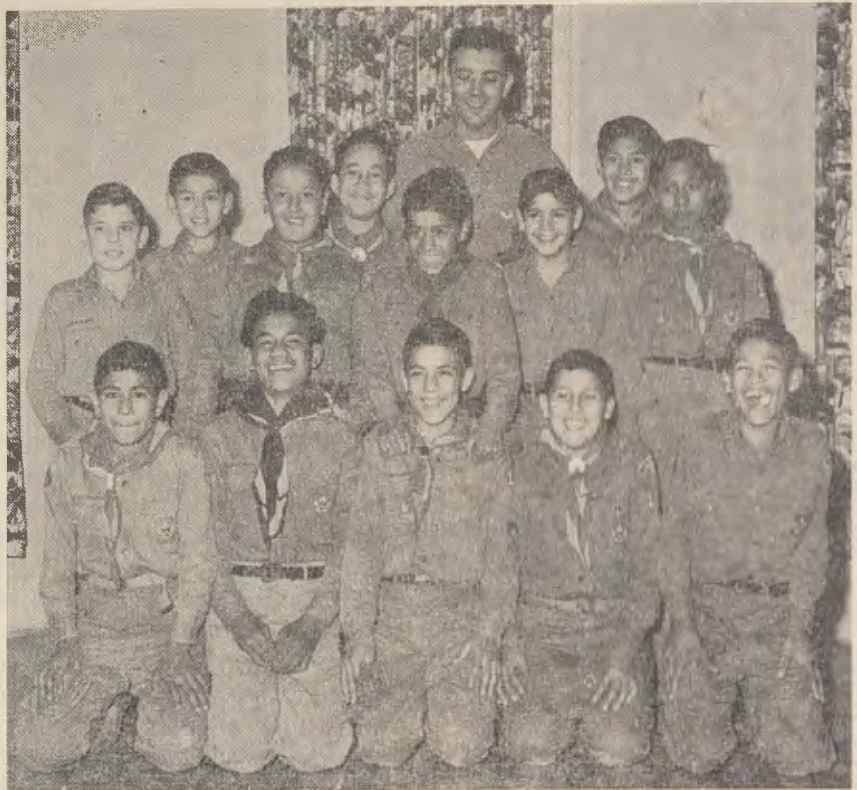
I imagine that you will be a little surprised to hear from me, but I have been planning to write you for a long time, just could not get around to it. As one Lulac to another, I have been very proud of you since you took over the News. I can see the tremendous amount of hard work you have been putting in. I was especially proud of the Silver Anniversary issue. My first thought was, "Lulac has indeed come of age; All of the dreams and hopes of our founding fathers has at last been realized."

Also the winning of the Hernandez case by a full favorable vote of the United States Supreme Court, May 3, 1954, "cerro con broche de oro," our twenty-five years of fighting existence.

Enclosed you will find a copy of the opinion which I received from Washington. The wording is beautiful and culminates the heartbreaking efforts of more than a dozen lawyers who worked for more than twenty years to overrule the iron clad opinions of the highest Texas Courts.

Gus C. Garcia and I were original trial attorneys and we were ably assisted by James DeAnda of my office when the case was first tried, October 1-6, 1951. As DeAnda and I had been beaten twice on the same point (exclusion of Latin-American from Grand and Petit Juries, and as Grand Jury commissioners), we were all able to better prepare the Hernandez case and avoid previous pitfalls. Hernandez was found guilty and sentenced to serve 99 years in prison. We, of course, gave notice of appeal to the Texas Court of Criminal Appeals. They affirmed the judgment and refused rehearing, October 22, 1952. Then Carlos C. Cadena, professor of Constitutional Law at St. Mary's University, San Antonio, Texas and winner of many honors while a student, and as a graduate

Continued on page 19



Practically every LULAC Council in the land sponsors a Boy Scout Troop. Houston boasts of a magnificent group of boys as you can see by the picture. Their scoutmaster is Arnold Mercado who is doing a wonderful job in this capacity.

Troop 185 Community House

This troop had been inactive for several years. In September of 1953, the troop was unofficially activated by the Wesley Community House. Arnold Mercado was the scoutmaster and there were about 10 boys at the beginning. Under the Co-Sponsorship of the LULACS and the Wesley House, the troop received its charter December, 1953. At that time the first group of boys received their tenderfoot badges.

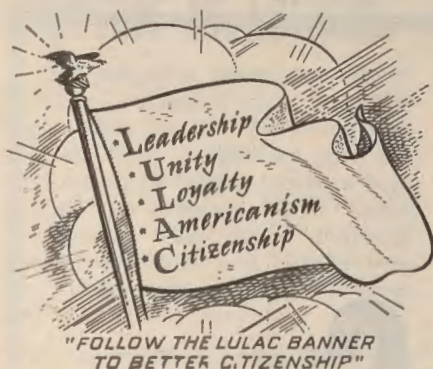
Now in May, 1954, we have seventeen boy scouts, and we are looking forward to a larger troop next year. We have 2 patrols, the Rangers and the Beavers, and their leaders recently attended the Junior Leaders Training program at Camp Hudson. The troop committee composed of LULAC members have met regularly, backing the boys and helping their plans.

In eight months the troop has been on four hikes and on one overnight camp trip with one more overnight trip planned before summer.

Observers of the troop feel they've done very well for a new troop. They've been active in numerous activities such as Good Will Day; Boy Scout Circus; Junior Leaders Training Program; and are looking forward to their district camporee.

The committee from Lulacs Council No. 60 working with this scout group is composed of the following:

Paul C. Gutierrez, Chairman; Gabe Ramirez, Treasurer; Julian Chapa, Secretary; Leon Eguia, Institutional Representative; William C. Gray, Joel Rodriguez, Lorenzo Riös, R. V. Alvarez.



