



The

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# Texas Ranger Dispatch™

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## Issue 10, Spring 2003



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## Capt. Carl Weathers and Forensic Hypnosis in Texas



by William A. (Tony) Hill

**Carl Weathers retired on August 31, 2002, after a long and distinguished career with the Texas Department of Public Safety and the Texas Rangers. He was involved in many high-profile cases and rose to the rank of Ranger captain. One of the most significant marks that Carl made on Texas law enforcement happened in a case where his only involvement was to assist officers in the identification of a suspect. He used hypnosis to interview the witness of a crime.**

**In 1967, prior to Carl becoming a Ranger, a murder was committed during a robbery at a convenience store in north Austin, Texas. Years later, in 1980, investigators asked Ranger Carl Weathers to conduct a hypnosis interview on a witness. All the witness had been able to remember was that he had seen a white male at the store. He could not provide any more information. While under hypnosis, however, he gave a description of a man he saw behind the counter of the store shortly before 8:00 a.m. on the day of the murder. While still under, he also assisted a police artist in preparing a sketch of this person. After the session, the witness picked the suspect's picture from a group of lineup photos.**

**Because of this identification and other evidence, the suspect was convicted of murder and sentenced to 99 years in the Texas Department of Corrections. The conviction in this case was subsequently appealed based on the idea that the court erred by admitting the hypnotically enhanced testimony. However, the conviction was affirmed by the Texas Court of Criminal Appeals, based in no small part on the fact that Ranger Carl Weathers did the job he was asked to do in the professional manner in which he normally approached his work.**

**In Texas, hypnosis had begun to be used in the 1970s to refresh the memory of victims and witnesses of crimes. Carl was one of the first officers trained in its use. As with most new investigative tools, no legal guidelines were initially**

formulated. Carl and others who were taught the use of hypnosis were instructed in methods of eliciting information from witnesses in a manner that the information would be reliable and useful in the solving of a crime. Each hypnotist developed his own style and procedure.

The hypnosis session in this case was audio taped, and this tape was reviewed by the court. Based on evidence presented and the evaluation of the hypnosis session, it was decided by the court that the session was professionally conducted by Ranger Weathers and carried out within what they perceived to be reasonable guidelines.

The appeals court used this case to set a benchmark for viewing other cases in Texas in which hypnosis was utilized. The court also used it to set down legal guidelines to give hypnotists a blueprint to follow in using hypnosis in the investigation of crimes in Texas.

Had Carl not been the professional law enforcement officer that he was and had not done his job to the best of his ability even in a case in which he was only assisting other law enforcement officers, hypnosis could have been lost forever as an investigative tool in Texas. Several states do not allow the use of hypnosis in the investigation of crimes. Forensic ypnotists in Texas must now complete training and be licensed by the state before they can use hypnosis in interviewing witnesses. Their training always includes an in-depth study of this case and the guidelines identified by the court in reviewing this case.

This case is a permanent tribute to Carl Weathers and a statement of the professional manner in which he did his job for the Texas Rangers and, more importantly, for the people of the state of Texas.



**Tony Hill** - is a graduate of Stephen F. Austin State University and the FBI National Academy. He served as Chief of Police at Stephen F. Austin and several other capacities since 1973. He has been a speaker, trainer, and administrator for many programs throughout the community of Nacodoches. He is a member of numerous police associations as well as the Texas Association of Investigative Hypnotists, and the Texas - New Mexico Association of College and University Police Departments.

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## 20th Century Shining Star:

### Capt. Johnny Klevenhagen

*“That man had a fire burning in him like no man I’ve ever known.”* So said Captain Jim Ray. This sentiment was echoed by Ed Gooding, the last surviving Ranger who had the honor of serving under Captain Johnny Klevenhagen, a member of the Ranger Hall of Fame.

Captain Klevenhagen made Ed Gooding a Ranger in 1957. Ed served under him until the next year. Ed says that several things

always stick in his mind about the captain. For one thing, he lived on coffee and cigarettes. Another memory is Klevenhagen’s call letters. It didn’t matter what time of day or night it was, it was normal to hear, “This is number two.” But the most important thing was that the captain never said, “You go.” Ed says that the words were always, “Let’s go.”

Besides his intelligence and capability for hard work, Klevenhagen was noted for one other thing—his explosive temper. In his book, *Ed Gooding: Soldier, Texas Ranger*, Ed describes an incident that is almost unbelievable.

The noted defense attorney Percy Foreman was cross-examining Klevenhagen and made the mistake of questioning his integrity. Bad, bad mistake on Foreman’s part. Klevenhagen exploded out of the witness chair with blood in his eyes. Foreman knew he had gone too far. He turned and ran as fast as his legs would carry him. Klevenhagen was hard on his heels.

The next time Foreman was seen, he was bandaged from head to toe, was on crutches, and had what he said was a broken leg. He claimed he was the victim of Ranger justice. Doctors who examined Foreman said that they had found no broken bones.

Ed said that, unfortunately, all those hours and tension plus the coffee and cigarettes finally caught up with Klevenhagen. “We buried him on Thanksgiving Day 1958 in San Antonio.”

John Joseph Klevenhagen was born on a farm near New Braunfels, Texas, on June 2, 1912. When he was a youngster, rustlers struck several ranches in Comal County, including the Klevenhagen ranch. The Rangers came in and drove the rustlers out. Klevenhagen would later say that the moment he first saw the Texas Rangers, he knew that one day he too would be one of them.

But being a Ranger would have to wait. Times were hard, and Klevenhagen dropped out of school after the eighth grade to help on the family ranch. The family continued to be strapped for cash, however, so when he was sixteen, he went to work in nearby San Antonio for the San Antonio Electric Company.

Klevenhagen worked as a lineman for a year, but still burned to be a lawman. Being only seventeen presented a problem, but not an insurmountable one. He was six feet, two inches tall, and all the outdoor work on the ranch and the mustache he had grown made him look older. But he still had to prove his age.

In order to vote at that time in Texas history, you had to pay a poll tax and be twenty-one years old. Neither of these requirements created much of a problem for an enterprising young man with a fire burning inside him. The poll tax was one dollar, and if you didn't have the dollar, a generous politician would gladly pay it for you. Of course, it was then understood that you would vote the "right way" at polling booth.

Klevenhagen knew the routine. Soon he was armed with a voting poll tax receipt showing he was twenty-one years of age. He became the newest motorcycle patrolman of the San Antonio Police Department.

In 1934, Constable Will Wood hired Klevenhagen away from the police department as a deputy constable in San Antonio's Precinct 1. Klevenhagen worked in this job until 1936, when Wood was elected sheriff of Bexar County (San Antonio). One of the first things the newly elected sheriff did was hire his former deputy constable as an investigator for the sheriff's office.

It wasn't all work for Klevenhagen. In 1933, he had met a beautiful young blond at the Bexar County Courthouse refreshment stand. Her name was Viola Wolff. A romance sparked, and they married on May 7, 1935. This union lasted through Klevenhagen's lifetime. The couple had one son, Johnny Jr. The younger Klevenhagen would himself become a great Texas lawman when he served as the sheriff of Harris County (Houston).

In 1940, Will Wood was defeated for reelection, but Klevenhagen didn't miss a beat. Bexar County District Attorney Lawrence Shook knew how good the deputy was, and he quickly hired him as his criminal investigator. As expected, Klevenhagen hit the ground running and proved to be one of the finest investigators to ever hold the job. But he wasn't destined to be in that position for long. His lifetime dream was about to come true.

Klevenhagen was in his office one August day in 1941 when he got a call from Colonel Homer Garrison, chief of the Texas Department of Public Safety. The colonel told Klevenhagen that he was now his newest Ranger, and his duty station would be Houston. The yell Klevenhagen let out could be heard all over the courthouse.

Standing in his office in Austin a few days later, Colonel Homer Garrison swore in the future Hall of Famer as one of only forty-five Texas Rangers. It was August 14, 1941.

The captain of Company A was a tough old war-horse named Hardy Purvis. He told Klevenhagen that he would handle just about every crime imaginable, and he would be expected to work sixty to seventy hours per week. Of course with Johnny Klevenhagen, this was a short time. He would also get to do all of this for \$175 per month. To Klevenhagen's way of thinking, all of this was a

small price to pay in order to have the honor of wearing the greatest badge in all of law enforcement.

For the next seventeen years, Johnny Klevenhagen left a record of crime busting that would be the envy of any law officer in the world.

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Though he didn't fire any fatal shots, Klevenhagen was involved in one of the most famous gunfights in Texas history. No more deadly killer ever traveled the roads of Texas than Gene Paul Norris—and that includes John Wesley Hardin. It is probable that during his thirty-five years, Norris murdered as many as fifty people. As Ed Gooding said, there are old water wells all over Texas that Norris stuffed bodies in. He was arrested at least twenty-five times and sent to prison six times. He committed just about every crime in the books.

Norris didn't care: he would kill anybody if the price were right. In between assassinations, he would squeeze in armed robberies and many other felonies too numerous to mention.

Norris also had a long memory. Twenty years earlier, his brother Pete had been listed as public enemy number one on the Texas-Oklahoma Most Wanted List. Pete was convicted and sentenced to ninety-nine years in prison for murdering a bookie. His conviction was based mostly on the testimony of another bookie named Johnnie Brannan. Norris and his brother had both sworn that Brannan would die.

Houston police received a call from a known associate of Brannan. He said that he had been trying for hours to telephone Brannan, all to no avail. A patrol car was dispatched to Brannan's home. The officers knocked on the door, but received no reply. They tried the front door and found it unlocked. When they entered the house, they were greeted with a gruesome sight. Both Brannan and his wife were dead, and the heads of both victims had been beaten to bloody pulp. In fact, Brannan had been hit so hard that one of his eyeballs had been literally knocked from his head.

The crime-scene investigation revealed that, after the killers had massacred their victims, they had gone into the bathroom and washed the blood off themselves. Then they had calmly gone into the kitchen and drunk coffee.

Klevenhagen knew of only one man who killed like this—Gene Paul Norris, the man who had earned the nickname, "The Smiling Killer." But knowing and proving are two entirely different things.

A few days after the murders, a Temple, Texas, police officer contacted Klevenhagen and told him that William Carl Humphrey, a known associate of Norris, had been arrested for drunkenness. This by itself was nothing unusual, but what had caught the young officer's attention was the huge gold ring shaped like a horseshoe that Humphrey was wearing. Brannan had been known to wear just such a ring for luck.

Ed Gooding said that Klevenhagen gave the entire company orders to turn the whole area upside down, especially Houston and Galveston where the

suspects were known to hang out. This was Ed's area. The orders were simple: "Find Gene Paul Norris. And don't take any chances with this mad-dog killer." Ed said that no one had to draw any of the Rangers a picture.

Shortly thereafter, Klevenhagen got a call from Company B's commander, Captain Jay Banks. Fort Worth Police Chief Cato Hightower had received a reliable tip that Norris and Humphrey were in the Fort Worth area and were planning to rob the Fort Worth National Bank on Carswell Air Force Base on April 30. Captain Banks asked his Company A counterpart if he could come to Dallas. Almost before Banks could hang up the phone, Klevenhagen was on his way to Dallas.



On April 29, Banks was driving Klevenhagen and Hightower near a house where they thought Norris was holding up. They suddenly spotted Norris and Humphrey in a car, and the chase was on. For the next several minutes, a running gunfight covered an area over much of the western area of Fort Worth. Norris was behind the wheel of the fugitives' vehicle and Humphrey kept up a steady fire at the pursuing Rangers. By this time, Texas Ranger Jim Ray had joined Klevenhagen and his men in a second car. The Rangers were returning a steady fire themselves. As much as Norris tried, he couldn't shake the cars being driven by Banks and Ray.

