

By the WAY #9

by W. Andrew York
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Commentary

Last time I forgot to thank folks for all the game related commentary. I certainly enjoyed reading all of your thoughts and I think it made the game a bit more enjoyable for everyone, including those who aren't participating. I know it is late in the game, but remember, you can join any time.

And, this issue, I have my first lengthy *BTW* LOC. Your thoughts on whatever are always welcome, what your reaction to what I write or what is in the subzine is very much encouraged. Please feel free to chime in at any time.

One minor item in discussing the "Scattergories!" game last time. When individual categories have a wide ranging selection (such as Green Food), a letter each entry must start with is usually given. So, in the case mentioned, it might be Green Food the begins with the letter L. Possible answers would be lettuce, limes, lima beans, etc. And, remember, you're trying to pick something that fits the category that the others won't choose.

Texas History

Palmito Ranch in Texas was the site of the last battle of the American Civil War between the two armies. Located near Brownsville and the Mexican border, Union troops were defeated by the Confederates on May 13, 1865. The southerner's were lead by Col. Rip Ford, a politician and newspaperman. They routed two Union units while capturing a third, the 2nd Texas. This was more than a month after Lee's surrender of the Army of Northern Virginia and nearly a month after the assassination of Lincoln. The remaining large Union force in the East had surrendered on April 26, 30,000 men under Gen Johnston at Raleigh.

As a postscript, the surrender of the Trans-Mississippi Department didn't occur until early June and Union troops didn't start landing in significant numbers until mid-June. June 19th is a holiday in Texas, celebrating the application of the Emancipation Proclamation in 1865, ending slavery in the State.

Information from [Family Encyclopedia of American History](#) from the Reader's Digest (1975), [American Heritage Picture History of The Civil War](#) (1960) and "Texas in the Civil War" pamphlet from the Texas Historical Commission (2001)

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LOCs:

Edi Birsan (EdiBirsan at astound.net)

I have been called for Jury Duty about 10 times in the last 30 years and I finally got on a Jury here in California about 3-4 years ago. It was a case of Brandishing a Firearm and Public Intoxication or Drunk in Public as it was described.

These were misdemeanors not fine issues and carry some potential for jail time.

In California the Jury was 12 plus 2 alternates and it has to be unanimous. [WAY: in Texas, juries that hear crimes that can result in jail time are also 12. Fine only (Class C Misdemeanors) cases can have a 6 person jury.]

It was a life experience, that is something that I will always hope to remember.

The original pool of people was 40 and we went through a similar weeding out process except that everything was done in the open so all jury pool people were questioned with others present. One of the funny aspects was that the Judge's wife who was a former DA and currently a defense attorney turned up in the pool. She was excused by the state. [WAY: for the most part, we were interviewed with all the jurors present. Only clarification questions for individual jurors that occurred after the jurors were let out of the courtroom that happened without everyone present.]

We had a great cross section of America in the jury that was picked including an 18 year old that got his summons on his 18th birthday and as it feel on Spring Break he was not excused. We had a new citizen from China, two folks in their late 70's on of which had been on 4 juries his first in 1950 or so, racial types were black, hispanic, asian, and several unknown. At least one gay guy and one hippie type (not counting me).

The issue of being Drunk in Public did not revolve around the determination of the drunkenness. Nor were their any real questions from the jury side that he was drunk... the guy lied on the stand we all figured, his reason for having liquor on his breath at 1PM was that he was a deacon at the catholic church and had helped with the mass at 8AM and HAD to drink the remaining wine from the ritual. The real question revolved around the definition of what being in 'public' meant.

There were a bunch of issues around the brandishment and some funny things there also when the arresting police officer was brought to the stand and said that this was his first arrest on his first day on the job and that he was astounded how well different the defendant looked now that he could not believe it was the same guy!

Also it turns out that the neighbor who initiated the call to the police was his good friend and both testified that they were good friends still, and was a gun dealer that had sold him 7 guns including the one he was pointing/brandishing and the one he concealed in an ankle holster when he was arrested.

To make it short, he was found guilty of brandishing a weapon but not guilty of being drunk in public because the arrest was made inside his garage when he opened the door to leave the house as it was surrounded by a near dozen police. [WAY: I have to agree with that. If he's in his house, even if intending to leave, he isn't in public.]

A way cool experience and something that reaffirms some of your faith in 'the system' as well as gives you reason to push everyone to stand for the jury when summoned. (by the way I think that the pay in California was something like 4.95 a day). [WAY: Our jury pay was recently raised to try to get more folks to show up. Thanks for the LOC!]