HOUSTON JR. LULACS REPORT

The Junior Lulac Council of Houston, since the election of new officers last September, is seeing one of its best years since its origination back in April of 1948. The club has been following quite a busy schedule of civic, educational, and social activities through the new term and under the careful guidance of its supervisor, Mr. Ernest Eguia; the good leadership of the officers; and the wonderful enthusiastic cooperation received from its members, this Houston council is among the top Junior Lulac organization in this district today. A summary of the work being carried on by this club is described in the following text:

On September 24, 1954, the installation of club officers took place in a small but meaningful ceremony conducted by Mr. David Adame, Lulac District Governor. In this ceremony, which took place in the Criminal Courts building, the persons elected to office on the previous meeting were given their positions which were as follows: Frank Urteaga, President, who is also National Director of Publicity of Junior Lulacs; Jimmy Zepeda, vice-president; Petra Cisneros, secretary; Arthur Franco, treasurer; Consuelo Velasquez, assistant treasurer; Rudy Rodriguez, reporter; Roy Rodriguez, chaplain, Ben Gonzales, parliamentarian; and Daniel Zepeda, John de la O, and Rachel Cisneros were placed as a triumvirate of sgts.-at-arm. The outline of different activities to be followed through the new administration was then given by Mr. Ernest Eguia, Senior Lulac Council member. Mr. Eguia was also accepted that evening by the Juniors as their club's supervisor for the year.

Two days after installation of these officers the Ladies' Lulac Council held the Rey Feo Contest

in which the Junior Lulacers diligently helped. The Juniors sponsored Robert "King of the Mambo" Rivera as their candidate for the title of "Rey Feo" and undertook a big campaign to raise votes for him which was headed by a dance held at the Taxco Nite Club on September 10. The purpose of the contest was to raise money to purchase eyeglasses for underprivileged children; each candidate's vote was one cent.

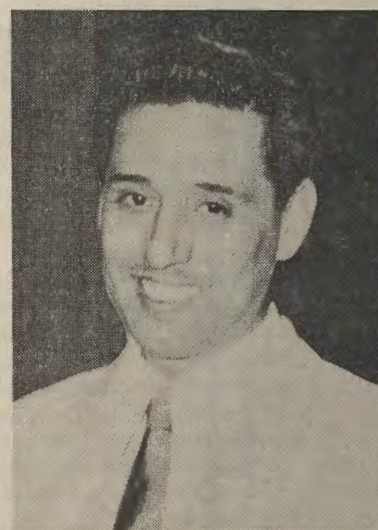
"Youth and Law" was the subject Mr. Harry Petty spoke about to the group on October 1. Mr. Petty, speech teacher at Jeff Davis High School, emphasized in his talk the over-publicizing of teenage crime by the newspaper and the inadequate laws used to combat juvenile delinquency. Mr. Petty received a standing ovation for his speech by the council and was asked to return again at some future meeting.

On January 3, another interesting speaker addressed the group. Lieutenant Larry Fultz, former narrator of the TV program **Wanted**, spoke on "The Evils and Effects of Narcotics". Lt. Fultz also spoke briefly on juvenile delinquency and with the aid of an exhibit case of narcotic objects his

talk proved to be among the most interesting and informative one ever heard by the Juniors.

On January 28, the members participated in the "Mothers' March Against Polio" by door-to-door collection of money for the March of Dimes campaign. This was in conjunction with the club's own contribution to the drive.

Continued on page 7



Ernest Eguia, Houston Junior Lulac Supervisor.



The second picture is a representative group of the youngsters that comprise the Junior Lulac Council in Houston.

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HOUSTON JR. LULACS.

The council's main project in February consisted of a big "Be-Bop" dance on the 5th which was held at Rusk Settlement and for the purpose of raising funds to help finance the coming Junior Lulac convention. This dance featured "Lester Williams and His Orchestra" along with a "Bop" contest and turned out very successful.

Three members of the Montrose branch of Alcoholics Anonymous addressed the club on March 3, and gave an interesting explanation of the organization and function of A. A. The Juniors were very much impressed when they also spoke on the bad effects of abusive drinking especially among the youth of our nation. These speakers wound up their interesting talks with the answering of questions asked by the council members.

The Juniors voted into their club two assistant supervisors during the month of March. Mr. Pete Casarez, member of the Men's Lulac Council, and Mrs. Ophelia Quintero, member of the Ladies' Lulac Council, were accepted by the club and are doing a wonderful job of helping Mr. Eguia in working with the club.

In their April 14, meeting the Juniors decided to help the Houston Street and Newsboys' Club in its annual Easter Egg Hunt and sent ten volunteered members to assist Mr. R. W. Wood, director of the boys' club. These members helped diligently in this Easter program

held at Herman Park April 17, by supervising ball games, taking the newsboys on tours of the zoo, serving food, and in hiding the eggs for the big hunt.

On San Jacinto Day, twenty of the members spent a very enjoyable day at San Jacinto Battleground. Three of them, Rudy Rodriguez, John Herrera, and Alec Arroyos, were to place a floral wreath, given annually by the senior council, on the base of the monument but because of cutting of ceremonial time they were unable to do so at the last moment. But a nice time was had by all members in playing ball, group singing, and picnicing.

The Junior council's first big social function of the year took place on April 24, when the boys and girls went on a hayride-picnic trip to San Jacinto Battleground. On their way back to Houston they stopped by Pasadena's Municipal Park for a dancing shindig which included a small "bop" contest. The Junior Lulacers enjoyed the company of Mr. Gabriel Ramirez and Mr. Bill Grey, both members of the mens' council, who went along on the trip as supervisors.

The Juniors have also participated in a number of ball games through the new term with good results. Basketball as well as volleyball games have been played with the boys and girls of Hennessey Park and with the members of the Baytown Junior Lulac group the Houston council coming out on top in all of them.

This year the Houston Junior Lu-

lac Council has been given the honor of making the preparations for the annual Junior Lulac National Convention and plans have already formulated to make this the best convention of its kind ever held in Houston. Miss Petra Cisneros, secretary of the Houston junior club, has taken on the burdensome job of Convention Committee Chairman with Rudy Rodriguez as her assistant and Alec Arroyos, Mickey Herrera, Mary Arredondo, Frank Urteaga, Arthur Franco, Pearl Saucedo, and Jimmy Zepeda as helpers. The convention will take place on August 20-22 at the Rice Hotel and at present plans include a banquet, a picnic, and a dance besides the business session. The Houston junior council will cordially welcome any members from every Junior Lulac organization.

The Junior Lulacers are always ready to lend a helping hand to the senior council in every function they undertake. This has been proven more than once especially in social activities. They are at present assisting the seniors in their annual "Scholarship Fiesta" to be held May 9.