All three vehicles roared through the Springtown community. For some unknown reason, Norris suddenly turned off the blacktop onto a small muddy road that ran along the banks of Walnut Creek. The road was split, with a median separating the traffic directions. Klevenhagen, Humphrey, and Banks took one of the roads, and Ray took the other. There was no way that Norris and Humphrey were going to double back.

Charging into a curve too fast, Norris suddenly slid off the road and into two trees. Though shaken, Norris and Humphrey stumbled out of their car and started running up a nearby hill. Banks came slid to a halt right behind the outlaws' car. Moments later, Jim Ray also pulled into the battle scene.

This writer had heard from more than one person that Jim Ray killed Carl Humphrey. Over the years, I have been honored to develop a close relationship with this very private retired Ranger captain and chief of the DPS Criminal Law Enforcement Division. One day I just asked him, "Captain Jim, did you kill Carl Humphrey?" His answer was very Jim Ray—simple and straight to the point:

I've heard this for years, but I never fired a shot that day. When I arrived at the scene, I saw Humphrey lying dead on the hillside. As I jumped out of the car, Klevenhagen yelled at me, "He's getting away! Give me a gun!" [His weapons were empty from the running gunfight.] I had my shotgun in my hands, and I just tossed it to him. Just as my shotgun reached Klevenhagen, we heard Norris give out a scream like a banshee, and then came a full burst from Jay's [Banks] M-3 [an M-1 turned up to full automatic, much like the M-14].

Norris, in front of Humphrey, had made it over the hill and was in the middle of Walnut Creek when Banks caught up with him. Norris surely knew what was about to happen, but he also knew that all he had waiting for him if he surrendered was the electric chair. He started shooting and, in turn, he took a full twenty-eight rounds. Banks started at Norris' ankles and worked his way to the top of his head. As Jim Ray told me, "He shot him to pieces."

Thus ended the career of the worst killer in Texas since John Wesley Hardin.

## §

For those who remember, Galveston's Balinese Room was THE finest nightclub on the Gulf Coast. In the 1940s and 50s, many big names in the business appeared there at one time or another: Frank Sinatra, Groucho Marx, Bing Crosby, and Phil Harris, to name but a few.



**Balinese Club** ©2003, Robert Nieman

The club wasn't just for singing and eating--it was also an illegal casino. The Balinese Room wasn't the only casino operating on Galveston Island, though. There were dozens.

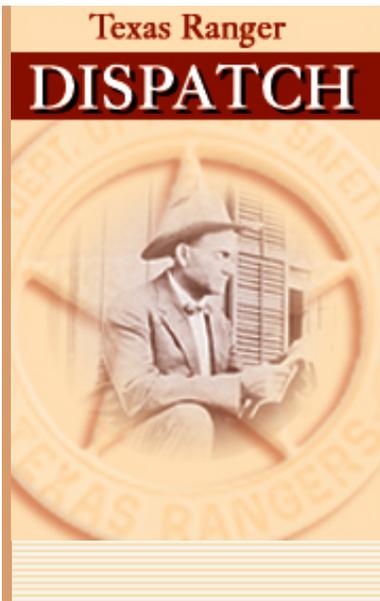
All this activity brought the Rangers in.

Klevenhagen's Company A, which covered the area, was ordered to shut Galveston down. The Balinese Room was the crown jewel of the casinos, and the Rangers set their sights on bringing it down first.

The Balinese Room was built on a pier hanging deep into the waters of the Gulf of Mexico. The casino was located on the far end of the building. Ed Gooding said that by the time they would raid the casino and run to the end of the building, all the gambling equipment would have miraculously disappeared. No matter how hard they tried or how fast they ran, the Rangers could never seem to catch the casino in operation.

Johnny Klevenhagen became an exclusive member of the Texas Ranger Hall of Fame not only because he was one of the hardest working Rangers in history, but also one of the smartest. He ordered his Rangers to march into the club when it opened, sit down in the casino, not take anything free gratis, and stay there until they closed. At first, the club operators didn't take the Ranger threat seriously. When the Rangers walked in, the band would even play "The Eyes of Texas."

The owners didn't laugh for long. With the Rangers sitting in full view, the customers' activities ground to a halt—if the customers came in at all. The owners were soon begging Klevenhagen for mercy, but he wasn't having any part of any deal except to shut them down. Before long, the owners threw in the towel and the Balinese Room closed.



That was only the beginning. The Rangers next checked into the Buccaneer Hotel near the beach, and they didn't check out for three and a half years! When the Rangers did leave, gambling on Galveston Island was finished.

Unfortunately, when the Rangers checked out of the Buccaneer Hotel, Captain Johnny Klevenhagen had been dead for two and a half years. As Ed Gooding said, "A heart attack may have been the official cause of his death, but don't you believe it. He literally worked himself to death."

by Robert Nieman

[For a full description of the Galveston casino wars, see the book, *Ed Gooding: Soldier, Texas Ranger.* ]

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## 21st Century Shining Star:

### Captain Kirby Dendy Company F, Waco

Not only is Kirby Dendy one of the elite Texas Ranger captains, but he is also a member of a very small group of father-son Texas Rangers. His father, John Dendy, also wore the cinco peso badge. Other members of this exclusive club are: A. Y. and A. Y. Allee Jr., Richard and Tony Bennie, Buster and Jeff Collins, Jack and Kyle Dean, Bennie and Glenn Krueger, Bob and Randy Prince, and Hardy and L. H. Purvis.



Kirby was born in Dublin, Texas, on December 24, 1952. He was the only child of John and Charlotte (deceased) Dendy. He later gained a stepsister, Kathy, when his father married his second wife Vinita.

After graduating from Lancaster High School in 1971, Kirby entered the University of Texas at Austin. At the same time, he also worked for the Department of Public Safety's Communications Service. Kirby would continue to earn college credits wherever his work led him from then on.

Kirby's years of service to the citizens of Texas began with his 1971 job with the DPS. He knew he wanted to be a Trooper, however, so he applied and was accepted into the Highway Patrol. In February 1974, he began eighteen weeks of training at the DPS All Field Service Recruit School number A-74. Not surprisingly, the future captain was an excellent student. He was the recipient of the highly prestigious Norman Zator Award as the valedictorian of his class.

In June 1974, Kirby began his duties as a Highway Patrolman in the West Texas city of Fort Stockton. He served there until September 1, 1976, when he transferred to Waco. He was a Trooper in that city until August 31, 1979. From September 1, 1979, until May 1987, Kirby was a member of the DPS's Narcotics Division in Waco.

On May 1, 1987, Kirby achieved a personal goal when he became a member of the Department of Public Safety and joined his father as a Texas Ranger. Those who know say it would be hard to tell who was proudest of Kirby making Ranger—father or son.

While John Dendy was a member of Company F, Kirby was stationed in Fort Worth and was a member of Company B. While a field Ranger, Kirby set an example of hard work and excellent leadership qualities. By August 1, 1992, the DPS recognized his abilities and promoted him to lieutenant of Midland's

Company E. He didn't stay a lieutenant long. On November 1, 1995, he promoted to the captaincy of Waco's Company "F".

Kirby is a dedicated Texas Ranger, but even more importantly, he is a devoted husband and father. Kirby and his wife Donna have been married twenty-eight years and have two children. Their oldest, Andrea, is a cheerleading senior at Stephen F. Austin State University in Nacogdoches. She plans on being a teacher when she graduates. Travis, a sophomore, also attends SFA and is majoring in criminal justice. After graduation, he plans to apply for admission to the Department of Public Safety. Wouldn't it be something if John, Kirby, and Travis become the first three consecutive generations of Texas Rangers!

### The Snitch

The most difficult part of writing the *Shining Stars* column is trying to keep it short. Every Ranger could literally fill a book with his cases. For the sake of brevity, we present only two of Kirby's cases.

Not surprisingly, the one case that sticks out in any new Ranger's mind is his first homicide, but for Kirby there was an additional reason to remember it.

Kirby had been a Ranger for only a short time when he received a most interesting call. It was from a friend who was an agent in the ATF (Alcohol, Tobacco, and Firearms). One of his snitches in the Tarrant County (Fort Worth) Jail wanted to make a deal. According to the snitch, police had developed information about a year and a half earlier that led to the arrest of a certain man. At the time, several pounds of methamphetamine had been seized. While sitting in jail, the man had decided that a supposed friend had snitched him off. To his way of thinking, that had to be the case because that so-called friend had been the only uninvited person to come by his house that day.

As soon as he had made bail, the man had gathered three friends and started looking for the snitch he was convinced had turned him in. The group soon succeeded when they found the man in a local west Fort Worth bar, dragged him outside, and threw him in the back of a van. Inside the vehicle, they tied him up with duct tape and then proceeded to attempt to torture a confession out of him while they drove around Fort Worth.

While one of the group had driven, the other kidnapers beat the victim with a large wrench. When the man continued to deny he was a snitch, the assailants took a can of ether and a cigarette lighter, improvised a homemade blowtorch, and burnt him repeatedly. Even with the beating and the burning, the man still refused to admit he was an informant. The kidnapers were unconvinced, so they drove to their speed lab in an old house in rural Hood County near Lipan.

Beside the house was an old, abandoned, hand-dug, rock-lined, water well. The men tried, convicted, and executed the supposed snitch on the spot. They put five .22 bullets in the back of his head and then dumped his body, head first, into the well. Wanting to make sure no one would ever find the victim, the men returned the next day with several sacks of concrete and lime. Assuming that the lime would consume the body, the men covered the victim with the chemical. Then they emptied the concrete bags into the well and poured in water.

What made this case especially important to Kirby, besides being his first

homicide, was that Hood County was in his father's territory. Kirby called his father and asked to set up a meeting with him, the local district attorney, the Hood County sheriff, and the ATF agent. This, of course, was quickly done.

Kirby and the Hood County officers met and followed the snitch's directions to the farmhouse where the murder supposedly had taken place. At the scene, the officers quickly found the well and noticed a white powder on the stones lining the inside. Armed with this information and the confirmation that a missing person report had been filed on the suspected victim with the Fort Worth Police Department, a Hood County search warrant was secured.

The officers returned to the farm site and headed straight for the abandoned well. They soon found what they were looking for. In the bottom of the well, the remarkably preserved body of the victim was found. However, there was a problem with recovering it. The well was so deep and the threat of a cave-in so great that it would have been dangerous for anyone to go in and try to pry the body loose from the concrete.

That left only one option. A rope was tied around the victim's boots, which were sticking out of the concrete, so the body could quickly be found in the event of a cave-in. A Grade-All operator chipped away the concrete that encased the body until it was loose enough to haul out of the well. Surprisingly, the body stayed in one piece.

With the names supplied by the ATF snitch, all the actors were identified, arrested, and convicted.

There is no question that the victim was acquainted with the shady world of dope, but no one deserves to die the way he did. Another thing: he had been telling the truth--he was not a snitch!

The case provided Kirby with the chance to work side by side with his father before he retired. It was a once-in-a-lifetime opportunity that very few Rangers have ever enjoyed.

### **The Rogue Chief**

Who is the worst criminal-- the killer, the thief, the rapist, the kidnapper? You pick it. In many ways, the most terrible of all is the dishonest policeman. The violence of his crime may or may not be that great, but the public trust he betrays is unspeakable. Early in his career, Kirby was involved in such a case.

Kirby received a call from a detective of the Haltom City (a suburb of Fort Worth) Police Department. The caller said that when he had been a patrolman on the Azle City (another Fort Worth suburb) Police Department, the former chief had approached him with a rip-off scheme that would make a lot of money.

