



— AP photo

Price Daniel Jr. and wife Vickie are shown in 1977 as he ran for attorney general

Price & Vickie

Liberty folks agree: Daniel union was doomed

By WILLIAM P. BARRETT

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LIBERTY — He was handsome, affluent, intelligent, well-educated, a collector of rare books, son and namesake of a three-term governor, a direct descendant of Sam Houston, a successful lawyer-businessman and a respected former Texas House speaker whose whole life had been spent in

the company of powerful people.

She, too, was attractive and intelligent, but there the similarity ended. Her people were not known for their wealth, bloodlines or influence — her father, a working man, moved from job to job, taking with him the family

of 11 children — and she never graduated from high school, much less college or graduate school.

The contrast could not have been more noticeable the day they met at the Dairy Queen on N. Main Street. She was a waitress behind the counter, earning the minimum wage. He probably was traveling between his thriving law practice in his office

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building facing the Liberty County Courthouse and the spacious, one-story home he had built on the 3,000-acre family ranch.

But somehow they got along and on Nov. 1, 1976, Marion Price Daniel Jr. and Vickie Loretha Carroll Moore, each with a marriage behind them, became husband and wife. They settled into that big, light brick ranch house four miles out of town on FM 1011, nicknamed "the Governor's Road" because of his father's house a few hundred yards away.

The marriage lasted four years, two months and 18 days. It ended at the house shortly after 7 p.m. last Monday when, authorities say, Vickie killed Price with a shot from a .22-caliber Remington bolt-action rifle. The bullet entered his stomach and pierced the aorta, the main artery of the body, causing death from internal bleeding. He was 39 years old.

Saturday evening, less than a week after the murder, Mrs. Daniel, 33, surrendered herself to police. She was charged with the murder of her husband.

Theories about the case are as numerous among the 9,800 residents of this rural East Texas city, located on the Trinity River midway between Houston and Beaumont, as the acres of soybean and rice in the surrounding farmland.

Like most small towns, a major form of recreation here is gossip, particularly when it involves a leading family. The Liberty grapevine rivals local newspapers in scope and impact — if not in accuracy — and last week it was working overtime. "My wife woke up at 5 a.m. and had the entire story," Sheriff C. L. "Buck" Eckols declared the morning after the shooting.

Each rumor seemed to have an equal and opposite rumor. Price did — or did not — beat his wife and run around. Vickie did — or did not — have a history of violent behavior. Price did — or did not — taunt his wife every chance he could get. Vickie did — or did not — despair of giving up the big house.

One widespread rumor had Mrs. Daniel as a member of a clan held in particularly low regard among the "respectable" folk of Liberty because of purported criminal and violent propensities. The rumor was totally false.

As they chose up sides — based upon careful consideration of the latest gossip — Liberty residents agreed on few things. But a general consensus emerged on one point: The marriage really was over a long time ago.

"I don't think there's anybody in Liberty who thought they ever truly got along," said one long-time area businessman.

The public records in the court-

house suggest that the union was troubled at the start. On Oct. 1, 1976 — a month before she married Price — Vickie applied for a marriage license to remarry her former husband, Larry Dale Moore, whom she had divorced 45 days earlier, but the remarriage ceremony was never performed. On Oct. 22, 1977, a month after Price declared his candidacy for Texas attorney general, she filed for divorce, citing the statutory "conflict of personalities." She withdrew the suit two days later.

She filed again for divorce on Dec. 31, 1980, citing the same grounds and asking the court to restrain Price from "dissipating" the assets. Price had been served with the papers Jan. 15, four days before his death. A hearing had been scheduled for last Thursday, the day after he was buried.

Almost as an aside, the courthouse records include two other dates: Franklin Baldwin Daniel, born July 27, 1977, nine months after the marriage, and Marion Price Daniel IV, born Feb. 2, 1980.

Some people are born with a silver spoon. Price was also wearing a campaign button when he arrived June 8, 1941.

His father was Price Daniel Sr., then serving his second term in the Texas House of Representatives, representing the Liberty area, which his ancestors from Liberty, Miss., had settled in the 1820s, carrying with them the name. Price Jr.'s mother was Jean Houston Baldwin Daniel, whose great-great-grandfather was Sam Houston, first president of Texas as an independent nation, its first senator under statehood and later a governor.