The Houston Junior Lulac Council meets weekly at the Houston Street and Newsboys' Club. This place is quite suitable for the meetings since it is centrally located at 106½ Main Street and can be easily reached by everyone. The boys' club is also convenient in that it offers good recreational facilities for Lulacers to use both before and after their meetings. These include gym equipment, ping-pong games, books, archery, checkers and other games as well as a television set and a radio. Meetings start at 7:30 p.m. on Wednesday with Mr. Eguia usually giving a brief talk on "Youth and Citizenship." Small readings of the Lulac code are also heard every meeting. Meetings average about twenty-five to thirty members with several visitors.



Some of the funds raised on the Rey Feo celebrations are deviated to by Christmas toys for needy children. (See note on other section of this issue.) The committee is composed of the members seen in this picture, left to right, Susie Gonzalez, Carmen Cortez, and Julia Martinez.

PROGRAM FOR THE MONTH OF AUGUST

Feature Program for the Month

The increase in attendance to the church due to the "Attend Church" campaign that the different organizations and prominent individuals have been carrying on is an indication that there are a lot of us who do not do so as regularly as we should. This lack of attendance is mainly due to our indifference. However, there are a lot of folks that would like to attend and do not, due to lack of convenience and knowledge. Take for instance the thousands of braceros who come to our country to work. Many of these do not know their way around the nearest community. Many are afraid of the ever present, discriminatory acts of the citizenry. Many lack the facility of conveyance. Many think that the language is a barrier.

Here is a wonderful opportunity for LULAC to once again serve their community. Appoint a committee to contact the farmer and arrange for the transportation and time so that these contracted laborers can have the opportunity to attend church. If transportation can not be secured from these sources maybe the council can facilitate it at nominal cost. Remember that these contract workers have little in the line of recreation and practically no one to look to in case of need. Sometimes the Cantina is the sole place where they can spend their spare time. Lets attend the church of our choice Sunday knowing that we have made it possible for our "Cousins" from Mexico to do the same.

WHY A NATIONAL SCHOLARSHIP FUND

Talk at most Lulac functions at one time or another centers around scholarships and is a source of increasing pride to those councils providing them and supporting students in our educational institutions. Their pride is well founded for theirs has been a distinction enjoyed only by organizations truly mindful of their civic and social responsibilities.

Unfortunately, not all councils are able to have and support as ambitious a program as that of scholarships. The cost, though not unbearable initially, can become prohibitive with time as more and more students are supported.

Assuming, as we must, that fin-

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PROGRAM FOR THE MONTH OF AUGUST

anicially some councils find it at least very difficult to support and maintain such programs and further assuming that most of these councils serve our smaller communities we must wonder whether we shall be content to help educate only some of our localities. The alternative is to provide worthy students with their chance at education in whichever community they happen to reside. The way to do it is through a National Scholarship Fund.

The establishment of such a fund requires solid thinking but some things are apparent and need our consideration. The fund should be administered through a committee appointed by the National President but not controlled by him. It should work within a definite framework and have some of our ablest people guide it. Its operation should strive to achieve the maximum objectivity and be subject to the minimum influence. It should seek out and employ those methods tried and proven by our councils now awarding scholarships and those of other successful organizations. It should never forget its role of service.

Our local councils should neither give up nor be superseded by this National group. Local activity should continue in this field while the National group's attention should be focused on those localities not having funds.

The establishment of the National Scholarship Fund is essential to the maintenance of progress in education and consequently it benefits our ethnic group.

Education begins at the mother's knee, and every word spoken within the hearsay of little children tends towards the formation of character.—Hosea Ballou.

Annual Fiesta for Scholarships

Additional scholarships for ambitious high school graduates are expected to result from the Seventh Annual Lulac Scholarship Fiesta at the Coliseum Sunday. The first fiesta produced the money for one scholarship. The succeeding entertainments caused the fund to grow until it now maintains 22 scholarships, including nine added last year.

* * *

There had been a tendency in that respect during the late 1930s. It was given additional impetus by the patriotic conduct of Texas Latin-Americans during World War II. Their quick response to the call to arms to defend their country did not pass unnoticed.

When the war was over and they donned civilian clothes again, they were determined to take part in community affairs. It is this young-

er generation that has led the local movement toward full citizenship. Their example has been followed by many other Latin-Americans, who now serve with Anglo Americans on numerous committees devoted to civic work.

* * *

The Fiesta this year will feature a revue which comes to Houston direct from the "Charro Days" festival of Brownsville. On the program will be the revue star, Barbara Simons, in her interpretation of the "Novillero;" Alicia, Veila and Roberto in a dance from Venezuela; Rosita Fernandez, radio and TV vocalist, "La Virgen de la Macarena;" a colorful presentation of the national dance of Spain, "Los Panderos."

A unique presentation of "Babalu" by the entire cast; songs from south of the border; Chucho Martinez, famous tenor, with Barbara Simons in "Granada;" "La Bamba," Vera Cruz regional dance; songs from state of Jalisco, and entire cast in "Ritual Dance of the Fire," symbolic of the legend of the volcanoes.

A Mother's Day award will be made to each of three Houston mothers. Dancing will follow the revue.



Winner

Mrs. Maria Flores was the lucky winner of the car that was given away by the Houston Council. Minutes after the keys to the car were given to Mrs. Flores we see, left to right, Gabe Ramirez, treasurer of Lulac Council 60; Chester Fabre, chairman of the car ticket committee; Mrs. Flores, winner of the auto.



On the 23rd of May the Pecos Council elected a new District Governor. Here you see a group of these hard-working, civic-minded Lulac members.



During the months of March and April, the LULAC Ladies Council No. 22 continued the high level of intense activity that has characterized this Council, under the leadership of President Susie Gonzalez and Vice President Josephine Lopez. The following guests were introduced to the Council: Miss Sarah Moreno, Adele Villareal, Margarita Coronado, Frances Rodriguez, Minnie Chapa, Geneva Mancilla, Carmen Luna, Mrs. Nancy Anderson of the Emergency Relief Committee to Cancer Patients, and Mrs. Anne M. Morningvey of the Inter-American Club of Houston. Applications for membership were received from Mrs. Minnie Chapa, Miss Frances Rodriguez, Miss Julia Rodriguez, Mrs. Nancy Anderson, Mrs. Anne M. Morningvey, Miss Adele Villareal and Miss Sarah Moreno.

The By-Laws Committee, under the chairmanship of Miss Emily Rimmer, has been conducting an intense study of the Constitution, and has submitted its recommendations on the first three Articles for approval of the Council.

