

House, Prison Board Vote to Abolish Bat

**Physical Violence
Can Be Used Against
Escape or Revolt**

Austin Bureau of The News.

AUSTIN, Texas, Feb. 11.—Many members of the Texas House of Representatives Tuesday were in doubt about whether they had actually abolished the use of the bat from state prison systems by their 109-16 approval of a representative Sam Hanna's modified antibat bill, but Hanna himself predicted the job would be done by the time the bill had cleared the Senate and a possible conference.

Hanna amended his bill to allow striking to suppress revolt, stop violence, to prevent escape, and for resisting any lawful command.

Hanna said a step toward victory was made. He said the present law allows the use of the whip for other purposes, and that use is now partially restricted.

While the lawmakers are still fretting over how to finance social security, a big item being old-age pensions, Representatives Chas. Moore of Bonham and Ben Sharpe of Paris proposed a constitutional amendment which, if adopted by the House and Senate and voted for by the people, would raise to \$20 a month state payments for the old-age assistance. This would match the top limit prescribed by the Federal Government under certain conditions, they said.

Chairman Gene McNamara announced the second investigation by his House committee on alleged abuse of the old-age pension applicants by welfare department employees would be held at the courthouse in Waco Feb. 17 and 18. On Feb. 21 and 22 the investigation will be in Fort Worth, home town of Marvin Simpson, one of the five House investigators. The first hearing will be at Nacogdoches, Feb. 14 and 15, the home town of Jewell Helpenstill, another investigator.

Clayton Bray was unsuccessful in his attempt to get Speaker Homer Leonard to appoint authors of the House's general investigation resolution to the committee, authorized Monday. Bray was a coauthor of the resolution which said "rumors are widespread over the state that certain officials of the state government are corruptly administering their offices and are guilty of gross immorality in connection with the discharge of their duties."

**Disciplinary System
To Include Solitary
Confinement in Cells**

HOUSTON, Texas, Feb. 11 (AP).

—The Texas Prison Board voted Tuesday to abolish corporal punishment of misbehaving convicts, substituting a broad disciplinary system ranging from deprivation of small privileges to incarceration in solitary cells.

Outlawed by the unanimous action was the use of the dreaded bat, a leather whipping strap.

In the past, incorrigible convicts sentenced to a lashing were placed nude, face down on the floor. While other convicts looked on, a prison system official whipped the culprit across the buttocks.

As many as twenty lashes were administered while the man lay pinned to the floor by prison employees.

Agitation against the use of the bat has rolled across the state for years. It was described as an antiquated, inhumane, vicious punishment which did not achieve its purpose.

Supporters of its use countered with the argument that it was the only effective means of quelling unruly prisoners.

Six States Retain Bat.

O. S. J. Ellingson, general manager of the prison system, said he believed proper discipline of convicts could be maintained under the substitute measures adopted by the board.

Dr. J. W. Butler Jr., chairman of the committee which drew up the resolution to abolish the bat, said only six states retained the legal power to use the instrument, and that only three actually employed it.

He reported the committee had studied disciplinary measures of virtually every prison in the nation, and that it had concluded abolition of the bat was necessary to maintain "our advanced progress in improving conditions in the Texas prison system."

The board voted to establish a three-person committee on discipline and punishment to work with the prison system management, and also suggested an emergency appropriation by the Legislature to finance construction of fire proof, modern, properly heated solitary or isolation cells throughout the system.

Disciplinary Measures.

Disciplinary measures, which will be utilized instead of the bat are deprivation of privileges, such as smoking, visiting, attending moving picture shows and the prison rodeo and other athletic events; standing on a barrel; standing in the corner with the back to the audience; toeing a white line; loss of trusty ship; forfeiture of overtime, commutation time and earned time; ineligibility for clemency; wearing striped clothing and hat, and use of strait jacket, handcuffs, isolation cells and dark cells.

The board also voted to adopt certain measures of assistance in the successful management of inmates, including more liberal use of the merit system, applied to employees as well as inmates; a more rigid classification and segregation of inmates, and physical and mental examination of all inmates suspected of mental illness.

The Legislature also will be asked to provide \$5,000, or as much of that sum as is needed, to hire two trained and qualified teachers who would instruct employees in modernized performances of their duty.

Compton Is Happy

To C. V. Compton of Dallas, who recently offered sums ranging from \$200 to \$1,000 to anyone willing to submit to one of the bat-beatings, the abolition move Tuesday culminated his personally financed campaign of more than a year to end corporal punishment in Texas prisons.

"I am probably the happiest man in the State of Texas today," he said at his home, 4900 Lakeside, after learning of the action of the State Prison Board and the House of Representatives.

"The Dallas Morning News deserves great credit for bringing to the public the truth about the conditions in our state prisons under the reign of the bat. Beginning last April I made a personal survey on this matter, but it was The News which accepted my facts and gave them to the public."

Aided by a trained secretary, familiar with the workings of the Texas prison system, Compton began his campaign in February of 1940. He wrote letters to all members of the Legislature and the prison board, and he talked with the men who had maimed themselves by cutting off feet and hands, rather than face the bat.

"I lost a lot of sleep over it, and that year's work wasn't something that could be done without a good deal of expense," he said, "but I am more than rewarded now—the State of Texas can hold its head high."