During the next 38 years, Price Sr. served as House speaker, state attorney general, senator, governor, assistant to President Lyndon B. Johnson and state Supreme Court justice — the only person ever to serve in all three branches of the Texas state government and two of the three federal branches. He retired from government last year and lives in Austin, tending to numerous business projects.

As a youth, Price Jr., the oldest of four children, divided his time between Austin and Liberty. He bragged later that he made his first political speech at age 11 during his father's successful 1952 campaign for the Senate. He was president of the student congress at Stephen F. Austin High School in Austin. Like his father, he received his bachelor's and law degrees from Baylor University in Waco. While in school he managed rental property and worked summers on the Liberty Vindicator, a newspaper partially owned by his father.

Price Jr. matured into a handsome

man. He acquired a taste for rare books, particularly those connected with Texas history.

The year 1966 was an important one in the life of Price Jr. He graduated from Baylor Law School and was admitted to the bar. He opened a law office in Liberty. He became a local justice of the peace, his first public office. And he married Diane Wommack, herself a descendant of a chief executive, Gov. Thomas M. Campbell.

Two years later Price and Diane had their only child, Thomas Houston Campbell Daniel, a name that reflected each governor in the family tree.

In 1968 Price Jr. was elected to his father's old legislative seat. A hard-working person, he earned a reputation as a moderate to progressive state legislator, although not a leader and not considered very ambitious. But when the Sharpstown Bank stock scandal erupted in 1971, implicating a host of politicians in a series of events leading to the conviction of reigning House Speaker Gus Mutscher, the reform element chose Daniel as their candidate to replace Mutscher.

"He was the right man at the right time," recalled Randall B. "Buck" Wood, now an Austin lawyer and then a lobbyist for Common Cause. "He was seen as an eminently decent fellow."

Following a year-long campaign, Price was easily elected speaker in 1973 and under his energetic leadership, the Legislature passed a host of reform legislation throwing the disinfectant of sunshine on the murky depths of Texas government: the Open Public Meetings Act, the Open Records Act, campaign finance disclosure laws, ethics rules, and lobby registration and disclosure measures. In 1974 Time magazine cited him as one of "200 faces for the future."

These accomplishments came even though many politicians in Austin found him pompous and arrogant. "A lot of people just didn't like him personally," one legislator said. Others, more charitably, attributed his attitude to a stubborn independence and a guarded, controlled demeanor. His sharp tongue did not help.

For all his campaigning, Daniel's allies never really felt they knew him. "I don't think I ever saw him totally relax," said one Austin friend. "There was always a mask, as though there was something pent up inside."

Added another, "For a public official he was a pretty private person, and he just wanted to keep time for himself."

His legislative agenda and his law practice in Liberty took time, lots of time, and legislative observers marveled at his energy. "He threw himself into whatever he was doing with fervor," recalled Carlton Carl, then an aide. But it also took its toll personal-

ly. On Nov. 22, 1974, near the end of Price's two-year speakership, Diane filed for divorce, citing "conflicts in personality." Friends said she felt neglected. The divorce became final a year later, on Nov. 26, 1975.

By that time, Price was back in Liberty, building his law practice and getting involved in business ventures. He became a part owner in the Liberty Vindicator and stepped up his real estate activities.

It was also about the time he met Vickie.

Much less is known about Vickie. She was born Sept. 12, 1947, in Baytown, 25 miles south of Liberty, daughter of Walker Carroll and Camelia Fannett Carroll, the 11th of 12 children. According to friends the family moved around as her father found work. Her parents divorced when she was about 10 and her mother later remarried.

She attended Waxahachie High School in Waxahachie, south of Dallas, from September 1965 before withdrawing in February 1967 short of graduation, according to school records there.

Larry Dale Moore, who grew up in East Texas, said he met the attractive, high-spirited blonde while visiting friends. The two were married Oct. 2, 1967. She was 20 years old. He was 18. They settled down in Dayton, which adjoins Liberty. They had two children, Kimberly Moore in 1968 and Jonathon Moore in 1970.

In an interview, Larry, who still lives in Dayton with his second wife, called Vickie "a good mother." But he said problems developed in the marriage. They fought. "She used to get down in a cold rage and attack," he asserted.