According to the detective's story, the scam was being run by the onetime chief and a reserve officer. Their plan was simple but effective. They would attack local dope dealers, posing as police officers. Then they would serve legitimate-looking search warrants and confiscate any money or dope they found. They knew the chances of the dopers reporting the thefts would be remote.

The former chief, who was the brains of the operation, claimed noble reasons

for the thefts. Drug dealers and their merchandise were destroying America, but liberal judges and their lenient court rulings favored the criminals. This frustrated him. He claimed that once he and his partner got the money, they would do noble things like help needy folks all over the world. He dreamed big.

Initially, or so he said, the chief didn't want anything to do with the dope. However, upon further reflection, he decided it would be foolish to flush all that perfectly good money source down the commode.

Before the men could do all their wonderful deeds with their "earnings," they of course had to pay all their expenses, which would be extensive, and they would establish comfortable lifestyles for themselves. Then, if anything were left, they would extend their marvelous generosity to those in need.

The detective agreed to wear a wire. He was therefore able to tape conversations between himself, the chief, and the reserve officer. The resulting tapes were astounding. The conversations left no doubt that the men meant business and would use as much force as they felt was necessary to accomplish their objectives.

The reserve officer was a full-time gun dealer and would serve as the equipment supplier. They were going to use some heavy-duty weaponry, including flash-bang grenades, to make entries. Once inside, they would tie everyone up with duct tape and depart with the money. And, of course, society would then be better off.

Kirby and the Haltom City lawmen found a house in Haltom City that had been condemned for street construction. It made a good setup house. Kirby told the detective to tell the former chief that he had a snitch who knew of a lab that was about to finish a drug cook. When the product was ready, it would be brought to the setup house where a buyer would show up with a bunch of money.

The former chief took the bait—hook, line, and sinker. The only hitch was that the reserve officer was out of town on vacation. That wasn't a major concern, however; he could be gathered up anytime. (He was arrested for conspiracy when he got back.)

The trap was set carefully. A surveillance van was parked across and down the street from the setup house. The house and garage were full of Rangers. Besides Kirby, other members of Company B at the site were Lieutenant David Byrnes, Eddie Almond, Steve Black, Charlie Fleming, Ronnie Griffith, and Weldon Lucas, and Brantley Foster. Capt. James Wright monitored the investigation from the nearby surveillance van.

To make the deal appear more legitimate, the Rangers had borrowed a Jaguar from the DPS Narcotics Service. It was for the big-time "buyer" (Brantley) to drive.

The detective who had informed us of the crime was wearing a bust-alert signal, an alarm that he could activate if he thought something was going wrong. He was also equipped with a wire so that his conversation with the former chief could be heard as they drove around the neighborhood waiting for the buyer to arrive.

When the operation was set in order, the former chief didn't want to cruise

around very much. It didn't take him long to grow impatient. He told the detective that they would just "take him (Brantley) down on the street."

The detective immediately hit the bust alert, which broadcast a loud, repetitious, and irritating sound over the Rangers' radios. The Rangers tried to contact Brantley. They needed to warn him that they might try to do a street "pop" on him if they saw him prior to his arrival at the house. Unfortunately, Brantley had turned his walkie-talkie off and put it under his car seat.

For several minutes, Kirby and his group were extremely concerned that the former chief might run across Brantley before he could get to the house. Brantley was more than capable of taking care of himself, however. The crooks were fortunate that they didn't find him before he got to the house.

Thankfully, Brantley soon arrived safely. Video from the surveillance van showed the crooked chief and the informant detective driving by the house several times. They finally stopped and parked in front. Kirby saw the former chief put a pistol in his pants as he got out of the car.

There was no communication between the Rangers in the house and the garage, and they couldn't yell out without the suspect hearing. Fortunately, both groups exited the buildings at the exact same time with guns drawn and pointed at the wayward chief. It couldn't have been timed any better if the lawmen had the most sophisticated communication equipment in the world.

As the Rangers approached, the chief put out his left hand as if to tell the Rangers to stop as he backed up. At the same time, he moved his right hand behind his back. From Kirby's position, he could see that the chief's hand was not touching the gun he had stuck in his pants. Seeing this was the only thing that kept him from firing. He had no doubt that he would have been totally justified, but he didn't fire.

Kirby says that he felt sure that if he or anyone else had fired the first round, everybody else would have started shooting. If that had happened, there wouldn't have been much left of the crooked cop to take to the medical examiner's office. As it turned out, nobody got hurt and the bad guys went to jail.

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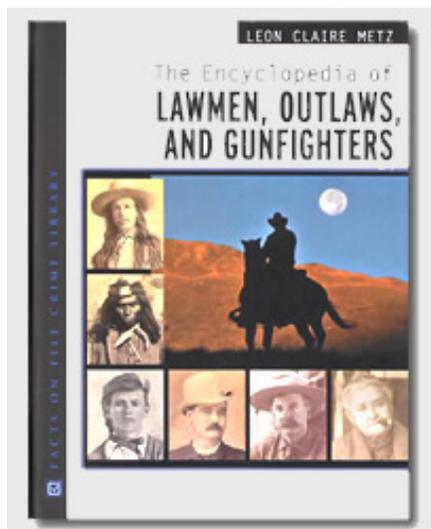

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**Encyclopedia of Lawmen,  
Outlaws,  
and Gunfighters**

by Leon Metz

(New York: Facts On File, December 2002). 320 pages. ISBN 0-8160-4543-7. \$60.

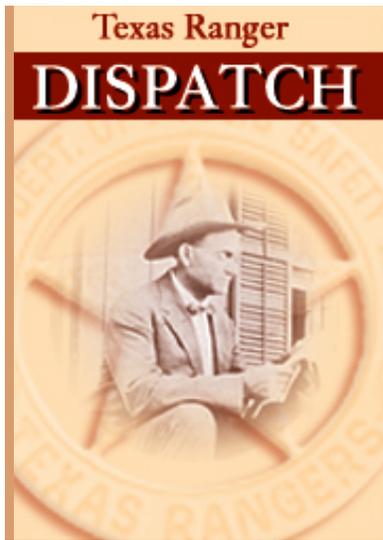
**Why**, you may ask, is there yet another encyclopedia of westerners? The answer is simple: because Leon Metz did this one.

Universally recognized as one of the world's leading authorities of western history, Leon's resume is impressive. A very short list of his outstanding books would include definitive works on Pat Garrett (Pat Garrett: Story of a Western Lawman) and John Wesley Hardin (John Wesley Hardin: Dark Angel of Texas, a book that won the 1997 Spur Award from the Western Writers of America). These are only two of the dozens of books Leon has written, and he has also penned numerous magazine articles. He is the past president of the aforementioned Western Writers of America and has appeared countless times on the Learning Channel's Gunfighters of the Old West, A & E's The Real West series, and as an expert commentator on the History Channel.

With his masterful writing style and storehouse of knowledge, Leon has raised the bar for anyone who would attempt a similar work. Fortunately, Facts On File, the publisher, recognized Leon's ability and did an outstanding job in presenting Leon's work.

Leon includes in this book the normal western characters such as Wyatt Earp, John Wesley Hardin, Billy the Kid, Jesse James, etc. He also gives thumbnail sketches of Texas Rangers such as Jack Hays, Lee McNelly, Jim Gillette, John Jones, Frank Jones, John Hughes, and Thalys Cook, to name only a few.

In far too many encyclopedic works, there is no index. This reviewer is a believer in the old adage that real books have indexes. This one included in this work is extensive.



No library of either a casual reader or a serious historian of western or Texas Ranger history would be complete without this book. It is a must-have.

-Review by Robert Nieman

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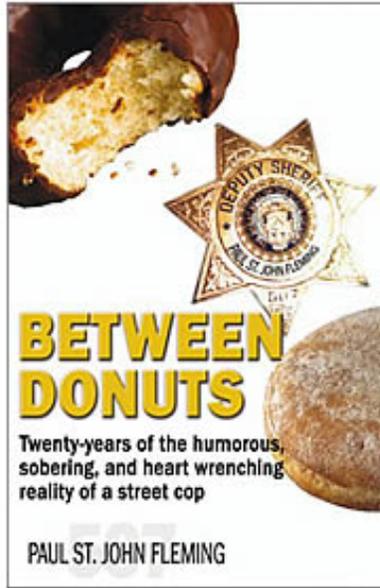
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## *Between Donuts* by Paul St. John Fleming

(Baltimore, MD: AmErica House, 2002). 107 pages. ISBN 1-59129-255-7. \$16.95.

*P*aul Fleming is a retired Salt Lake City, Utah, deputy sheriff. As with almost any law enforcement officer, he has many stories to tell about events that occurred during his career. Fleming has compiled twenty years of these stories into a delightful book, *Between Donuts*.

This book is not meant to be a historical work. It is a telling of intriguing, astonishing, humorous, and sad stories. Not surprisingly, Fleming did not have

many interactions with Texas Rangers because he lived and worked in Utah. However, this book does contain many episodes dealing with Rangers and with events that most law enforcement officers, Rangers or otherwise, have experienced.

I would recommend this book to anyone who wants to look into the life of a law enforcement officer and the world he inhabits.

*Between Donuts* can be purchased by calling the author at 877-333-7422.

-Reviewed by Robert Nieman

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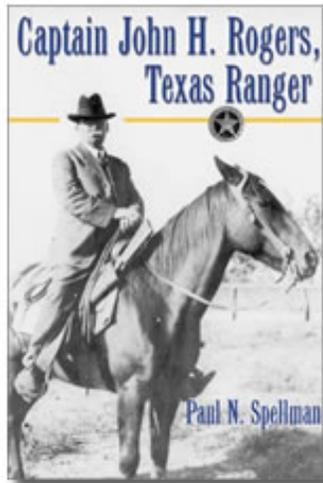
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## Captain John H. Rogers, Texas Ranger by Paul N. Spellman

(Denton, TX: The University of North Texas Press, March 2003). ISBN 1-57441-159-4. 225 pages. \$29.95.

*Finally*, a book on Captain John Rogers. Along with John Brooks, John Hughes, and Bill McDonald, Rogers was one of the fabled “Four Captains” that served around the turn of the nineteenth and twentieth centuries. At possibly no other time have the Texas Rangers had so many great captains commanding simultaneously. All Ranger historians agree that Rogers’ place in the Texas Ranger Hall of Fame is well deserved even though he is not as known as some of his contemporaries.

Rogers, a Texan by birth, spent his entire adult life serving the Lone Star state. He had not meant to be a lawman; he intended to be the best farmer in his home county of Guadalupe. To receive training for that vocation, he entered nearby DeWitt County’s Concrete College in 1880. There he came under the influence of the institution’s president, Presbyterian Reverend John Van Epps Covey. Rogers spent the rest of his days as a devout Christian and was proud of a title he shared with fellow Rangers Thalys Cook and Augie Old —“The Christian Rangers.”

During Christmas break in January 1881, DeWitt was financially strapped and was forced to cease operation. It was just as well because Rogers was getting ready to embark on a career that would make his name legendary in Ranger history.

The Texas and Pacific Railroad was pushing ever westward. By the mid-1880s, the tracks had reached Colorado City, Texas. With this new mode of travel came people. Unfortunately, many would never be confused for pillars of society.

To help manage all these citizens, Captain S. A. McMurry, the commander of Ranger Company F, was in need of recruits. On September 5, 1882, John Harris Rogers became a one of those recruits. The rest, as they say, is history.