The Council heard an address by Mr. Zavala, local reporter for "La Prensa." He congratulated the group for being the first Latin American organization to have a dance at the Shamrock, and asked to be advised of any proposed Council activities, so as to give them adequate coverage in his paper.

Mr. Moreno, who heads the LULAC program on Radio Station KLVL, spoke briefly on the radio programs he has planned. There

will be a section entitled "Conoscolas Usted." Every week there will be two or three members of our Council introduced to the public on this program. He asked our complete cooperation.

Chairman Alice Palacios reported on the initiation party held at the YWCA on March 18, 1954, at which 18 new members were initiated. Mrs. Luz Morales rendered her report on the continued activities of the Eyeglass Program. Several additional requests had been received, and Mrs. Morales took two children to be fitted for glasses.

Upon learning that Mr. Felix Tijerina was hospitalized at St. Joseph's Hospital, the Council passed a motion to send him flowers.

Al Hernandez reported to the council that he has already sold in excess of \$405.00 worth of ads so that we may publish the May Issue of Lulac News. He and his committee will meet this Sunday to discuss this matter further. He assured this council that we will publish the May issue.

C. Favre, Ticket Committee reminded the council that the next dance to be held for the purpose of selling tickets for the automobile drawing next Sunday night would be Friday night April 30th at the Acapulco Nite Club. He urged all members to attend and bring as many friends as possible. The dance that was to be held at the Taxco Nite Club on May 5th has been cancelled because the hall has been let out to a private party.

G. Ramirez informed the council that the picnic held at the San Jacinto Battleground by the Junior Lulacs was a success in that everyone was well behaved, no mishaps marred this outing and everyone was safely back home early. Mr.

Ramirez was one of the supervisors that volunteered to escort the Juniors.

Gabe also gave a second and third quarterly report that was sent in to the National Office. In the 2nd quarterly report there were 121 members paid and in the 3rd report 144 members were paid. A total of \$376.00 was paid to the National Office.

Pete Casares, Assistant Junior Lulac Supervisor reported to the council that the Juniors are still planning on having the National Convention here in Houston at the Rice Hotel on August 27th, 1954. The Juniors have been having some very fine meetings in the past and are working very hard towards making their National Convention a success.

James De Anda, Chairman Scholarship Committee informed the council that notices have been sent to all principals of High Schools requesting applicants for scholarships and Mr. Webb the supervisor of schools has also been contacted. Mr. Webb assured Mr. De Anda that he and the principals would be more than glad to cooperate.

Al Hernandez, reported to the council that he and Gilbert Gomez attended the dinner that was held in honor of the Mothers Club who were celebrating their first Anniversary, at the Santa Anita Restaurant this past Monday night. This council was well complimented for the fine work we are doing.

These two outstanding members also attended a get together at the Faith Home which is headed by Mr. Meyer and again compliments were heaped on this council. In appreciation of the fine work this council is doing all members of this council were made honorary Foster Parents.

LULAC IN ACTION

Visitors: J. M. Obregon and Jesse H. Faci.

New Member accepted: J. W. Henderson, 3606 Luca St., Houston, Texas.



Under the able leadership of our Past National President, George J. Garza, all preparations for the best National Convention are now being terminated. It will be the best convention ever put on by any council. You will remember it through your life. The speakers will be of the best caliber men. Remember the date June 11, 12, 13. Make your reservations now. Atty. Frank Pinedo has filed for National President.



The city of many National Presidents is pinning its hope on none other than Atty. Oscar Laurel, now legal advisor for the National Administration. Campaigning has already started and his name will be brought before the National Assembly. His not filing in time has not deterred the determination of the Laredoans.



While not much has been heard from this council it is healthy and doing some nice work for the good and welfare of its community and LULAC.



Fiesta de las Flores was a complete success. George Garza was master of ceremonies and included dances, a banquet, the coronation of a queen and rey feo.



It was greatly through the efforts of Bro. Joe Garza of this council, that the National Office, then in the city of El Paso, called a National Convention for the purpose of reactivating the League. Bro. William Flores was the President General at that time, and due to War II most of the young men in the League had joined the armed forces.



Great preparations are underway to make the annual Fiesta de las Flores an event that will linger in the heart and memory of the people for a long time thereafter. This Fiesta will take place at Dudley Field Sunday August 29. Bro. F. A. Hernandez is Chairman ably assisted by Bros. Jerry Yrigiyan and Sam Meraz. Bro. Conrad Ramirez who had been doing such a nice job had to resign for business reasons. He offered to help whenever possible.



The Council has been meeting regularly and to date has had four major projects all of which have had a margin of success. We are now undertaking the BIG variety show with BIG personalities. Contacts and primary arrangements have already been made. We have been preoccupied with a conglomeration of plans, programs and details, in addition to comprehensive work as liaison officers covering activities of the various committees for proper coordination, which has actually paid off handsomely through the executive committee's mediation.



The council is jubilant over their success in bringing the Regional Office to Los Alamos. Joseph W. Trujillo was elected New Mexico Regional Governor for the year 1954-1955. LULAC has had two wonderful Regional Governors in Bro. Mike Trujillo and Sister Tillie Gonzales. Indications are that Bro. Trujillo will prove every bit as capable and even tho' the records are hard to equal he will do everything in his power to do so.



This council is still trying hard to get a good hold of its administration. It has been a hard pull because the men that head it are very busy men. The consolation is that Albuquerque has done it before and will do it again. One of these busy men is none other than Dan T. Valdés, the one credited with doing the most to reactivate Denver, Colorado.



Mrs. Estella Lopez, president of the council has been named Lulac of the month.

Ladies Lulac Council No. 234, has undertaken a very worthy project, to have four poor and needy childrens' tonsils removed. We have as a member our County Health nurse and it was through her contacts, that we were able to get these children. One child has been admitted and dismissed to our local hospital, having had her tonsilectomy. Other three will be admitted after June 11, 1954.