At some point in late 1975 or 1976 she took a job at the Dairy Queen at 1702 N. Main in Liberty, Larry said, and it was there she met Price.

One thing led to another — Price's friends said he was lonely — and she filed for divorce from Moore on June 4, 1976. The grounds: "conflicts in personalities." Her lawyer: Price. The divorce came through Aug. 16.

The remarriage application she filed Oct. 1 grew out of an effort at reconciliation, Larry said, adding, "I don't know where my head was at." Nothing came of it and she married Price a month later.

Larry, who works at a local water works, talked about his marriage to Vickie in a matter-of-fact manner, as though he were a bystander describing a car crash. "I'm not bitter," he said. "No use crying over spilled milk."

He scoffed at the rumors that she was enduring physical abuse from Price. "I know she wouldn't sit there and take it," he declared.

During their marriage, Larry said he and Vickie developed one joint hobby.

"We used to go hunting together," Larry said. "She was extremely good with a .22 rifle."

After two years of political retirement, Price Daniel Jr. decided in 1977 to run for state attorney general. His friends say they pushed him into it. "We kept bugging him, pressuring him to run," Buck Wood recalled. "I think he did it for us." Said Liberty County Judge Dempsie Henley, "I think he did it to please his father."

Price officially declared on Sept. 7, 1977, at rallies in Austin and Liberty, the new Mrs. Daniel at his side.

Within three months she filed for divorce.

Price's associates blame the lawsuit on her lawyer, Harlan D. Friend, former Liberty County judge and a long-time opponent of Price. Friend last week denied any improper political motive. "She came to me," he said.

No reason was given when the suit was withdrawn two days later, and Vickie later participated in the campaign. Those around Liberty and Austin recall that she seemed very uncomfortable at campaign functions, although she tried her best to fit in.

By all accounts, Price never had his heart in the race. His opponent in the Democratic primary, Mark White, outspent him about 3-1, including a last-minute television blitz generally credited with giving White a 70,000-vote margin out of the 1.63 million cast on May 6, 1978.

"I guarantee you he was not devastated when he lost," said Liberty Mayor R. Scott Parker, who, like others, was convinced Price would never run for office again.

Free of political obligations and seemingly content in his hometown, he reintegrated himself into the economic fabric of the city. He settled into law practice with his younger brother, Houston Daniel. He became chairman of the board of the Vindicator and a director of the Dayton State Bank.

But primarily he threw himself into his real estate business, Liberty Land Co., which he had founded eight years earlier. "He really enjoyed real estate," said Nelson Waldrop, a local car dealer who had real estate dealings with Price. "He had been on the political road all his life."

Pat Chapman, a mobile home dealer in Dayton and a business partner of Price, said Price enjoyed real estate because it enabled him to "accom-

plish" something. "He enjoyed seeing an average person buy a house," said Chapman.

Business improved so much that he moved his law firm-real estate agency to a portable building on North Main Street, away from the courthouse and next to one of his mobile home developments. Reflecting the priorities of his life, the sign pole in front listed Liberty Land Co. first, then Daniel & Daniel.

Price spent 12, 14, sometimes 16 hours a day on business — trying cases, selling homes, working on developments such as Travis Park, Lakeland Drive and, more recently, a project 20 miles away in Crosby.

At the same time Vickie was being seen less and less in public. To Price's friends, most of whom never considered themselves more than acquaintances of Vickie — some derisively called her "the dairy queen" — it only served to highlight the contrast between Diane and Vickie. Diane was tall — taller than Price, who was only 5-foot-7. Vickie was short. Diane had a gracious, refined air about her. Vickie was very down-to-earth. Diane liked people. Vickie seemed to keep to herself.

But Vickie began complaining to her friends and family that Price was "a bore," that he was neglecting her, beating her, cheating on her, harassing her. Investigators can find no evidence she ever sought medical or hospital treatment for any injuries.

She also complained Price did not give her any money, that he did the household shopping to keep her from having any cash.

Even Price's friends acknowledge he was a workaholic who was not spending a lot of time with his wife, although they cast it in the best possible light. "She couldn't come to understand that in the upper bracket of life you have to devote a lot of hours to business," Chapman said.