Don Del Grande: Are Jake Halverstadt or Greg Ellis still around? Why not get them to update Presidential Politics for 2008? (I still have the second edition (mid-1980s?) rules/charts - I think I was the only person to run a game of the revised version - although the platforms are quite outdated.) [WAY] No clue if they are around, any of the readers know? I don't recall the game, but if it was mid-80s, that was when I was just getting started in the Postal hobby and might have missed it. Care to share more about the game?

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Feature: OK, I'll confess. I recently did something I've often shook my head at other folks for doing. Could I blame old age (for some of you, just turning 46 years old may seem like the fruit of youth, but I'm definitely not as young as I once was - heck, I just had to get glasses - my arms were getting too short)? Can I blame the friends I was with as being too distracting (not really, we were just chatting like I've always done with them)? In the end, I guess the only one to blame is myself - my inattentiveness, lack of focus or maybe just not paying attention like I should have.

Why am I kicking myself? Well, a couple I'm good friends with went to a movie a couple weeks back on a Friday night, like we do most weeks. After purchasing our respective tickets for "Man of the Year" (biting commentary on today's elections, by the way), we stood in line to get refreshments for my

friends (I rarely choose to spend a penny or two per kernel of pop corn or the equivalent of the cost of a 12-pack of cans for a little soda and a lot of ice). Then, we went into a fairly packed theater to enjoy the movie. Afterwards, we chatted for a bit and then parted company. I went home to sleep - having a nagging feeling that something was off.

In the morning, I woke up late and decided to go to Jack-in-the-Box for their breakfast burrito. However, I couldn't find my wallet. I searched for a bit (like you do when you can't find your keys and might have set them down absentmindedly). No luck, even after moving the dresser (did it fall down behind it?) and checking the car.

So, I collected some spare change and went to have a late breakfast as I'd planned - still racking my memory for where I put my wallet. After running a few errands (and feeling a bit guilty for driving without a driver's license in my possession), I returned home and commenced a full search of the apartment. No luck....

As it was getting near the time my credit union closed, I decided to cancel my debit card and request a new one. First, I stopped by the theater to see if anyone had turned in the wallet. After a perplexed look from the ticket taker and a finally successful attempt to explain the situation to the manager that took 10 minutes (or so), the lost and found was checked to no avail. So, on to my credit union.

They were quite helpful and, fortunately, there was no indication anyone had used the card. This made me feel better as the debit card was also a "credit card" - meaning you could use it as a charge card but it would really act as debit card and take the money immediately out of the account. So, I went home and looked some more for the wallet (a birthday gift a year ago from my father, bought in Italy). I also checked with the few folks who might have gotten into my apartment and maybe borrowed the wallet.

Saturday night, I finally decided that it was lost/stolen and should cancel everything in the wallet. Starting with the store cards, I had very good response from the folks I talked to while relating my circumstances (almost as if they heard similar stories all the time.....). No one reported any recent activity, so again I felt that I'd just misplaced the wallet.

Well, that was quickly dispelled when I started to cancel my major credit cards. The first reported some attempts to access the credit line by guessing the PIN number at ATMs in Round Rock (a city near Austin). At this point, the next call was to the Austin Police Department (APD) to report the loss/theft of the wallet. At this point, there were two possibilities - I could have lost the wallet at the megaplex either by losing it/pickpocketing or there could have been a break-in while I slept at my apartment (I have a first floor apartment and one of the screens was dislodged).

I called APD's non-emergency number (311) and left a brief initial description of the situation. The call taker said another person would call back to take a detailed report. So, I waited.....and waited....and waited.....about an hour later, the report taker returned my call and took the actual report. At this time, it was a "Mysterious Loss" report (using a term from the department I worked for) without any "real" crime taking place other than a possible "Attempted" use of the credit card.

After placing the police report, I continued to cancel cards. I now knew that the wallet was gone and not just misplaced in the apartment. My other major credit cards showed similar attempts at guessing PIN numbers at ATMs. The only actual use was at a Jack-in-the-Box buying breakfast at 0746 using one of the point of sale units that don't rely on anyone looking at the card nor requiring a signed receipt. I had to do a bit of investigating as the sale line item only listed "Jack-in-the-Box #906" and I had to figure out which one that was.

Of interest, at this point, is that I had breakfast at the same restaurant about two hours after they had eaten there. The place is less than 1/2 mile from my apartment! However, all of the ATM attempts (that I was able to identify) were the town northeast of where I live in Austin.