Several bake sales have been sponsored by our council to raise funds for the above mentioned project, also to raise our funds to send our delegates to our Lulac Convention, as was done for the State, our

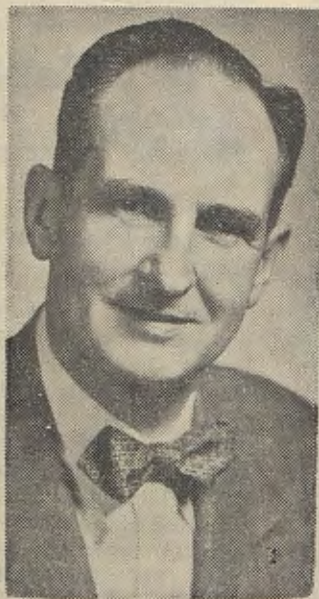
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Lulac in action...

two delegates were Mrs. Aurora Gonzales and Consuelo S. Vigil. We shall be represented by Mrs. Estella Lopez and Rose Sanchez at the National Convention.

A dance was sponsored to raise money to send a girl from one of our local High Schools to Girls State. Great success!

Our Brother Lulac Council No. 92, held boxing matches, of which we were more than happy to assist in making it a big success! We cooked and fed about 100 boys and officials after the matches.

We have had the pleasure in participating in both Red Cross and March of Dimes.

A picnic was sponsored by our brother Lulacs and we the Ladies Council and families went as their guests.

A dinner will be held by our Council on the 20th of May, with our Brother Lulacs and families as our guests.

Many of our members will be going away for the summer, as quite a few are teachers. Have a nice vacation and hurry back!

Port Arthur, TEXAS

The committee Pro-Fiesta Patrias, reported everything in readiness for the "Cinco de Mayo" celebration.

Bro. Jose G. Mendiola moved that we accept 20% of profit from movie which will be shown by Mr. Carmen Lopez from Galveston. This fund will be donated to the American Cancer Society crusade. The motion was seconded by Bro. Manuel Vera, Jr., and carried.

Bro. Jose G. Mendiola moved that this council authorize a softball team to carry the name of LULAC as a representative of this organization in the City Softball League. Motion was seconded by Bro. Albert Cadena and carried. Bro. Jose G. Mendiola will direct a committee to raise funds for this project. Mr. Cenobio Castañeda and Mr. Robert Salas will manage the ball club. Both spoke briefly on the teams prospects for a successful season and expressed their thankfulness to the council.

Bro. Albert Cadena spoke of a campaign to raise funds for scholarships by council 60 of Houston by raffling a new car at a dollar a ticket. Tickets can be obtained from Bro. Cadena.

Bro. Frank Rodriguez moved that we have our meetings on the 2nd and 4th Tuesdays of the month. Bro. Manuel Vera, Jr. seconded the motion and it carried.



No report for the month.



Carlsbad, N. M. was the site of the New Mexico Regional Convention. Also the home town of the First National Vice President, Hon. Cruz Fernández.

HOUSTON LULAC ACTIVITIES

Letter was received from the men's council officially inviting us to attend and participate in the TV program tomorrow at 7:30.

Letter was read from former member Mrs. Lucy Ochoa Laing congratulating our council for our having the dance at the Shamrock.

Correspondence from the Home Office was read which included minutes of the Supreme Council meeting in Deming, N. M., March 20-21, 1954; suggestions for reporting weekly Lulac meetings, as well as letter from National legal advisor Oscar M. Laurel addressed to National President Albert Armendariz with reference to the placing of names as candidates to the office of National President.

Reports of officers and committees:

The following report was submitted by Chairman Josephine Lopez to the secretary:

Statement of expense received from the Shamrock Hotel amounted to a total of \$1,483.50. Itemized, the expenses were as followed:

For the guaranteed 325 tickets at \$4.50 ea.	\$1,462.50
For one mike	\$5.00
For Spot lights	10.00
For labor in operating spot lights	6.00
Total	\$1,483.50

Amount of tickets collected thus far and deposited in the bank	\$2,055.50
Amount collected tonight	70.00
Total	\$2,125.50
	1,483.50

Net profit thus far on tickets	\$ 642.00
Amount paid to Mr. Salazar for 250 booklets	\$450.00
Amount collected thus far on ads	429.50
Amount collected tonight	5.00
	\$434.50

\$16.50 plus \$25 we still have to pay him for 250 copies more — Total in red \$41.50.

Miss Marcela Sosa reported on the baseball team. The team did not play last week because of rain.

Miss Sosa advised the assembly that in order to play in the league the team needs equipment that totals \$155.00. With several deductions which she says she can get, the equipment can be purchased for \$123.80. Miss Sosa advised that should the council not be in a position to pay for the equipment, that she would be glad to purchase the equipment at her own expense.

Miss Elida Flores, treasurer, reported that the statement for the rental of the crown and care for the Rey Feo to take to San Antonio had been \$15.00.

Chairman Mrs. Luz Morales (of eye glasses committee) submitted statement for \$10.00 for Olivia Sanchez plus a bill for \$3.00 for one lens — these are from Dr. Schultman.

Mrs. Carmen Cortez, co-chairman of By-laws committee, advised the committee had met and had thrashed out a few more articles. Report to be made later.

Old Business: On the \$123.80 which Miss Sosa offered to pay for equipment for the baseball team, she was thanked most kindly but advised that we could not ac-

Continued on page 19

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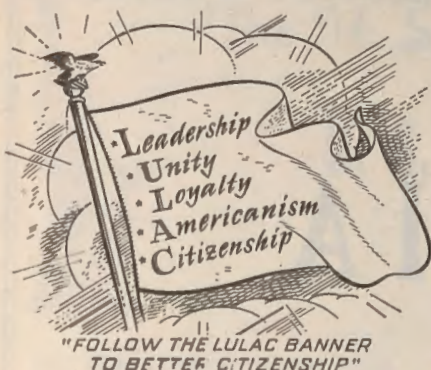
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LADIES LULAC COUNCIL 22 REPORT

It was October 30, 1948, that the Houston Ladies' Council was duly organized and incorporated as a constituent member of the League of United Latin American Citizens as Council No. 22.

Over the years, the work of the Council has varied in community services. The course followed, however, has always been that in the direction of making the community a better place in which to live.

In these endeavors of being useful to society, the Council has several projects which they have adopted and in which they work diligently all year round.

These projects fall into two categories. Those which require financial aid, and those which require of the member's time.

Of the former is that of the Milk Fund. Under the auspices of the Houston Tuberculosis Clinic, the Council purchases milk tickets for needy families whose parents are victims of tuberculosis.

Another is the Eyeglasses Fund. For this project, the Council maintains a permanent fund from which they provide glasses for underprivileged school children.