Despite the pending divorce suit, which said the couple separated Dec. 29, 1980, neither Vickie nor Price moved out of their big brick ranch-style home. They apparently just stayed in separate parts of the house.

According to friends, they had reached about as amicable a settlement as possible under the circumstances. He would pay her \$700 a month in child support, buy her a car and give her \$15,000 as a down payment on her own house. Chapman said Vickie was negotiating to buy a mobile home from him, although other reports suggest she was ready to buy a regular home somewhere in Liberty. Price had also agreed to pay rent for an apartment until the new house was ready.

From all indications, both Vickie and Price were in good moods on

Monday, Jan. 19. "I talked to him a couple of hours before it happened and he was high spirits, very upbeat," said Judge Henley.

Price spent most of the day at the office, dressed in his usual blue jeans, plaid shirt and boots. Vickie apparently spent most of it at the house, leaving around 4 p.m. to pick up her 11-year-old daughter, Kimberly, at a Liberty school.

Chapman said Vickie called him that afternoon to discuss the mobile home deal. "She said she was going to ask Price that night for the down payment for the apartment," he said. Larry, her ex-husband, said she had asked him to help her move on Thursday. He agreed.

Price left his office about 6:30 p.m. in his blue pickup truck and presumably drove straight home, normally a five-minute run. What happened until Vickie called Yettie Kersting Hospital shortly after 7 p.m. is a yet untold drama.

Sheriff Eckols said Vickie stayed on the phone about 20 minutes. The hospital called for an ambulance. The squad members who responded realized they had a dead body and called the Liberty police. They also strapped Vickie, described as screaming and hysterical, to a stretcher and took her to Kersting.

Since the house was outside city limits, the Liberty dispatcher called the sheriff's department, which responded about 8 p.m., after at least one local newsman had arrived at the scene.

Price was lying on his side in a narrow hallway leading from the kitchen

to the carport, blood covering his body. "We think he was trying to get away and collapsed from the internal bleeding," Eckols said.

The rifle was lying in a bedroom off the kitchen and two casings were on the floor of the kitchen. Price was only shot once, and despite several searches of the house, investigators have not been able to find a second bullet hole.

There were two other guns in the house, one in the carport, another in the closet, but they were not used. Eckols said he thinks the Remington, which has no serial numbers, belonged to Vickie.

A freshly-mixed drink, Scotch and water, sat on top of a washing machine in the hallway near the body, Eckols said. An autopsy by Dr. Joseph D. Jachimczyk, the famed Harris County medical examiner, concluded that Price's body contained alcohol equivalent to a drink-and-a-half, about one-third the amount needed to support a drunken driving conviction. According to friends, Vickie did not drink.

Dousing another rumor, Eckols said there were no traces of drugs, either in the body or in the house.

According to the sheriff, metal trace tests performed on Vickie's hands that night were positive, meaning she recently had held a large metal object — like a rifle. Price's hands also tested positively, in a pattern suggesting he had grabbed a metal railing, the sheriff said.

There was some broken glass in one room, initially prompting District Attorney Carroll E. Wilborn Jr. to suggest there might have been an alter-

cation. But Eckols said later in the week it was possible the glass was broken as the ambulance attendants subdued Vickie.

The three children in the house — Kimberly, 10, Franklin, 3, and Price IV, 11 months, were in a distant room. The television was on and they heard nothing, the sheriff added.

Vickie's lawyer, Andrew Lannie, said, "There are two sides to every story," he said, "and we're reserving comment on ours."

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"Although he was in the public eye, he was private in many ways," the Rev. Marvin Agnew told the 900 mourners who crowded into the First United Methodist Church Wednesday for the funeral service.

The Daniel family, led by Price Sr. and Jean, sat in the front. Vickie, accompanied by her older brother, Woodrow Carroll, arrived just before the service began and took a seat in the back. Some Daniel family members said they did not know of her presence until afterwards.

The burial, under gray, overcast skies, was along the Governor's Road on the Daniel ranch, less than a mile from the shooting scene. To get there, the long funeral procession crawled up N. Main, passing Price's office and several of his real estate developments.

The procession also passed by the Dairy Queen, which sported a cheery message on its signboard out front. "Speed is our middle name," it proclaimed.