In the years between 1881 and 1883, Rogers packed in enough adventures and excitement to have lasted five lifetimes. I suspect that when most people think of the Rangers and of shootouts, they picture the desert and plains of West Texas. However, one of the deadliest and bloodiest shootouts in Ranger history, the Connor fight, happened in the pine thickets of East Texas near Hemphill. By the time the shooting stopped, one Ranger and a Connor lay dead. Most of the other Connors and all but one of the Rangers were injured.

Rogers was one of the desperately wounded.

Rogers healed and, during the ensuing ten years, his reputation for fearlessness, bravery, and Christian belief spread. By 1891, he was a Ranger captain. In that same year, he joined the other three members of the "Four Captains" and their companies to stop a prizefight in El Paso. It was here that one of the most famous Ranger photos in history was made. It shows almost every Ranger in the state, and it is the only picture of Brooks, Hughes, McDonald, and Rogers together.

On June 12, 1901, Gregorio Cortez killed Karnes County Sheriff Brack Morris when Morris and his deputies attempted to arrest Cortez and his brother Romaldo. Words and some possibly incorrect translations had passed among the men, and then there was gunfire. When the smoke cleared, six of the deputies lay wounded, and Sheriff Morris and Deputies Dick Glover and Henry Schnabel were dead. Cortez escaped unwounded, but his brother was killed.

The greatest manhunt in the history of Texas then started. For the next ten days, every lawman in Texas combed South Texas in search of the evasive Cortez. It ended on June 22 only a few miles from the Rio Grande. Jesus Gonzales, no doubt inspired by the sizeable reward being offered, informed the Rangers that he had seen a man he suspected of being Cortez in a nearby goat camp. Rogers and a couple of his men approached the shack, where they found the exhausted Cortez. He was sleeping so soundly that Rogers had to wake him up.

Until his death on October 19, 1930, Rogers would never take off the badge of a law officer. During almost fifty years, he served all over Texas as a Ranger, a deputy U. S. marshal, a United States marshal, and Austin chief of police. At the time of his death, he was once again wearing the badge of a Texas Ranger.

As shown by the extensive endnotes and bibliography, Spellman has done an excellent job of researching and documenting this book. If there is anything at all negative to point out, it is the lack of picture identifications. Having said this, no Texas Ranger library would be complete without this important book.

Spellman has filled a great need in Ranger history. Books already exist about John Hughes and Bill McDonald, and a work on John Brooks will hopefully be written in the near future.

-Reviewed by Robert Nieman

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## The Border Boss: John R. Hughes

by Chuck Parsons



Although biographer Jack Martin spent considerable time with Hughes preparing his popular book, *Border Boss*,<sup>1</sup> little is known of Hughes' early life. As Hughes never married, he left no direct descendants, so there is very little in the way of documentation of those early years. The following is essentially based on Texas Ranger reports preserved in the Texas State Archives in Austin, contemporary newspaper articles, and other miscellaneous sources.

Virtually anyone with any interest in Texas history or the history of law enforcement has some awareness of John Reynolds Hughes, a man who started as a Texas Ranger private in the "horseback days" and continued in law enforcement well into the twentieth century. From forking a horse to pursuing a fugitive to revving up an automobile, Hughes was the man who could be depended on to "get his man."

Like many others who achieved fame or notoriety in Texas, Hughes was from a northern state. He was born in Illinois on February 11, 1855, to Thomas and Jane A. (Bond) Hughes, farmers originally from Ohio. Thomas Hughes had relocated in Illinois for unknown reasons. Perhaps it was simply the opportunity to achieve more by moving further west. If so, this was characteristic of many a pioneer family in the 19th century. It was here in Illinois that all five of the Hughes children were born.

In the middle of 1870, Thomas Hughes and his family were in Kansas, the father listed as a "hotel keeper" as well as farmer. He was obviously successful in that double operation as his real estate was valued at \$3,300 and his personal estate totaled \$2,000. Whereas most 19th century women gave their occupation as "House Keeper," Mrs. Hughes gave "Keeping Hotel" as her livelihood. Even more surprising is that she listed \$2,000 as the value of her personal estate.

John Hughes did not leave home at an early age to live with Indians,<sup>2</sup> as some sources state. On the contrary, when the census enumerator visited the Hughes home at Mound City, Kansas, in 1870, the entire family unit was together. We do not know who provided the information to the census taker, but listed in the dwelling were the parents and their five children: Emery S., 18 and a printer; younger brothers John, 15; William, 13; Forester, 9; and daughter Nellie, also 9. The four younger children were shown to be "at

home," which certainly suggests that John still considered his parental hearth home. If he did take off to live with the Indians, that was in the future.<sup>3</sup>

According to Hughes' own recollections, he worked as a teenager for a man named Art Rivers in the Indian Territory, now Oklahoma. Here he became acquainted with members of various tribes and later credited this period as the time he learned how to track fugitives from the law.

Hughes also experienced violence for the first time when his boss and a disgruntled Choctaw fought over a trivial matter. When the Choctaw began to get the upper hand, Hughes entered the fray and almost lost his arm in the process--but he did save Rivers' life. Hughes was right-handed, but he was now forced to teach himself the use of his left hand and arm. He eventually became adept with that hand using either a pistol or a rifle.

How long Hughes remained in the Indian Territory is unknown. By the early 1880s, however, he was ranching in Williamson County, Texas, developing a horse herd which not only was the envy of his neighbors but of horse thieves as well.

Although not far from the state's capital and in a "civilized" portion of the state, his own as well as his neighbors' ranches became the targets of thieves. Hughes lost sixteen head, one being made up of especially prized stallions. He resolved to track down the thieves and recover his property. He also thought of his neighbors and their losses. He struck a deal that if they would look after his ranch during his absence, he would recover their horses as well.

John R. Hughes began the trek on May 4, 1886, some two weeks after the raid. He tracked his quarry for miles, entering into New Mexico Territory. He kept no diary along the way, so it is only through his recollections shared with Jack Martin that we know the results of his efforts.

Somewhere in the New Mexico Territory, Hughes found the Renald Brothers Ranch, a new establishment. He also discovered his prized stallion. Rather than taking on the thieves single-handedly, Hughes took along Sheriff Frank Swofford to make an early call at the ranch.

Hughes and Swofford arrived at the ranch and made the challenge. In the ensuing gun battle, four men were killed and several were captured. One of the thieves, Judd Roberts, was absent from the ranch at the time of the fight. When he discovered what had happened, he declared that he would track down Hughes and kill him.

It certainly wasn't hard to follow Hughes' trail home. He was herding not only his own horses but also those of his neighbors. Roberts failed in his efforts to ambush Hughes, however. In Williamson County, he shot at a man who he thought was Hughes. In reality, it was Texas Ranger Ira Aten! Hughes and Aten then killed Roberts when he refused to surrender.

Ira Aten was so impressed with Hughes that he asked him to join up with the Texas Rangers. By enlisting in the Frontier Battalion, Hughes could track down fugitives and get paid for it at the same time. It didn't take long to make the decision. On August 10, 1887, Hughes signed on, mustered in by Adjutant General W. H. King at Georgetown, Williamson County. He intended to serve for only a few months.

Now in the Frontier Battalion, John Reynolds Hughes would hunt down murderers, smugglers, and sheep, cattle and horse thieves along the Rio Grande, recovering thousands of dollars of property. He would also have to kill in the line of duty on more than one occasion. It was dangerous work, but Hughes rose in the ranks from private to captain—partly due to his superior officers being killed in the line of duty!

During his many years as an officer, Hughes met up with some of the most noted and notorious men of the Southwest. Among these were Pat Garrett, John Selman, James B. "Killing Jim" Miller, Jefferson D. Milton, Catarina Garza, Captain Frank Jones, and Deputy U. S. Marshal George A. Scarborough.

The counties bordering on the Rio Grande represented perhaps the most dangerous sections of the country. Hughes worked in every one of them from El Paso to Brownsville. Remarkably, he was never wounded, never lost a prisoner to a mob, and never allowed one to escape.

Hughes did not always get his man, however. While serving under Captain Frank Jones of Company D, he and Ira Aten were assigned to hunt down train robbers John Barber and Bill Whitley, rumored to be somewhere in Central Texas. Although the pair failed in capturing either one of them, Hughes did gain valuable experience that would serve him in later years.

The early monthly returns of Captain Jones record that Private Hughes was frequently out on scouts that resulted in various arrests or attempts to arrest. Although he hadn't yet accomplished anything spectacular, Hughes was establishing himself as a dependable Ranger. One record shows that on January 10, 1888, Hughes and one other Ranger returned to camp in Duval County after having been out on a scout for 24 days. They had covered 550 miles.

A new crime which gained statewide attention in the 1880s was fence-cutting. The laws relating to fence-cutting were to be enforced throughout Texas, but much of the criminal activity occurred in the northern and central portions of the state. Hughes was assigned to work a case in Navarro County. When Hughes returned to camp on June 18, 1888, he had to admit failure. Captain Jones recorded on the monthly return that Hughes was "unsuccessful in locating fence cutters by the indiscretion of one of the stock men who gave the case away." Hughes had been gone from camp 34 days and had covered 1,000 miles.<sup>5</sup> The fact that Hughes was acting alone shows the confidence his superior had in him despite his lack of success.

On August 19 of that same year, Hughes was successful in making an arrest. This time, it was a man of considerable notoriety, Catarina Garza. Garza had been educated in San Juan College in Matamoros, Mexico. He had worked as a clerk in Brownsville, Texas, and then traveled for a time as a Singer Sewing Machine Company salesman prior to becoming an officer at the Mexican Consulate in St. Louis, Missouri. In spite of this relatively modest background, Garza achieved recognition when he published an anti-Porfirio Diaz newspaper, *El Libre Pensador* (The Free Thinker), at Eagle Pass. Going one step beyond, he began plotting an overthrow of the Diaz dictatorship. Charges of criminal libel were levied on him.

Although Garza was surrounded by followers and men sympathetic to his cause, Hughes did not consider the man especially dangerous or exceptional. Once again by himself, he approached the revolutionary and demanded his surrender. The arrest was made at Realitos, Duval County, without incident.

Hughes simply reported for the record that the arrest was made. Of course, this incident only increased the reputation of John Hughes.

In a few years, the Garza forces were more powerful. In 1891, Garza invaded Mexico with an army in full revolt against the Mexican government. He was unsuccessful in his efforts and was killed in 1895, becoming a folk hero to many in South Texas.<sup>6</sup>

Now in charge of a scout with four other Rangers, Hughes was in pursuit of fugitives from September 5-20. They arrested Simon Cortez, A. Huerto, R. Torres, and A. Flores for smuggling; M. Garza and R. Martinez for theft of horses, J. Alvarado for adultery, and Selzo Garza for attempt to kill. Unfortunately, no details were recorded on how these arrests were made.<sup>7</sup>

Occasionally, companies of the Frontier Battalion joined forces in special situations. In October 1888, members of Companies D and F joined in a roundup. They arrested twenty-four men charged with conspiracy to murder and two others charged with assault to kill. Again, details are lacking in the record. While these arrests were being made, Private Charles Fusselman and one other Ranger were at Roma maintaining peace during the local elections.

On October 27, Hughes and Private Marcellus Daniels went up the Rio Grande to investigate a recent stage robbery. On November 4, they returned with no results. Nine days later, Hughes resumed the hunt and was gone until December 11. He had uncovered clues to the robbery, followed the suspect into Central Texas, and made the arrest. The suspect proved to be the wrong man, however, and Hughes had to return to camp after an absence of 25 days and 570 miles on the scout.<sup>8</sup>

Although Hughes had developed an enviable reputation as a man hunter by now, he proved to have considerable detective skills as well. The opportunity to demonstrate those talents came in early 1889 when the bodies of four people were discovered in the waters of the Rio Grande near Eagle Pass, Maverick County. The skulls of the deceased had been crushed with a blunt instrument, and each had been tied with rocks weighing between forty and fifty pounds. The bodies had washed ashore on the American side of the Rio Grande. Ultimately, they were identified as members of one family, formerly of San Saba County: the mother, Mrs. Williamson; her widowed daughter, Mrs. Levonia Homes; her teenaged daughter, Beulah; and her son, Ben Williamson.