A third is the Christmas Toy Fund. Among the places where toys are donated to underprivileged children are the T. B. Clinic, Rusk Settlement, Jefferson Davis Hospital, Herman Hospital, San Jose Clinic, St. Joseph Hospital, Immaculate

Heart of Mary Church, El Templo del Calvario Bautista and San Pedro Lutheran Church.

The newest of these projects adopted is that of the Baby Garments Fund. Diapers, shirts, dresses and other like necessities are donated to local hospitals for distribution to babies of needy families confined to the hospital or visiting the clinic.

There is another fund maintained by the Council for cash donations to national or local drives, or for emergency donations. The latter may be a donation given to alleviate a temporary situation.

In the way of social services, the Council participates quite actively in the voluntary services of the Veterans Administration Hospital. Such services may include being ward hostess where the member will do such jobs as writing letters, game room hostess in which she supervises the game room activities, bed wrangler hostess in which the member helps the patient by wheeling his chair to the movies, and of course, there are the dances sponsored intermittently and much looked forward to by the patients.

From time to time members of the Council have helped local civic organizations in teaching English and citizenship. At present there are a few members working under the auspices of the Rusk Settlement teaching English.

One of the projects in which you are liable to find the entire membership working together at one time is that of the T. B. Christmas Seals. As September rolls around, members stroll over to the Christmas Seal Headquarters and spend hours folding and preparing the seals for the mail.

One very important group to which the Council is cooperating by providing volunteer help is that of the Family and Child Welfare of the Community Council whose work deals with pre-delinquent children.

Quite frequently the Council is called upon for advice on such problems as a mother wanting to know where she can get help for her son who has been suffering from the aftereffects of polio. It is in instances of this nature in which the Council serves the community in the capacity of counselor.

Hence using the LULAC CODE as their guide, it is the hope of Council No. 22 to continue working for the progress and welfare of the community.



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The U. S. Supreme Court Rules:

U. S. CITIZENS OF MEXICAN DESCENT SHALL SERVE ON JURIES

No. 406.—October Term, 1953

Pete Hernandez,
Petitioner,

v.

The State of Texas.

On Writ of Certiorari to the Court
of Criminal Appeals of the State
of Texas.

May 3, 1954

Mr. Chief Justice Warren delivered the opinion of the Court.

The petitioner, Pete Hernandez, was indicted for the murder of one Joe Espinosa by a grand jury in Jackson County, Texas. He was convicted and sentenced to life imprisonment. The Texas Court of Criminal Appeals affirmed the judgment of the trial court. — Tex. Crim. Rep. —, 251 S. W. 2d 531. Prior to the trial, the petitioner, by his counsel, offered timely motions to quash the indictment and the jury panel. He alleged that persons of Mexican descent were systematically excluded from service as jury commissioners,¹ grand jurors, and petit juror, although there were such persons fully qualified to serve residing in Jackson County. The petitioner asserted that exclusion of this class deprived him, as a member of the class, of the equal protection of the laws guaranteed by the Fourteenth Amendment of the Constitution. After a hearing, the trial court denied the motions. At the trial, the motions were renewed, further evidence taken, and the motions again denied. An allegation that the trial court erred in denying the motions was the sole basis of petitioner's appeal. In affirming the judgment of the trial court, the Texas Court of Criminal Appeals considered and passed upon the substantial federal question raised by the petitioner. We granted a writ of certiorari to review that decision. 346 U. S. 811.

In numerous decisions, this Court has held that it is a denial of the equal protection of the laws to try a defendant of a particular race or color under an indictment issued by a grand jury, or before a petit jury, from which all persons of his race or color have, solely because of that race or color, been excluded by the State, whether acting through its legislature, its courts, or its executive or administrative officers.² Although the Court has had little occasion to rule on the question directly, it has been recognized since *Strauder v. West Virginia*, 100 U. S. 303, that the exclusion of a class of persons from jury service on grounds other than race or color may also deprive a defendant who is a member of that class of the constitutional guarantee of equal protection of the laws.³ The State of Texas would have us hold that there are only two classes—white and Negro—within the contemplation of the Fourteenth Amendment. The decisions of this Court do not support that view.⁴ And, except where the question presented involves the exclusion of persons of Mexican descent from juries,⁵ Texas

¹Texas law provides that at each term of court, the judge shall appoint three to five jury commissioners. The judge instructs these commissioners as to their duties. After taking an oath that they will not knowingly select a grand juror they believe unfit or unqualified, the commissioners retire to a room in the courthouse where they select from the county assessment roll the names of 16 grand jurors from different parts of the county. These names are placed in a sealed envelope and delivered to the clerk. Thirty days before court meets, the clerk delivers a copy of the list to the sheriff who summons the jurors. Vernon's Tex. Code Crim. Proc., 1948, Arts. 330-350.

The general jury panel is also selected by the jury commission. Vernon's Tex. Civ. Stat., 1942, Art. 2107. In capital cases, a special venire may be selected from the list furnished by the commissioners. Vernon's Tex. Code Crim. Proc., 1948, Art. 592.

courts have taken a broader view of the scope of the equal protection clause.⁶

Throughout our history differences in race and color have defined easily identifiable groups which have at times required the aid of the courts in securing equal treatment under the laws. But community prejudices are not static, and from time to time other differences from the community norm may define other groups which need the same protection. Whether such a group exists within a community is a question of fact. When the existence of a distinct class is demonstrated, and it is further shown that the laws, as written or as applied single out that class for different treatment not based on some reasonable classification, the guarantees of the Constitution

Continued on page 19

²See *Carter v. Texas*, 177 U. S. 442, 447.

³"Nor if a law should be passed excluding all naturalized Celtic Irishmen [from jury service], would there be any doubt of its inconsistency with the spirit of the amendment." 100 U. S., at 308. Cf. *American Sugar Refining Co. v. Louisiana*, 179 U. S. 89, 92.

⁴See *Truax v. Raich*, 239 U. S. 33; *Takahashi v. Fish & Game Commission*, 334 U. S. 410. Cf. *Hirabayashi v. United States*, 320 U. S. 81, 100: "Distinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality."

⁵*Sanchez v. State*, 147 Tex. Crim. Rep. 436, 181 S. W. 2d 87; *Salazar v. State*, 149 Tex. Crim. Rep. 260, 193 S. W. 2d 211; *Sanchez v. State*, 243 S. W. 2d 700.