So, now that there was an actual committed crime, I called APD back on the non-emergency line. After talking to the call taker, I was immediately transferred to the report taker that had taken my initial report. Now, I had a "Credit Card Abuse" complaint with a physical location and verifiable dollar loss of a bit over \$25 (my initial report was "about \$40 in cash, loss of credit cards, etc"). She took all the information including that I'd gone to the restaurant and asked them to keep their security tapes from that day at that time (i.e. if they use the drive-through the license plate would be available or if they walked in, their pictures would be present). The team lead said she'd talk to the manager when he returned as he was off-site, but didn't see it as a problem.

I did call Round Rock PD to report the attempted use of the cards. Unfortunately, one of the limits to the system became quite clear. In talking to the officer who returned my call, since there was no actual loss, the attempted crime would be a low priority for the investigators even if he took a report. Secondly, as

the ATM attempts were never successful, the credit card companies collect very little information. For instance, an ATM access attempt at the "ABC Bank" could be at any of their locations, any place they have an ATM machine or an associated location's ATM. Without a specific location (not captured on an attempted use), it could have occurred in anyone's jurisdiction and they can't take a report on an "attempted crime that happened somewhere". So, the only possible way to find the individuals who used my credit cards was the breakfast they enjoyed at the Jack-in-the-Box.

Well, about 10 days after I filed the report, I received a post card from APD. It indicated that they prioritized cases based on chances of catching the criminals and the dollar loss. So, as my loss was \$40ish in cash, my inconvenience and the credit card company's loss of \$25 for breakfast, most likely I was on the bottom of the investigator's stack. OK, not a big loss or a major case. However, the security video from Jack-in-the-Box, should have given them a strong point to pursue the case. One can only expect that they are understaffed and overwhelmed with major crimes so that a minor loss is under the radar.

In analysis, the likeliest chain of events was I bought the ticket and didn't get my wallet back into my pocket (cargo shorts with velcro on the pockets) while talking to my friends going into the theater. Someone picked it up, grabbed the cash and the visible credit cards (my ATM/Debit card was in a side pocket), then threw it into the trash.

A few postscripts

- know what is in your wallet or purse in case it comes up missing. I missed a few membership cards that prevented me from getting discounts and delayed entry to places while they "looked it up"

- don't carry more debit/credit/store cards than you plan on using. Some cards in my wallet hadn't been used in months

- make sure you put your wallet INTO your pocket after you use it.

- if you steal, or "find", a wallet, don't try to guess the one in 10,000 PIN number.

Instead, go through the "no sign" pay points at restaurants, the gas "swipe and fill" areas and the "you check out" lines at major stores.

- once you determine your wallet is missing, and not just misplaced, immediately call the credit card companies starting with the major cards first. Don't wait - especially with the increasing numbers of "swipe and pay" locations and use of RFID technology.

- be persistent with the credit card companies and any charges that do appear. After four calls, the \$25 charge was removed from the card, but it took until the fourth call before finally someone admitted that the charge should have been removed and kept me on the phone while doing the reversal.

- call one credit card bureau to put a "fraud alert" on your file (just one call will notify all of the others). In fact, they were the fastest of all the companies to send me confirmation and information on how to get a credit report and handle ID theft.

- have another type of picture ID that isn't in your wallet. Fortunately, I'd recently renewed my driver's license and my old one was still technically valid. I dug it out of a "to be reviewed and pitched/filed" box. Without it, I couldn't get cash withdrawals from my bank account, prove who I was to get a new driver's license or otherwise easily establish my identity.

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Review: My initial reaction to Elton John's latest album "The Captain and The Kid" is satisfied, but not excited. I've played it through twice since buying it and not one of the tracks jumped out at me. On the other hand, none of them were particularly bad. Also, the length of album (10 tracks coming in a bit over 46 minutes) wasn't what I expected. As it was playing in the background, I didn't know where I was on the disk and when it stopped I thought "that's it?".

All of the songs seemed subdued, lacking in drive and energy. Even the songs that were up tempo appeared restrained, such as "Just Like Noah's Ark". I guess I expect more animation from one of his recordings. That being said, this album is more a reflection of his style and attitudes of the last decade. As he's mellowed, his music has as well.

I'd sample the album before buying unless you are completing your collection. Though it is good, it isn't what I was expecting. And, I'll play it in the future - but more as background music while studying or reading rather than to specifically listen to it.

Observation: One of my coworkers made the observation that the new electronic voting machines may inadvertently disenfranchise older voters. Many are less technically adept and could get confused or frustrated while using the machines - or choose not to vote using the new machines. He cited watching the problems an older couple while waiting in line to vote.

