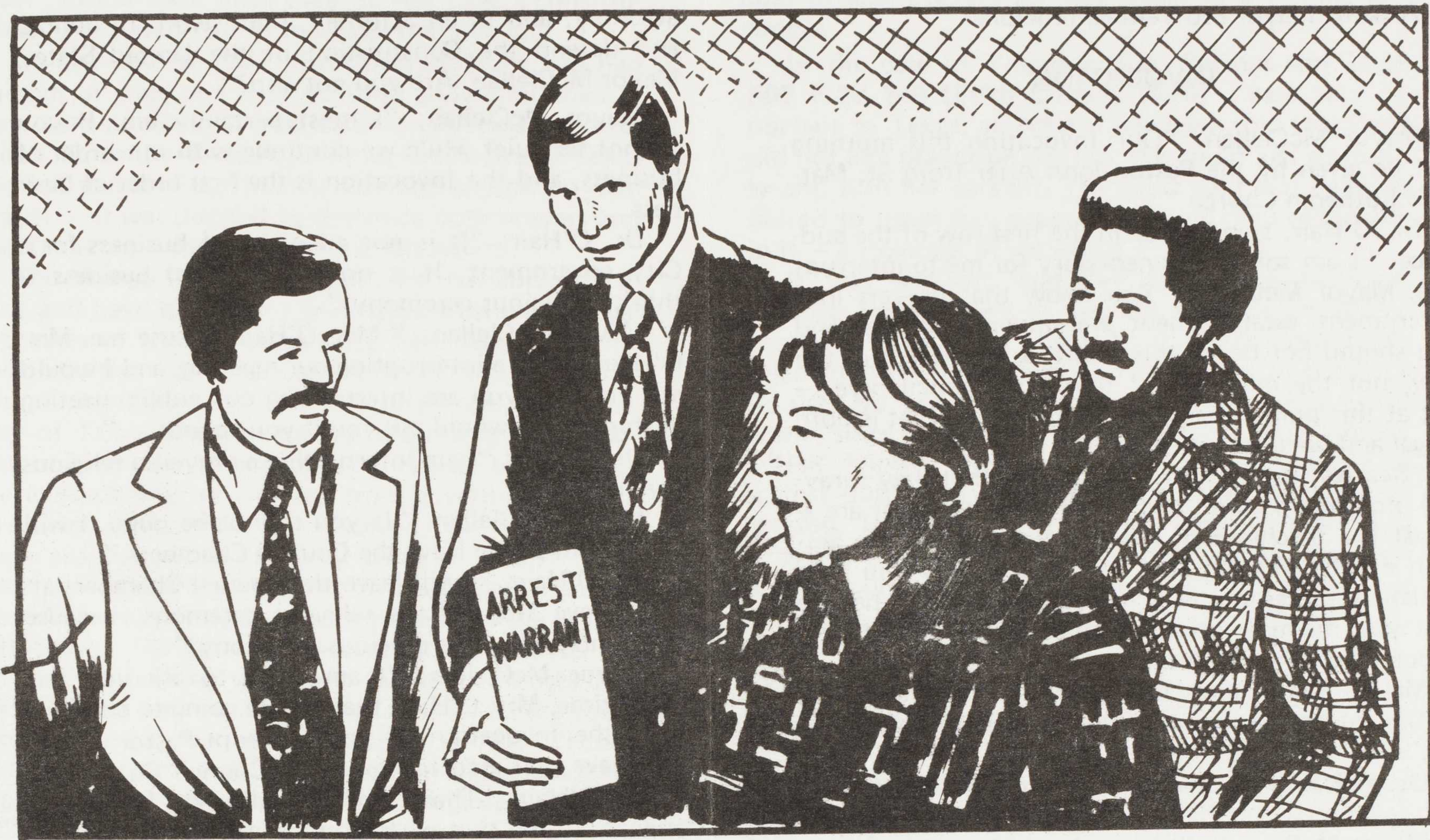




demonstrated in your having me removed from the hall."

Mayor McClellan: "Yes ma'am. Pastor Auer will you please continue with the Invocation?"

Mr. Auer: "Let us pray together . . ."

Dr. O'Hair: "The Invocation is an unconstitutional exercise, which should not be . . ."

Mayor McClellan: "Excuse me but Mr. Reed, if I could please, I would like Mrs. O'Hair escorted out of the Council Chamber, please."

Dr. O'Hair: "Don't touch me as you do it, or I will charge you with assault. I will go if you ask me to go."

Chief of Police Dyson: "You are under arrest. You are in violation of Article 42.05 of the State Penal Code."

Dr. O'Hair: "All right."

Chief Dyson: "You are under arrest. Come with us."

Dr. O'Hair: "All right, good, good. All right, fine. Just don't touch me."

Mayor McClellan: "Pastor Auer, I apologize for the interruption. If you please will, sir, we will continue with the Invocation."

Mr. Auer: "Let us pray together. Dear Father, we come to You remembering that every good gift is from Your hand. Especially, are we mindful today of the gift of government ordained among us in the City of Austin. Bless each home and family in this community that we may live together in peace and in love. Give to this City Council a special measure of wisdom that they (sic) may lead us with both purpose and understanding. For the many in our community who are disgruntled, who disturb the peace, or who may lack respect for the needs and rights of others, allow us each one as Councilmembers and as private citizens, to minister to such persons with a determined spirit, expressing firmness of purpose, but tempered with Your love and forgiveness. All this we ask in Your glory and honor, in the name of Christ the Lord. Amen."

Mayor McClellan: "Thank you, Pastor Auer."

The exchange fully indicates that the Mayor and her supporting councilmembers gave Dr. O'Hair the choice of remaining quiet while a prayer was said, thus — in effect — participating in the prayer, or leaving the room. Dr. O'Hair was just as insistent that the prayer was an impermissible unconstitutional exercise