Dick Duncan was ultimately arrested for the crime. At the trial, Hughes was called as a witness for the state. He testified that while at Camp Wood in Edwards County, on February 6, 1889, Duncan had come to the Ranger camp saying he was acquainted with one of the Company D Rangers, Bass L. Outlaw. Duncan claimed that he was going to Piedras Negras, Mexico, after his sister. He said that he and a family by the name of Jones were going to Eagle Pass. The next day, Duncan was seen riding in a new-looking, two-horse wagon containing three women and a man.

On March 1, Hughes and Ira Aten, now a sergeant, arrested Duncan, his companions, and Duncan's brother Tap on suspicion of smuggling. When the Rangers caught up with the group, they were traveling north and still had the same wagon with them that they had when first visiting Hughes in the Edwards County camp. Now, however, the three women and the young man were not with them. The Rangers suspected that Duncan and his men had murdered them. Aten advised the outlaws that they were being arrested on suspicion of smuggling, and that anything they said would be used in evidence against them.

The details of how Hughes determined that Duncan was responsible for the murders have not been preserved, but at his trial, R. H. "Dick" Duncan was found guilty of that crime. When the verdict of death by hanging was announced, the defendant appealed. The 1891 Court of Appeal was "not disposed to interfere with the judgment, and therefore in all things affirmed."<sup>9</sup> Duncan ultimately went to the gallows on September 4, 1891, thanks to the detective work of Rangers Hughes and Aten.

Aten had been responsible for Hughes' joining the Rangers and the two men had worked on many cases together. In May of 1889, however, Hughes was sent alone to Fort Bend County to put a stop to the violent feud between two parties called the "Jaybirds" and the "Woodpeckers." When Sheriff Thomas J. Garvey was assassinated on August 16, Aten was appointed to take his place five days later. Aten served until November 4, 1890, as county sheriff. During the time Aten was there, twenty-three men were arrested on various charges.<sup>10</sup>

Hughes was in Fort Bend for a short period and, by May, he was ready for new adventures. The superintendent of the Fronteriza Mines in Coahuila, Mexico, had contacted the adjutant general and requested three tough men to guard ore shipments leaving the mines. Just how the request reached Hughes is not known, but three men of Company D welcomed the challenge. Bass L. Outlaw resigned from the Rangers on May 16, with Hughes and fellow Ranger J. Walter Durbin following his example the next day. All now became mine guards in Mexico.

Hughes, Outlaw, and Durbin performed their duties admirably, and no robberies were committed. Outlaw was one of the toughest men on the Texas border, and Ranger Durbin later said of him, "of all the bad men I have knew [sic] he was one of the worst and most dangerous."<sup>11</sup>

The three men eventually grew tired of guarding the mines, however, and they rejoined the Ranger company. Outlaw reenlisted on September 1 and Hughes on December 1, 1889. Durbin, however, left for Pearsall, where he eventually married and became sheriff in Frio County.

Although sudden gunfights between lawmen and outlaws have become the norm in the popular mind due to the media treatment of Old West lawmen, they were actually not all that common. Very few men cared to accept a challenge from a Ranger, preferring to surrender and hope to settle matters in court. Not the Odle brothers, however. The pair, William and Alvin, were charged with murder in Edwards County. Hughes, two Rangers, a deputy sheriff, and several citizens went out in an effort to track them down and arrest them. The Odles refused to surrender and opened fire on the lawmen. They were both killed in the gunfight.<sup>12</sup> This event certainly increased Hughes' reputation as a hard man and one not to tangle with. He had gone up against murderers and emerged victorious, and he solved other murders and many lesser crimes.

But on occasion, a Ranger lost his life to outlaw gunfire. On April 17, 1890, Sergeant Charles H. Fusselman, who had joined the company on May 25, 1888, was killed while trailing horse thieves in the Franklin Mountains near El Paso. His friend Hughes was in El Paso at the time and was responsible for the recovery and burial of Fusselman's remains.<sup>13</sup> Hughes vowed to avenge his friend's death by either killing or capturing the assassin, Geronimo Parra. The quest was to last for a decade.

Although he didn't forget the hunt for Fusselman's slayer, Hughes continued

to enforce the law along the river during the remainder of 1890. The monthly returns show continuous arrests and also scouts looking for fugitives. Some sample entries reflect the variety of a lawman's work in the late nineteenth century:

**May 14-17:** Hughes and four others, while on scout, arrest A. Bustamente and C. Kell, charged with smuggling.

**July 31:** Hughes, now promoted to the rank of corporal, is gone from camp hunting smuggled horses.

**August 11-22:** Corporal Hughes and a deputy marshal search for stolen horses. They fail to locate them, but do find the trail of the murderers of a man named Will Landrum. They follow the trail but lose it after a hard ride.

**September 10:** Hughes returns to camp after scouting for stolen stock.

**November 3-5:** Hughes and another Ranger are responsible for keeping the peace during the election at Patterson's Ranch.

**November 5:** Hughes and one other Ranger are assigned to keep the peace during a U.S. criminal court case tried at Alpine.

**November 10:** Hughes and three other Rangers are stationed at Alpine to keep peace while new county officials are qualified.

**November 25:** Hughes arrests John Chambers, charged with bribery and smuggling.

**December 13:** Hughes and three others arrest Francisco Hernandez, charged with smuggling. They recover stolen horses, a mule, a saddle, and a gun.

**December 25:** Hughes arrests Juan Flores, charged with horse theft.<sup>14</sup>

Few incidents in Hughes' career stand out in the year 1891. His work reflected the continual hunt for thieves, smugglers, or murderers. There were many minor arrests and activities with little excitement. During the year, he arrested J. B. Humphries, charged with assault to murder at Presidio. He also escorted attached witnesses for court appearances and testified in more than one murder case. Some arrests were made of the drunk and disorderly. On April 13, he and Ranger Alonzo Von Oden arrested John Faver and Gamacinda Subia, charged with fornication. The pair were turned over to a deputy of Presidio County. The year ended with the arrests of various smugglers and the recovery of stolen property.<sup>15</sup>

On January 12, 1892, a big gun battle resulted in the deaths of three men. The monthly return does not indicate who was with Hughes: it merely states "& det [achment]." Hughes and his men attempted to arrest Matildo Carrasco, Jose Veleta, and Guinlino Chavez, charged with the theft of silver ore. The trio resisted arrest and all were killed. No additional details of this battle have been found.<sup>16</sup>

Although sheep were traditionally considered a lowly animal on the western plains, they played an important role. To some, they were worth stealing. On May 27, Hughes and Private James M. Putman arrested Jose Quintana, charged with theft of sheep. He had not acted alone. Three days later, Hughes

and Putman scouted to Alimeda and arrested Bacilio Perez and Natividad Rojas, also charged with theft of sheep. The Rangers placed the trio in the Presidio County jail at Marfa.

While scouting in the vicinity of the San Antonio County a month later, Hughes, Putman, and Von Oden came upon Florencio Corasco and two companions on June 20. They had been charged with wearing pistols and disturbing the peace, and Corasco was also wanted on a horse-theft charge. The men resisted and Corasco was killed. His companion, Desedario Duran, was captured and jailed in Marfa. Apparently, the third man managed to escape.<sup>17</sup>

In contrast to this violent encounter that resulted in the deaths of two men, on May 8, Hughes and Putman arrested three men: Jose Saltana, Luz Guerrero, and Clemente Ochea. They were brought in for disturbing public worship at Shafter, Presidio County.<sup>18</sup>

On September 18, 1892, Ranger Bass Outlaw was discharged, and Ranger Hughes was promoted to 1st sergeant. The record now reflects a relatively quiet period of Hughes' career for almost a year.

This period ended in 1893. As is true for any law officer working in any time and place, a seemingly easy arrest can explode into violence. On June 29, while Hughes was stationed at Alpine with a small detachment, Captain Frank Jones and five other Rangers went on a scout to Pirate Island near El Paso with writs to arrest Jesus and Serverino Olguin. They were part of a large clan with the reputation of being murderers and thieves. Jones was accompanied by R. E. Bryant; J. Wood Saunders; Ed Aten, younger brother of Ira Aten; T. F. Tucker; and Carl Kirchner. On that day, they rounded up the Olguin house but found it empty. The next day, they met two riders: who wheeled and ran. . . . Capt. Jones not knowing he was across the line ran them into Tres Jacales Mexico and they entered first house on right [side] of the road. [The] Mexicans opened fire. Capt. Jones halted and dismounted in front of the house and was shot through the leg and fell. He sat up & fired two or three shots and received another shot in the breast and fell back dying instantly.

Tucker, who was within a few feet of Jones, said Jones spoke only enough to say, "Boys I'm shot all to pieces. I am killed. "

Due to increasing fire from the Olguins and their friends, the Rangers had to retreat, leaving the body of their captain. Through the efforts of El Paso County Sheriff Frank B. Simmons and members of the Masonic Order of Juarez, Mexico, however, the body of Captain Jones was recovered. Also, Hughes was able to get back the rifle, spurs, watch, and money.

With the death of Jones, Sergeant John R. Hughes became captain, receiving the promotion on July 4. Special Order Number 105, dated July 4, reads simply:

First Sergeant Jno. R. Hughes, Co D frt Batt, is hereby appointed Captain in Front Batt & placed in command of Co D. He will be obeyed & respected accordingly[.]

By order of the Governor.  
W. H. Mabry, Adjutant General.<sup>19</sup>

Hughes now vowed to avenge the death of Captain Jones. Ernest St. Leon, a Ranger who infiltrated the Mexican community along the border, eventually determined the names of some twenty men involved in the gang that killed Jones. He provided a "death list" to Hughes and his men. The story persists that between eighteen and twenty-one members of the Olguin family and the Pirate Island gang were eventually killed. Some were shot and some lynched. Although the number of Olguinites killed is open to debate, at least some were killed without trial for being involved in the murder of Captain Jones.

The year 1895 proved to be a sensational one in the wild town of El Paso, one of the last wide open frontier towns in the country. During that year, more hard cases were attracted to the "Sin City" than were present in the combined towns of Dodge City; Abilene, Kansas; Deadwood, Dakota Territory; and Tombstone, Arizona Territory during their wildest days. On the hard-case side were such desperate men as John Wesley Hardin, Martin Mrose, Vic Queen, James B. Miller, and Mannen Clements Jr. Lawmen who found reason to be there included George Scarborough, Jeff D. Milton, John Selman, and George Herold. The biggest event of the wild period was the killing of John Wesley Hardin by Selman in August 1895. Selman himself was killed a year later by Scarborough.

In 1896, the great news among the sporting crowd, which included gamblers and prize-fight aficionados from all over the West, was the scheduled prize fight between Robert Fitzsimmons and Peter Maher. Although boxing was popular, Governor C. A. Culberson resolved to enforce the law prohibiting prize fighting. Only years before, communities had found it difficult to get the help of Rangers to protect them from Indian raids. Now, however, El Paso experienced what was certainly a first in Ranger history: the entire Frontier Battalion descended upon the town to prevent a fight between two men wearing five-ounce gloves! Adjutant General Woodford Haywood Mabry also arrived to carry out the governor's orders.