Additionally, I believe that electronic voting may make write-in campaigns that much more difficult. Based on what I've heard about the write-in campaign for Delay's replacement in the Houston area, she has a lengthy, hyphenated name. To write-in her name, each individual letter of the name has to be chosen by scrolling through the alphabet and clicking when the right letter is displayed. Much more difficult than writing a name. I remember getting a bit peeved with video games when I was a high score and having to scroll to get my "W" and "Y" on the screen - and that was only three letters. The candidate mention above has a name more than 7 times as long.

Playlist for this issue: A bit of Dixie Chicks "Taking the Long Way", some "Friday Night Lights", a little "Boston Legal", Elton John - "The Captain and the Kid", Meatloaf's "Bat Out of Hell III - The Monster is Loose" and a lot of silence while I typed.

Coming up Next Time: More Texas History based on a trip to Goliad, Fannin Memorial and Presidio La Bahia. MilleniumCon commentary (local, annual, gaming con). Thoughts on heritage turkeys in particular and free range meat in general.

=====GAME SECTION=====

On TAP:

By Popular Demand (Join Now! Open to Anyone at Any Time!)

Let me know what else you're interested in seeing here.....(sorry, we're out of Shiner)

Scattergories! will be the next "everyone plays" game unless there is another suggestion....

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BY POPULAR DEMAND

The goal is to pick something that fits the category and will be the "most popular" answer. You score points based on the number of entries that match yours. For example, if the category is "Cats" and the responses were 7 for Persian, 3 for Calico and 1 for Siamese, everyone who said Persian would get 7 points, Calico 3 and the lone Siamese would score 1 point. The cumulative total over 10 rounds will determine the overall winner. Anyone may enter at any point, starting with an equivalent point total of the lowest cumulative score from the previous round. If a person misses a round, they'll receive the minimum score from the round added to their cumulative total. And, if you want to submit some commentary with your answers, feel free to.

NOTE: I always acknowledge an Email submission. If you've sent something in and don't hear back from me after a couple of days, send again or check with Jim. I let him know if I expect to be away from the computer for any extended period of time.

Round Eight Category – Gaming

Round Eight Results:

- 01) Best Family Game: Monopoly 7, Happy Families 1, Clue 1, Carcassone 1
- 02) Best Two-Player Game: Chess 6, Storm Over Arnhem 1, Yinch 1, Backgammon 1, Carcassone 1
- 03) Best Multi-Player Game: Diplomacy 8, CandyLand 1, Carcassone 1
- 04) Computer or On-line Game: Everquest 2, Civilization 2, Diplomacy 2, Baseball Mogul 1, Solitaire 1, Poker 1, Star Wars Battlefront II 1
- 05) Best Card Game: Poker (inc. variants) 6, Bridge 3, Spades 1

Individual Scores:

01) Nathan Simmons:	Monopoly, Chess, CandyLand, Everquest, Strip Poker	= 133 + 22 = 155
02) Jim Burgess:	Monopoly, Chess, Diplomacy, Solitaire, Bridge	= 113 + 25 = 138
Jamie McQuinn:	Monopoly, Chess, Diplomacy, Poker, Poker	= 110 + 28 = 138
04) Edi Birsan:	Monopoly, Chess, Diplomacy, Civilization, Texas Hold'em	= 108 + 29 = 137
05) Steve Koehler:	Monopoly, Chess, Diplomacy, Everquest, Bridge	= 108 + 26 = 134
06) Doug Kent:	Monopoly, Storm O' Arnhem, Diplomacy, BB Mogul, Spades	= 112 + 18 = 130
07) Marc Ellinger	Monopoly, Chess, Diplomacy, Star Wars BF II, Poker	= 98 + 28 = 126
08) Brendan Whyte:	"Happy Families", Yinch, Diplomacy, Diplomacy, Bridge	= 106 + 15 = 121
09) Tom Howell:	Carcassone, Carcassone, Carcassone, Diplomacy, Poker	= 110 + 10 = 120
10) Kevin Wilson:	Clue, Backgammon, Diplomacy, Civilization, Poker	= 92 + 18 = 110
11) Fred Davis:	[No Entry Received]	= 95 + 10 = 105
12) Christopher Janik:	[No Entry Received]	= 71 + 10 = 81

Best possible score: 29. Best score achieved: 29 by **Edi!**

WAY's Commentary:

- 01) Best Family Game: I have to admit, I forgot about Monopoly when I was setting this up. I was thinking more along those games that are in the general Dip hobby such as "Settlers of Catan" or "Railway Rivals". However, most folks thought outside the wargaming hobby and it paid off - something true for most of the categories.
- 02) Best Two-Player Game: Again, Chess didn't cross my mind. I was thinking that there would be few matches and folks guessed all sorts of board wargames. I was have been mishandled quite badly if I was playing.
- 03) Best Multi-Player Game: This was almost a slam dunk answer. I fully expected Dip to be the odds on favorite and it was.
- 04) Computer or On-line Game: I'd probably have chosen Civilization. It is my favorite computer game, though I do play a fair amount of Spider Solitaire as a time waster.
- 05) Best Card Game: I was thinking Magic might take the honors, but it may be yesterday's news. I was never really into it, so I don't have a clue where it is in popularity today. Personally, I'm quite taken with the Munchkin series.