⁶In *Juarez v. State*, 102 Tex. Crim. Rep. 297, 277 S. W. 1091, the Texas court held that the systematic exclusion of Roman Catholics from juries was barred by the Fourteenth Amendment. In *Clifton v. Puente*, 218 S. W. 2d 272, the Texas court ruled that restrictive covenants prohibiting the sale of land to persons of Mexican descent were unenforceable.



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JULY 24, 1954

HOUSTON LULAC...

Continued from page 13

cept her offer. Because of the expense involved and the members' apparent undependability to attend the practice games and the league games, Miss Virginia Ochoa, seconded by Miss Geneva Mancilla, moved that we secede from the league. The motion carried.

IN OUR MAIL BOX

Continued from page 4

of the University of Texas, took over the compiling of a brilliant preliminary brief to the Supreme Court of the United States at Washington, asking for a Writ of Certiorari (or review) of the findings of the Texas Courts on account of discrimination prohibited by the 14th Amendment to the United States Constitution. Almost a year later, October 12, 1953, a memorable letter was received by Mr. Cadena from the Clerk of the Supreme Court at Washington, which read, "The petition for writ of certiorari is granted and the case is transferred to the appellate docket." The San Antonio Lulacs furnished \$900.00 for the original record to be sent to Washington and then Mr. Garcia and Cadena began the long arduous briefing necessary to present a case to our highest tribunal.

The final argument was set for January 11, 1954, in the chambers of the United States Supreme Court in the beautiful Supreme Court building at high noon. Professor Cadena had already preceeded Gus Garcia and I to Washington and had been sworn in to practice law before that august body. Mr. Garcia and I were then introduced by our sponsor (Sen. Price Daniel) to the members of the Supreme Court, as Attorneys from Texas and applicants to practice before the Court. The clerk of the court in solemn ceremony swore Gus, I and twelve other attorneys to practice law before the Supreme Court of the United States of America. Needless to say, it was one of the happiest moments of my life to have Chief Justice Earl Warren congratulate me on receiving the oath. The Associate Justices were, Messrs. Justice Black, Franfurter, Jackson, Clark, Reed, Douglas, Burton and Mr. Justice Minton. When the case was called, brilliant

and persuasive arguments were given by Carlos C. Cadena and Gus C. Garcia, the former was factual, concise and consistent, Garcia on the other hand ran the gauntlet from oratory on the indignant to sarcasm to sheer moments of pure emotions. As there can be no appeal taken from the judgment of the Supreme Court, no record of the arguments is taken so the sheer eloquence of Carlos Cadena and Gus Garcia will only be remembered by those present that day. I acted as statistician with Gus and Carlos and handed them necessary notes as the various judges interrupted to ask questions, but I would have shined shoes again to have been in on the "Kill" so to speak of legal discrimination in Texas. The case was taken under advisement and on May 3, 1953, I received a long distance telephone call from Sen. Price Daniel, ten minutes after the decision was handed down by the Supreme Court at 11:00 a. m. Houston time, needless to say no more work was done in my office for the rest of the day. Luciano, I think you should print the whole decision in Lulac News for our posterity also giving credit to Carlos and Gus for their perseverance, work and use of their own funds to the end that the Hernandez case be won.

I am sending you all the data and also the notice that I AM NOT RUNNING FOR NATIONAL PRESIDENT of Lulac, as I have again announced for the Texas Legislature from Harris County and wish to devote my time to winning, as I think I have a good chance this time. Give my regards to Alberto and hoping to see you at Austin, I am

Your sincere friend in Lulac,
JOHN J. HERRERA

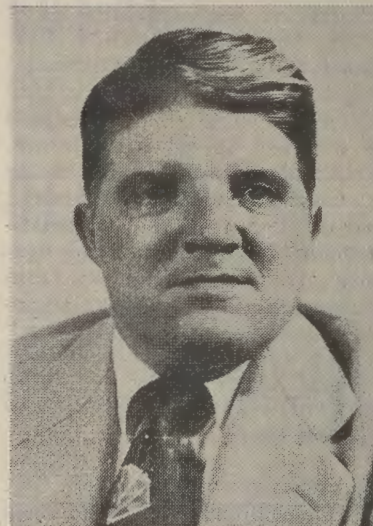
The U. S. Supreme Court...

Continued from page 17

have been violated. The Fourteenth Amendment is not directed solely against discrimination due to a "two-class theory"—that is, based upon differences between "white" and Negro.

As the petitioner acknowledges, the Texas system of selecting grand and petit jurors by the use of jury commissions is fair on its face and capable of being utilized without

discrimination.⁷ But as this Court has held, the system is susceptible to abuse and can be employed in a discriminatory manner.⁸ The exclusion of otherwise eligible persons from jury service solely because of their ancestry or national origin is discrimination prohibited by the Fourteenth Amendment. The Texas statute makes no such discrimination, but the petitioner alleges that those administering the law do.



Atty. Carlos C. Cadena, Professor of Constitutional Law at St. Mary's University, San Antonio, Texas.

The petitioner's initial burden in substantiating his charge of group discrimination was to prove that persons of Mexican descent constitute a separate class in Jackson County, distinct from "whites."⁹ One method by which this may be demonstrated is by showing the attitude of the community. Here the testimony of responsible officials and citizens contained the admission that residents of the community distinguished between "white" and "Mexican." The participation of persons of Mexican descent in business and community groups was shown to be slight. Until very recent times, children of Mexican descent were required to attend a segregated school for the first four grades.¹⁰ At least one restaurant displayed a sign announcing "No Mexicans Served." On the courthouse grounds at the time of the hearing, there were two men's toilet, one unmarked, and the other marked "Colored Men" and "Hombres Aqui" ("Men Here").

Continued on page 20

The U. S. Supreme Court...

No substantial evidence was offered to rebut the logical inference to be drawn from these facts, and it must be concluded that petitioner succeeded in his proof.

Having established the existence of a class, petitioner was then charged with the burden of proving discrimination. To do so, he relied on the pattern of proof established by *Norris v. Alabama*, 294 U. S. 587. In that case, proof that Negroes constituted a substantial segment of the population of the jurisdiction, that some Negroes were qualified to serve as jurors, and that none had been called for jury service over an extended period of time, was held to constitute prima facie proof of the systematic exclusion of Negroes from jury service. This holding, sometimes called the "rule of exclusion," has been applied in other cases,¹¹ and it is available in supplying proof of discrimination against any delineated class.