Mabry, four captains, and at least twenty-seven Rangers all managed to arrange themselves on the steps of the courthouse to have their images preserved for history. Mabry struck a pose that would have made Napoleon envious. Alongside him on the front steps stood Captain Hughes, Captain John A. Brooks, Captain William McDonald, and Captain John H. Rogers. The group all felt the need to have their Winchesters with them.

Although they had all sworn to uphold the law, most were anxious to see the fight—somehow or other. Ultimately, Judge Roy Bean, the so-called "law west of the Pecos," erected a ring on an island in the middle of the Rio Grande. Most if not all the Rangers and another 500 spectators managed to find a post high enough on the riverbanks to witness at no cost what proved to be a major disappointment. Fitzsimmons won the fight after about 100 seconds of swinging those five ounce gloves.<sup>20</sup> Everyone was certainly dissatisfied in the brevity of the fight after such a buildup, but thanks to Judge Bean, all were able to deal with their disappointment in the Jersey Lilly Saloon.

By February 23, Hughes was back in his office in Ysleta. On September 24, 1896, Hughes, Rangers R. E. Bryant and Thalys T. Cook, Brewster County Deputy Sheriff Jim Pool, and two civilians named Coombs and McMaster acted on a tip from former Ranger James B. Gillett and started on a scout to Alpine. They had information that a band of thieves were in the Glass Mountains planning to rob a train of the Galveston Houston & San Antonio Railroad. Hughes later wrote in his return:

We struck their trail in Glass Mountains and trailed them about 80 miles and

found them in the Star pasture in the Davis mountains. They would not surrender but fired on us. When we charged on them and returned the fire killing two of them. The third man escaped.<sup>21</sup>

The dead, would be train robbers proved to be brothers Jube and Arthur Frier. Besides destroying the train-robbing gang, the Rangers recovered five stolen horses.

In 1899, New Mexico Sheriff Pat Garrett, the slayer of Billy the Kid, arrested Geronimo Parra, the man who had killed Charles Fusselman years before. Hughes learned of the arrest and wanted to make a deal with Garrett so he could have Parra in custody of Texas authorities. Garrett was agreeable, but before he would surrender Parra, he wanted Hughes to capture a fugitive from his territory. one Pat Agnew. Hughes finally corralled Agnew and the two lawmen traded prisoners. On January 6, 1900, Geronimo Parra was legally hanged for the slaying of Texas Ranger Charles H. Fusselman.<sup>22</sup>

In 1914, Zane Grey's novel, *The Lone Star Ranger*, was published and dedicated to John R. Hughes and the Texas Rangers. By this time, Hughes was getting up in years and the Wild West was ebbing away, so he chose to leave the service. His initial enlistment, intended for only a few months, had lasted from August 1887 until his retirement on January 15, 1915. He had spent nearly three decades as a Texas Ranger.

Hughes became a prominent businessman in Austin, becoming chairman of the board of the Citizen's Industrial Bank and then chairman of the Motor and Industrial Finance Corporation. During his retirement years, he frequently visited his old friend Ira Aten, driving himself by car from Texas to California, where Aten was then living. John R. Hughes had become an institution in Texas, and he rode horseback in many parades and was awarded many honors. On May 21, 1947, the House of Representatives and the Senate of Texas honored him as a special guest of their respective houses.

On May 12, 1938, the state of Texas erected a monument to the memory of Captain Frank Jones. Hughes, now 83, attended. With him were Ed Aten, 68; Ira Aten, 75; and R. E. Bryant, 74. Bryant and Ed Aten were the only two surviving members of the company that engaged in the fight where Captain Frank Jones lost his life.

J. Marvin Hunter, founder of the popular *Frontier Times* magazine, had the pleasure of meeting Hughes in July 1927. He had "a very delightful conversation with him. He is one of those genial, kindly characters whose magnetic personality at once impresses you and makes you feel that he will be your friend for life."<sup>25</sup>

All the honors and awards were not enough for Hughes to allow himself to ride quietly into the Texas sunset, however. On June 3, 1947, feeling despondent and in failing health, Hughes took his pearl handled Colt .45 and committed suicide in his Austin home.<sup>23</sup> At the time, he was the oldest living former Texas Ranger captain.

Hughes was buried in the State Cemetery in Austin. He had summed up his life in a few words, which first appeared in the January 1915 issue of a Fort Worth publication, *The Cattleman*:

I have always been a horse back ranger and have worked in every county on the Rio Grande from El Paso to Brownsville. . . . I have never lost a battle that I

was in personally, and never let a prisoner escape. . . . I got my promotion all the way from private to captain by my superior officers being killed by bandits.<sup>24</sup>



**Chuck Parsons** is currently completing a biography of Texas Ranger N.O. Reynolds and has just completed a biography of Texas Ranger Leander H. McNelly. Previous books include biographies of Clay Allison (1977, 1984), *The Capture of John Wesley Hardin* (1978), *Phil Coe: Texas Gambler* (1984), *Bowen & Hardin* (1991), *James Madison Brown: Texas Sheriff*, *Texas Turfman* (1993), *Captain C.B. McKinney: The Law in South Texas* (with Gary P. Fitterer, 1993), as well as several hundred periodical articles and book reviews.

From January 1983-2000 he conducted "The Answer Man" column for *True West* magazine. In addition he is editor of the *Quarterly* and the *Newsletter* of the National Association for Outlaw and Lawman History (NOLA). Parsons is a member of NOLA, The English Westerners Society, The Brazos Corral Westerners, and a board member of The James-Younger Gang. He is currently retired from the field of education, having been a high school principal for eighteen years in Wisconsin and Minnesota schools and a classroom teacher for eight years in Wisconsin.

#### Additional Reading

*Border Boss, Captain John R. Hughes, Texas Ranger*, by Jack Martin (reprint State House Press, Austin, Texas, 1990)

*A Pair of Texas Rangers: Bill McDonald and John Hughes*, by Virgil E. Baugh (Washington: Potomac Corral, *The Westerners*, 1970)

*Lone Star Man: Ira Aten, Last of the Old Texas Rangers*, by Harold Preece (New York: Hastings House, 1960)

*Texas Ranger Sketches* by Robert W. Stephens, (privately printed, Dallas, Texas, 1972)

*The Law Comes to Texas: The Texas Rangers. 1870-1901*, by Frederick Wilkins (Austin: State House Press, 1999)

#### Of Additional Interest

One can enjoy a great sense of history by visiting the Texas State Archives in Austin at 1201 Brazos Street, directly east of the capital building. Here one can read the original monthly returns of Captains Frank Jones and John R. Hughes as well as many other documents pertaining to the Texas Rangers from the earliest days of the state to the modern period.

From the State Archives building, one can easily visit the State Cemetery and visit the grave of Hughes as well as other Texas heroes. The monument erected to the memory of Frank Jones can be seen at Ysleta, El Paso County. It is on U. S. Highway 80.

#### Notes

**1 Jack Martin. Border Boss, Captain John R. Hughes, Texas Ranger. San Antonio: The Naylor Company (1942). Reprint edition by State House Press, Austin, 1990.**

**2 The Austin Statesman, 4 June 1947 states that Hughes "left home at 14 and lived with the Choctaws and Osage Indians for four years." This lengthy "obituary" also stated he was born in Mound City, Kansas which is demonstrably incorrect. Possibly Hughes left home in the early 1870s and experienced life with Indian tribes.**

**3 Population Schedule of the Ninth Census of the United States, Linn County, Kansas, June 1870, 64.**

**4 The Austin Statesman, 4 June 1947.**

**5 Operations of Front[ier] Battalion and Report of special Rangers From December 1, 1885 To November 30, 1892 (hereafter cited as Operations). Original ledger 401-1084, 98, Texas State Archives.**

**6 Ibid., 99. Jerry Thompson. A Wild and Vivid Land: An Illustrated History of the South Texas Border. Austin: The Texas State Historical Association (1997), 131-33.**

**7 Operations, 100.**

**8 Ibid., 102-104.**

**9 Texas Court of Appeals Reports. Austin Term, 1891, Vol. 30. "Dick Duncan v. The State." 1-41.**

**10 Operations, 108. For a detailed treatment of the feud, see C. L. Sonnichsen's I'll Die Before I'll Run: The Story of the Great Feuds of Texas. New York: Harper & Brothers, 1951. See chapter "Old Southern Style: The Jaybird-Woodpecker Feud," 186-226.**

**11 Robert W. Stephens. Walter Durbin Texas Ranger and Sheriff. Clarendon, Texas: Clarendon, Texas, 1970. 78.**

**12 Operations, 110.**

**13 Ibid., 119. Fusselman was later reburied in the cemetery near the small community of Lagarto in Live Oak County. His grave is well marked although the obelisk stone has been cracked and moderately repaired.**

**14 Operations, 120-23,**

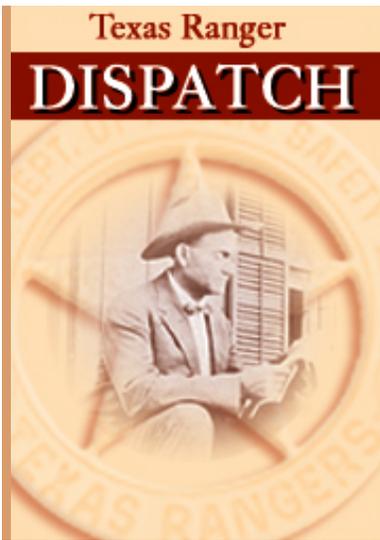
**15 Ibid., 126 30.**

**16 Ibid., 130.**

**17 Ibid., 132. See also Hughes' Monthly Return of 20 June 1892.**

**18 Monthly Return of Hughes, 8 July 1892. 19 The details are from the July Monthly Return prepared by Captain Hughes at Ysleta, El Paso County. See also Robert W. Stephens, Texas Ranger Sketches, privately printed, 1972, 18. S.O. # 105 is found in Ledger 401 1012, Special Orders A. G. C [Adjutant General Correspondence] Augt 1870 to April 2 1897, 315.**

**19 The most complete version of the entire episode is Leo N. Mileticb's Dan Stuart's Fistic Carnival, published by Texas A & M College Station, 1994.**



20 Monthly Return of Hughes, 24 September 1896. See also Frederick Wilkins, *The Law Comes to Texas: The Texas Rangers 1870-1901*. Austin: State House Press, 1999, 332-33.

21 Leon C. Metz. *Pat Garrett: The Story of a Western Lawman*. Norman: University of Oklahoma Press, 1974. 216-27.

22 *The Austin Statesman*, 4 June 1947 "Capt. Hughes, Ranger Hero, Found Shot" and 5 June, "Ex-Ranger To Be Buried in State Cemetery."

23 Quoted in *Frontier Times*, October 1927, article, "Captain Hughes, of the Texas Rangers" by J. Marvin Hunter. 4-8.

24 *Ibid.*, 7. Hunter visited with Hughes at a meeting of the Texas Ex-Rangers at Menard in July.

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## 19th Century Shining Star: James W. Guynn

*“The boys are well and anxious for a fight.”*

Photo courtesy of [Yorktown Post](#)

Little is known of the early years of James William Guynn. He was born in Alabama on September 17, 1840, the second son and third child of E. B. and Martha Guynn. Head of household E. B. Guynn was farming in Clarke County when census taker John A. Coate enumerated the family. It consisted of the parents and their eight children, ranging in age from one to fourteen years.<sup>1</sup>

parents and their eight children, ranging in age from one to fourteen years.<sup>1</sup>

When Guynn located in Texas is uncertain, but by the time the Civil War broke out, he was residing in Colorado County.<sup>2</sup> Guynn first joined up with the Texas State Troops. After discharge, he became part of Colonel R. M. Powell's 5th Texas Infantry. He was discharged from this unit due to rheumatism, but then on April 28, 1862, he was mustered into Company B of the 24th Texas Cavalry. He served there until the war ended and he achieved the rank of 2nd lieutenant.