Player Commentary:

- 01) Best Family Game: **[Brendan]** "Happy Families" of course, what else? **[WAY]** Never heard of it, care to fill us in? **[Marc]** What better family game that [is] the full scale education in capitalism. If they had played this at Harvard and Yale, perhaps the Democrat party might understand economic theory. But they were too busy playing Candyland to realize that there is a real world out there. Monopoly is the best family game out there. **[Edi]** Monopoly though I suspect this group would/might go with Settles of Catan.
- 02) Best Two-Player Game: **[Brendan]** Yinch (sp?) is pretty good. I can't think of many 2-player games except the hundreds of wargames I won, and how to pick one of those... and I refuse to say MtG (see below). Springline is another favourite. But I will stick with Yinch. **[WAY]** Another game I've not heard of, what's involved? **[Marc]** Strategy, skill and pressure. Chess combines it all (perhaps only Diplomacy is close in these areas).
- 03) Best Multi-Player Game: **[Brendan]** What else is there? Lots actually, but I'm going for points. My favorite games include Railway Rivals, but that's better by mail. **[WAY]** A game I've heard of! I do quite enjoy RRivals as well as the Empire Builder series. **[Marc]** 'nough said. **[Edi]** Diplomacy of course you DOLT you need to ask in a DIPLOMACY magazine?
- 04) Computer or On-line Game: **[Brendan]** What else is there? Actually my favourite computer game was "Field of Glory" a Waterloo wargame with serious AI problems, but fun to play to try to win by killing thousands of the enemy and losing a few hundred myself. My copy was on 4 or 5 floppies

and last time I tried to load it, they'd decayed with age... I also loved "Sam and Max Hit the Road"... I must play that game. It was on CD so hopefully more stable! **[Marc]** Not being a vid gamer, this is tough. But my kids and I play this once in awhile, so what the heck. **[Edi]** hmmm... I'll go with Civilization though if the group was younger it might be Warcraft.

05) Best Card Game: **[Brendan]** I refuse to say MtG though some of the players may vote for it. I'm only willing to compromise my moral principles so far in this game, and MtG is much much deeper than I am willing to go.... **[Marc]** Strategy, skill and pressure. Just like Chess but with the real world element of luck thrown in. Nothing is better than sitting down to a table to play poker.

General Player Commentary:

[Jim] I went REALLY least common denominator this time, except maybe for Diplomacy, which should score well with this crowd, if not generally. I really had trouble with the computer game, but Solitaire is on all Windows computers, and anything else I might choose would be a wild ass guess. I honestly believe Diplomacy is the best Multi-Player game ever, though I also like games like Settlers and Puerto Rico. **[WAY]** Actually, you did quite well this round using the 'least common denominator'.

[Kevin] I think this will be a harder one than many think. The only one I think I have a shot at hitting a few answers with others is #2. There could be a fair number on #3 as well since we did all meet over this board (figuratively). The rest, a crap shoot but we'll see.

[Steve] Seems pretty straight forward except for the computer game.

[Doug] Hiya, didya get to the State Fair? **[WAY]** Nope, the friends I was going to go with only had one \ day off together - the last day of the Fair and I had a commitment already. So, there's always next year. **[Doug]** I am answering based on personal choice this time rather than trying to figure out what others will say. Best word game, a category you didn't list, is a tie between Scrabble and Boggle. Uno, Enemy in Sight and Gin make honorable mentions. **[WAY]** I only had five categories, so something had to be left out. I had thought of using arcade game, but with so many options on the Internet, I didn't know if anyone still went to arcades (or even if any are still around).

Round Nine Category – Internet Sites

- 01) Favorite News Site
- 02) Favorite Personal Blog
- 03) Favorite Reference Site
- 04) Favorite Entertainment Site
- 05) Favorite Commentary Site

Submit Email entries to wandrew88 of gmail.com or by mail to W Andrew York; POB 201117; Austin TX 78720-1117

Deadline is: December 2, 2006 at high noon Central Time