The petitioner established that 14% of the population of Jackson County were persons with Mexican or Latin American surnames, and that 11% of the males over 21 bore such names.¹² The County Tax Assessor testified that 6 or 7 percent of the freeholders on the tax rolls of the County were persons of Mexican descent. The State of Texas stipulated that "for the last twenty-five years there is no record of any person with a Mexican or Latin American name having served on a jury commission, grand jury or petit jury in Jackson County."¹³ The parties also stipulated that "there are some male persons of Mexican or Latin American descent in Jackson County who, by virtue of being citizens, freeholders, and having all other legal prerequisites to jury service, are eligible to serve as members of a jury commission, grand jury and/or petit jury."¹⁴

The petitioner met the burden of proof imposed in *Norris v. Alabama*, *supra*. To rebut the strong prima facie case of the denial of the equal protection of the laws guaranteed by the Constitution thus established, the State offered the testimony of five jury commissioners that they had not discriminated against persons of Mexican or Latin American descent in selecting jurors. They stated that

their only objective had been to select those whom they thought were best qualified. This testimony is not enough to overcome the petitioner's case. As the Court said in

Norris v. Alabama:

"That showing as to the long-continued exclusion of negroes from jury service, and as to the many negroes qualified for that service, could not be met by mere generalities. If, in the presence of such testimony as defendant adduced the mere general assertions by officials of their performance of duty were to be accepted as an adequate justification for the complete exclusion of negroes from jury service, the constitutional provision... would be but a vain and illusory requirement."¹⁵

The same reasoning is applicable to these facts.

Circumstances or chance may well dictate that no persons in a certain class will serve on a particular jury or during some particular period. But it taxes our credulity to say that mere chance resulted in there being no members of this class among the over six thousands jurors called in the past 25 years. The result bespeaks discrimination, whether or not it was a conscious decision on the part of any individual jury commissioner. The judgment of conviction must be reversed.

To say that this decision revives the rejected contention that the Fourteenth Amendment requires proportional representation of all the component ethnic groups of the community on every jury¹⁶ ignores the facts. The petitioner did not seek proportional representation, nor did he claim a right to have persons of Mexican descent sit on the particular juries which he faced.¹⁷ His only claim is the right to be indicted and tried by juries from which all members of his class are not systematically excluded—juries selected from among all qualified persons regardless of national origin or descent. To this much, he is entitled by the Constitution.

Reversed.

⁷Smith v. Texas, 311 U. S. 128, 130.

⁸Smith v. Texas, *supra*, note 7; Hill v. Texas, 316 U. S. 400; Cassell v. Texas, 339 U. S. 282; Ross v. Texas, 341 U. S. 918.



⁹We do not have before us the question whether or not the Court might take judicial notice that persons of Mexican descent are there considered as a separate class. See Marden, *Minorities in American Society*; McDonagh & Richards, *Ethnic Relations in the United States*.

¹⁰The reason given by the school superintendent for this segregation was that these children needed special help in learning English. In this special school, however, each teacher taught two grades, while in the regular school each taught only one in most instances. Most of the children of Mexican descent left school by the fifth or sixth grade.

¹¹See note 8, *supra*.

¹²The 1950 census report shows that of the 12,916 residents of Jackson County, 1,865, or about 14% had Mexican or Latin American surnames. U. S. Census of Population, 1950, Vol. II, pt. 43, p. 180; *id.*, Vol. IV, pt. 3, c. C, p. 45. Of these 1,865, 1,738 were native born American citizens and 65 were naturalized citizens. *Id.*, Vol. IV, pt. 3, c. C, p. 45. Of the 3,754 males over 21 years of age in the County, 408, or about 11% had Spanish surnames. *Id.*, Vol. II, pt. 43, p. 180; *id.*, Vol. IV, pt. 3, c. C, p. 67. The State challenges any reliance on names as showing the descent of persons in the County. However, just as persons of a different race are distinguished by color, these Spanish names provide ready identification of the members of this class. In selecting jurors, the jury commissioners work from a list of names.

¹³R. 34.

¹⁴R. 55. The parties also stipulated that there were no persons of Mexican or Latin American descent on the list of talesmen. R. 83. Each item of each stipulation was amply supported by the testimony adduced at the hearing.

¹⁵294 U. S., at 598.

¹⁶See *Akins v. Texas*, 325 U. S. 398, 403; *Cassell v. Texas*, 339 U. S. 282, 286-287.

¹⁷See *Akins v. Texas*, *supra*, note 16, at 403.



LULACS IN DENVER

One of the highlights of the re-activation and installation of the Denver Council was the crowning of Lulac Queen Her Majesty Mercedes of the House of Jaramillo. National President Atty. Albert Armendariz spoke most eloquently, saying that "education is not only a right, but an obligation," adding, "we must develop that sense of leadership so our people can rise above their origin. No one is going to do this job for us—no one is going to give us leaders—we must do the job ourselves." In the photo you see Mr. Armendariz minutes after his talk, with Doctor Ernest Bustamente, Lulac Denver President (left) and Edward Bustamente, master of ceremonies during the installation. Below we have, left to right, Luciano Santocoy, National Director of Publicity, Atty. Albert Armendariz, National President, Isaac Sandoval, Regional Governor for Colorado, and Dan T. Valdes, District Governor for the Denver region.



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AUSTIN, TEXAS - JUNE, 11, 12, 13, 1954



President Installs Council in Fort Worth

Just recently we had the great pleasure of installing the Ladies' Council in Fort Worth. In the picture you see National President Albert Armendariz taking the oath of these charter members.



Another picture of our newly installed Ladies Council in Ft. Worth.

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Variety

The psychologist William Moulton Marston asked 3000 persons: "What have you to live for?"

He was shocked to find that 94 percent were simply enduring the present while they waited for the future; waited for "something" to happen; waited for children to grow up and leave home; waited for next year; waited for another time to take a long-dreamed about trip; waited for someone to die; waited for tomorrow without realizing that all anyone ever has is today because yesterday is gone and tomorrow never comes.

—Douglas Lurton in "The Power of Positive Living" (McGraw-Hill)

If Patrick Henry thought taxation without representation was bad, he should see it with representation!

A drunk fell out of a sixth story window and landed in the street without any apparent harm. A crowd gathered around him and a cop rushed up and said, "What happened?"


"I don't know," said the drunk, rising and brushing himself off, "I just got here myself."



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