On one furlough, Guynn married Miss Kittie Bridge, a young lady who was born in Columbus, Colorado County. They were joined together on November 17, 1864, and their marriage lasted their lifetimes.<sup>3</sup>

It is uncertain what occupation Guynn followed between his service as a Confederate soldier and his joining up with Captain Leander H. McNelly in the Washington County Volunteer Militia Company A in 1875.

Guynn served but a brief time under McNelly, but he certainly impressed his superiors. Possibly, McNelly and he knew each other prior to enlistment because Guynn began his brief “McNelly career” as a 2nd lieutenant. Having attained the rank of lieutenant as a Rebel soldier was also a factor.

Guynn's Ranger service record shows that he served from June 22 through August 31, 1875. This is a mere two months and nine days.

Guynn's first responsibility was to swear in a number of men in Colorado County and then join up with McNelly on the Rio Grande frontier. On June 22, he mustered in twenty-five recruits<sup>4</sup> who would march to the dangerous river area, known familiarly as the Nueces Strip. On June 30, the group took up the line of march for Camp Santa Maria. Guynn sent a valuable letter to the to the Colorado Citizen newspaper:

Ranger's Camp, near Santa Maria,  
July 25, 1875.

Editor Citizen:

Thinking it would not be amiss, I have concluded to write you a brief communication relative to our journey from Columbus hither. Leaving Columbus on June 30th, we made our first night's encampment at Mr. Isam Tooke's<sup>5</sup> farm near Oakland.<sup>6</sup> Mr. Tooke kindly permitted us to make use of his house for ourselves, and the use of his pasture grounds for our horses. Leaving the encampment at 4 o'clock next morning we traveled on our way rejoicing, our next encampment being Sweet Home.<sup>7</sup> The next morning, leaving the company in command of Sergeant Cox,<sup>8</sup> I proceeded to Cuero,<sup>9</sup> to lay in supplies. The company coming up, we continued our march for Goliad,<sup>10</sup> which city we duly invested at 8 o'clock, July 31. At this place we met several citizens of our place, among them J. Billis [?] Leyendecker.<sup>11</sup> Crossing the San Antonio river we visited the old Mission Church. It being Sunday we found it occupied by a venerable looking priest and a number of confessionals. The church and its surrounding bore unmistakable evidences of age and decay. From Goliad we took up our line of march for San Patricio,<sup>12</sup> on the Nueces river, traveling over a country destitute of grass and water [and] fuel and provisions for two days. We arrived at San Patricio July 6th, the company almost worn out. At this place we made a halt for rest for half a day, it raining incessantly during the whole time. Here we left one of the company, T.J. Romans,<sup>13</sup> who was not able to travel further on account of sickness. He was left at a private house, well cared for.

On our march from San Patricio we passed through Banquette[sic],<sup>14</sup> a miserable muddy village, twelve miles west of the former place. From thence we took up our march for Santa Gertrudus [sic],<sup>15</sup> or King's Ranch. Arriving there July 9th we found Capt. King, a gentleman of the highest standard. He came forward and made us every proffer of assistance, furnishing us with food for ourselves and horses, made your humble servant a present of a fine saddle horse for himself as well as four for the use of the company; besides changing horses with several of the company for their worn out and jaded ones, giving them the choice of his caballado. Too much praise cannot be given Capt. King for his open hearted generosity and kindness to us. The Captain has 86,000 acres of land under one fence for pasture grounds, beautifully improved. His residence is located up a high hill, commanding a view of the surrounding country for miles around.

Leaving the Rancho with "three cheers" for Capt. King, we took up our line of march for Brownsville, the Captain having given us a guide as far as Reo Colorous [Rio Colorado]. We passed through sixty miles of sand, finding grass good, but no water except in an occasional salt lake, which was unfit for use. Nothing worth noting happened except it was the constant bombardment of rattle snakes by the entire company, as their dead carcasses left in our wake will testify. We arrived on the Rio Colorou [Rio Colorado], Monday, 13th, where I again left the company in charge of Sergeant Cox, proceeding to Brownsville, a distance of 35 miles, where I met Capt. L. H. McNelly, the commander of the Rangers.<sup>16</sup> The next morning the company came up and encamped one mile from town, where they were met by Capt. McNelly, who, after forming them into line, proceeded to lecture thusly: "Gentlemen, I make it a rule to allow no gambling in camps, no cursing, no drunkenness. If there are any here who can not abide by these rules, I will release him at once from

his obligation to the State. Whereupon five timid hearted ones wisely concluded to "return to their dwellings, a lonely return."<sup>17</sup> The remainder of the company, being more than satisfied with Capt. McNelly the condition of their obligation, &c., were ordered by him to take up a line of march for our present camp, 35 miles from Brownsville, where we met the old company, under command of Lt. T.C Robinson,<sup>18</sup> an officer of fine deportment and bearing. Our boys were met with the kindest advances by the members of the company and are well pleased with the officers, Capt. McNelly and Lieut. Robinson, in fact think them the beau ideal of officers and gentlemen.

A good many of the boys have attended the celebrated Spanish Fandangos, given by the Mexicans almost nightly. Capt. McNelly and myself being the only married men in camps, of course do not participate. We are camped about one and a half miles from the Rio Grande river, one mile above Santa Maria Lake on the banks of a lagoon where the Rio Grande used to run before it changed its channel. The country is inhabited principally by Mexicans. About the only farming done is in the culture of corn, which can be bought for seventy five cents per bushel. Cotton is raised to some extent. The valley gave unmistakable signs of fertility. We are expecting to have a fight with raiders soon, or as soon as they set foot on Texas soil. The boys are well, in good health and spirits, and anxious for a fight. I will write you again soon giving you a general description of the country, its inhabitants, their customs, accounts of our scouting expeditions, &c.

Respectfully, &c.  
J. W. Guynn,  
Lieutenant of Rangers.

This single letter was to be the last and possibly the only one from Lt. Guynn to the editor of the Citizen. This is disappointing for those interested in Texas Ranger history, as Guynn was obviously capable of observing nature as well as human characteristics and then put it all in writing.

On August 27, 1875, Guynn gave his resignation to McNelly and returned home to Columbus. you it had not been heard from[.] Will you pleas[e] Say what was done with it[?] I would be glad to hear from you. We know the details from a letter written to Adjutant General William Steele, McNelly's superior officer in Austin. The letter was dated September 8 and was written from Columbus:

On the 27th of August I tendered my resignation as 2nd Lieut. of Comp. A. Vol [unteer] Mil[itia] and gave it to Capt[.] L.H. McNelly to be for[warded] to you as the continued bad health of my family would not admit of my remaining longer, and for which I trust your having [received it and you] will approve and send[?] to me at this place.

Gent. I would like to inquire as to the voucher that I made out and approved by Capt. McNelly for the transportation of the men I carried from this County. The voucher was for[warded] from Brownsville about the 4th of August to you by Capt. McNelly. The Capt was to return to me the amt[.] on my arrival but the voucher was delaid [sic] by you and after it was Sent to

Respt your  
Obt Servt  
J. W. Guynn <sup>19</sup>

Unfortunately, it is impossible to determine from existing records if Guynn ever did receive remuneration for his expenses in getting additional men to McNelly on the Rio Grande Frontier.

After the exciting life as a Ranger, Guynn settled in Columbus. By 1880, he was a 39-year-old dry goods salesman. By this time he had a wife Kittie, 32, and two children, both attending school: Bettie L., age 14, and Cassie H., age 12.<sup>20</sup>

Having survived the four years of the Civil War and then venturing into the dangerous Nueces Strip on the Rio Grande frontier, it is an irony of sorts that Guynn lost his life in a hunting accident. On June 27, 1882, he and companions I. W. Middlebrook, Henry Middleton, and J.J. Harrison went deer hunting. Guynn and Middleton were to drive deer towards Middlebrook and Harrison, who were posted on stands. The Colorado Citizen describes the accident:

The dogs started a couple of deer, when Mr. Guynn left his horse and ran to a point opposite, but out of sight of the stand of Harrison, who as the deer passed between himself and Guynn, fired, two stray shots taking effect upon Guynn, one of which penetrated his abdomen, inflicting a dangerous and painful wound.<sup>21</sup>

When Harrison had fired at the deer, he was about one hundred yards from Guynn. Both parties were placed in such a way that the brush and undergrowth prevented either from seeing the other.

Guynn was taken into town immediately. In spite of the best medical care Columbus had to offer, Guynn did not survive. He died on the July 2, 1882. The following day, he was laid to rest by the Knights of Honor in the burial grounds on Mr. W. E. Bridge's farm. Services were conducted at both the family residence and at graveside by Rev. C. H. Howard of the Episcopal Church.<sup>22</sup>

Today, the mortal remains of James W. Guynn as well as those of several other family members rest in the Columbus Odd Fellows Cemetery. For Guynn, there are two markers. One reads simply: "James William Guynn/Sept. 17, 1840/July 2, 1882." The second is a veteran's marker which shows his service as "1st Lt. 24th Regiment Texas Cavalry of the Confederate States of America" and also gives his birth and death dates. His wife, Kittie Bridge Guynn (February 17, 1848-May 8, 1930), lies to his left. Her parents, William E. and Sarah Perry Bridge, are also in the plot.

Guynn's untimely passing marked a too-early death for a McNelly Ranger. Not only did his Columbus friends and relatives mourn his passing, but he was remembered by a Texas historian some time later. Wilburn Hill King, then adjutant general of the state, wrote:

[T]he necessity for more men in certain sections of the State became so urgent and powerful that in July, 1874, one company of volunteer militia from Washington County was mustered in for active service, in DeWitt and other counties in Southwest Texas, and latterly on the Rio Grande River. This company was commanded by Captain L.H. McNelly, with T.C. Robinson first and J. W. Guynn second lieutenants; and, though it was in service but two years, in that time McNelly and his officers and men proved so active, vigilant, daring, and successful, in dealing with lawless characters and with hostile Mexicans, as to secure a permanent good name for themselves and beneficial

results to the border, by their gallant and zealous performance of duty.<sup>23</sup>

It is remarkable that Adjutant General King, writing twenty years later, would remember the name of J. W. Guynn, who served for such a brief period, albeit as a lieutenant. There was obviously something about the man which King remembered or had learned about, but it has been lost in the written record.

### Notes

1 On November 18, 1850, B. Guynn was 40 and wife Martha was 35. Guynn is shown to be from South Carolina while Martha Guynn and all the children were born in Alabama. The children were: Morris, age 14; Jane, age 12; James, age 10; Aley, age 9; Jackson, age 7; Josiah, age 4; Abraham, age 3; and Martha, age 1.

- The Clarke County, Alabama, census, 254B

2 The family has not been located in the Montgomery County, Texas, 1860 census, which was enumerated July 12, 1860, by J. O. Gafford, 108A. There is a "J. Guynn," born in Alabama and living in Montgomery County, Texas. He is age 18 and a student. This may be James William Guynn. He is boarding with the family of J. M. Westmoreland, a 33-year-old farmer, also from Alabama. Neither Guynn nor the family has been located in the 1870 census.

3 Information on Guynn's pre-Texas Ranger period is from the "Widow's Application for Pension" of Kittie Bridge Guynn #14945. Abstracted by Kay Lee Wrage Gunn, Dallas, Texas.

4 On the McNelly Muster Roll, dated July 31, 1875, at Santa Maria, Texas, one of the privates mustered into McNelly's company by Guynn was EX Bridge, who probably was a relative of Guynn's wife. The September 10 Muster Roll shows Private Bridge was mustered out on September 10, 1875.

5 Isam Tooke was a 26-year-old "Farm Laborer" living in the household of Joseph C. and Bettie Kindred. Their post office was Oakland. - Colorado County, Texas, census, enumerated September 7, 1870 by J. H. Baldwin, 50A

Curiously, on the July 31, 1875, McNelly Muster Roll prepared at Santa Maria, Texas, there is listed a Private I. N. Took, mustered in on June 22. On the September 30 Muster Roll prepared at La Retama Ranch, Took is shown to have been mustered out on September 16, 1875. This is no doubt the same Took mentioned in Guynn's letter.

6 Oakland remains a small community in the southwest corner of Colorado County, about eight miles south of present-day Interstate 10.

7 Sweet Home is in Lavaca County, about thirty miles southeast of Oakland. The Lavaca River flows midway between these two villages.

8 The Muster and Pay Rolls of McNelly's Company lists Private W. H. Cox as enlisting on June 22 and being discharged on September 10, 1875. Possibly, Guynn used Cox as a sergeant during the period before joining McNelly, but in actuality, he was only a private.

-McNelly Muster Roll prepared on September 30, 1875 at La Retama Ranch

9 Cuero is in central DeWitt County and grew in size and population when the

tracks of the Gully Western Texas and Pacific Railway were completed in January 1873. City government was organized in the summer of 1873 and incorporated in 1875. Cuero replaced the town of Clinton as county seat in 1876. - Craig H. Roell, "Cuero, Texas" in The New Handbook of Texas (Austin: The Texas State Historical Association, Vol. 2, 1996), 432-33. Hereafter referred to as New Handbook

10 Goliad is in Goliad County, some thirty miles due south of Cuero. It is one of the oldest Spanish colonial municipalities in the state. Established in 1749, it became the county seat in 1836. - Jere Robison Turner, "Goliad, Texas" in New Handbook, Vol. 3, 205-06.

11 I have been unable to learn more about Leyendecker.

12 San Patricio, some sixty miles southwest of Goliad, became the county seat of San Patricio County on March 17, 1836, eleven days after the fall of the Alamo. It was incorporated in 1853 and grew in size over the next two decades due to increased ranching and farming in the area. Once almost a ghost town it now has a population of about 400. - Keith Guthrie, "San Patricio, Texas" in New Handbook, Vol. 5, 870-71.

13 I have been unable to learn anything further about Romans, who was left behind. There is no service record for him in the Adjutant General files at the Texas State Archives.

14 "Banquette" is today spelled "Banquete."

15 "Santa Gertrudis" is the correct spelling. Richard King and Gideon K. Lewis established a cattle camp on the Santa Gertrudis Creek in Nueces County. They purchased the land in 1853 when they bought the Spanish Land Grant, Rincon de Santa Gertrudis, of 15,500 acres. In 1860, Mifflin Kenedy bought an interest in the ranch, and it became known as R-King and Company. King and Kenedy dissolved their partnership in 1868. The holdings then became known as the King Ranch. - John Ashton and Edgar P. Sneed, "King Ranch" in New Handbook. Vol. 3. 1111-112

16 At Brownsville, on the 13th, Guynn sent a telegram to the Colorado Citizen stating that his company had arrived there that morning "all well, and ready for a fight." - The Colorado Citizen, July 15, 1875

17 This section concerning McNelly's attitude towards drinking and gambling in camp was reprinted in the Bastrop Advertiser in the August 21, 1875, issue. The "five timid hearted ones" were V. Byars, J. B. Carter, L. R. Carter, E. D. Howland, and C. Perry. McNelly's Muster & Pay Roll prepared at Santa Maria on July 31, 1875, shows these five were dishonorably discharged on July 14 with the comment, "Could not comply with Company rules." The five had all been mustered in on June 22, so they had served briefly but never saw action with McNelly. No service records remain in the Adjutant General's Files at the Texas State Archives to give additional information, nor have they been found in the 1870 census.

18 T. C. Robinson was a native of Virginia who had come to Texas following troubles with the law as well as involvement in a personal feud with Jesse E. Mitchell, brother of a young girl Robinson was in love with. After working for a while as a cowboy and then as a type-setter in the office of the Daily Democratic Statesman in Austin, Robinson joined McNelly's troop in July 1874 as a sergeant under the alias of T. Chandlers. Highly educated for the

times, he soon became invaluable to McNelly as one who could handle the company's paperwork. Robinson was made lieutenant on October 1, 1874. When he left in April 1876, he returned to Virginia to claim his love, "Pidgie" E. Mitchell. In an exchange of gunfire described by many newspapers as a duel, Robinson was killed by the girl's brother, Jesse E. Mitchell. Before and during his years as a Ranger, Robinson wrote many letters published in Austin newspapers, allowing us to have a valuable picture of life in Texas in the mid-1870s. It was perhaps Robinson who sent the following item regarding the new recruits: "Capt. McNelly has received a reinforcement of twenty-six men—splendid looking scalp hunters." This appeared in the Daily Democratic Statesman of July 28.

19 This document is preserved in the Texas State Library, Austin.

20 Tenth United States Census: Colorado County, Texas, enumerated June 3-4, 1880, 332B.

-Colorado Citizen, June 29, 1882

21 Colorado Citizen, June 29, 1882. 22 Ibid., July 6, 1882.

23 W. H. King, "The Texas Ranger Service and History of the Rangers With Observations on Their Value as a Police Protection" in Dudley G. Wooten's A Comprehensive History of Texas 1865-1897, (Dallas: William G. Scarfi 1897), 350.

#### Acknowledgments

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## The Meridian Hostage Crisis

Capt. Bob Prince, Ret.

Whoever said “you can’t tell a book by looking at the cover” must have had criminals in mind. I’ve seen criminals that looked like they just stepped out of a fashion show, others that seem to have crawled out of a septic tank, and the others were everything in between.

No one would ever confuse thirty-nine-year-old Jimmie Cooper for a fashion model. His appearance was what most people think of in a crook: he had long hair, a beard, and was unkempt. He looked like what he was—a loser.

Cooper had drifted from state to state, or more correctly, from one prison to another. His life of crime started in 1966 when he was nineteen years old and was arrested for theft in Woodriver, Illinois.

During his years in prison, Cooper had learned a new skill—escaping jail cells. In 1977, he put that art to work when he disappeared from the Madison County, Illinois, courthouse the day he was to go on trial for rape and forgery. He was captured in 1978 and was sent to a Missouri prison, where he served two counts for a kidnapping in Cape Girardeau. He was paroled in 1983, but his freedom was short-lived, to say the least. As he walked out of the Missouri prison, he was arrested by federal authorities for a firearms violation.

Cooper did his time and made parole but, once again, it didn’t last long. He soon found himself back in a federal prison at Oxford, Wisconsin, for violating parole.

At some point between prison times, Cooper had found time to get married. Like everything else in his life, it hadn’t lasted. He was soon divorced and his wife remarried. While in the Wisconsin prison, Cooper sent letters containing death threats to his former wife and her new husband. His threats were deadly, but they could be tempered—for the right price.

Cooper's ex knew her first husband too well to be intimidated, and she reported the threats to the police. Cooper was charged with extortion in six federal counts (he had used the United States Post Office). His former wife lived in Illinois, and that is where Cooper faced federal charges. He was indicted and apparently headed for another prison cell. Before he could be tried, however, he escaped from the East Alton, Illinois, jail where he was being held.

On the run, Cooper headed for Meridian, Texas, which is located about sixty miles northwest of Waco. He arrived on Wednesday, August 28, 1985. The last he had heard, he had a brother and nephew living there.

It didn't take Cooper long to learn that, actually, he had no relatives living in the small town of about 3,500. He was also unable to find out where they had gone. (They had left Meridian several months earlier and were living in the Dallas-Fort Worth metroplex.)

With nowhere to hide, Cooper knew he had to move on. That took money, however, and he didn't have any. That wasn't going to stop him, though. He knew how to raise money in a hurry—steal it. The only problem was that he had to wait a while. It was about 11:30 in the morning and there was still a lot of daylight left. He needed a place to lay low until dark.

Cooper decided that if he was going to have to wait eight or nine hours, he would do it in an air-conditioned house. No one who has been in Texas in August would blame him for that: Texas in the summer is like an oven. He started looking for an empty place that had an air conditioner in the window.

When Cooper entered the back door of a house on North Main Street, he thought it was unoccupied. Instead, he was confronted by thirteen-year-old Karen Howard, who was babysitting Roger Parsons' five-year-old son Christopher. Cooper pulled what was originally thought to be a .22-caliber pistol and told the frightened young lady that he wouldn't hurt her if she did as she was told. He said that all he wanted was a cool place to stay until dark.

About a half an hour later, Cooper asked for the keys to the van that was sitting in the rear of the house. The teenager said she didn't know where they were.

She may have only been thirteen, but Karen Howard maintained her calm. When Cooper left the room searching for the keys, she grabbed Christopher and ran out the door. She didn't stop running until she reached the home of her friend Amye Russell, two blocks away. As soon as Amye's father Ron heard Karen's story, he called the police. The Meridian Police Department was very small, and they contacted the sheriff's office assistance.

About 1:00, Bosque County Chief Deputy Rex Fleming spotted Cooper on foot near the intersection of Highway 22 and Lumpkin Street. He radioed for backup and was soon joined by Sheriff Denny Proffitt and Reserve Deputy Edwin Olsen. Cooper spotted the officers and started running. The officers pursued the fugitive across several yards and into the house at 719 Live Oak Street. When Cooper went through the back door, he didn't know if anyone was home or not, nor did he care. He was just running.

Inside the house, Cooper found Mary Lou York, age twenty-five; her five-year-old son, Christopher Michael; and the young boy's aunt, Jennie Renee Davenport, age seventeen. The house was a small, two-bedroom structure

with only a front and back door. It took the police but a few minutes to completely seal off the premises.

Meridian Chief of Police Curtis McGlothlin approached the front of the house and yelled to Cooper, "Hey, buddy, we got a problem here!"

Cooper appeared at the front door. He pointed his finger at the chief and answered, "You're the one that's got the problem. I have two women and a kid in here. Don't mess it up." Cooper then demanded that all the police get away from the house, which they did.

I was Company F's hostage negotiator. It was about 1:00 p.m. when I was contacted by the Waco Police Department's dispatcher. I was advised that there was a hostage situation in Meridian, and local officials had requested the assistance of the Rangers. I contacted the Department of Public Safety and requested a helicopter for immediate transportation to the hostage site. Shortly before 2:00, I landed in Meridian.

Fellow Ranger Joe Wilie was already at the scene, and he and Chief McGlothlin advised me of the situation. They said that Cooper had warned that if anyone made a move toward him, he would "pile up some bodies in front of the house."

In addition to the Rangers, the Meridian Police Department had been joined by about thirty officers from the Bosque County Sheriff's Department, the Highway Patrol, and officers from the nearby towns of Clifton and Walnut Springs. Clearly, the kidnapper wasn't going anywhere . . . but he did have those three hostages.

Speaking of hostages, let me clear up something before I go any further. Someone once said to me that they had seen a TV movie in which the hostage negotiator stated that he had to consider the hostages dead before he ever started talking. Nothing could be further from the truth. The absolute and only priority that the negotiator has is the safe return of the hostages.

At the time, we did not know who the kidnapper was. When I arrived in Meridian, dialogue between the kidnapper and local officers had already started. All the kidnapper would say was that his name was Bob. It would be about 8:00 that evening before Bob told us his real name.

The Yorks did not have telephone service, so Cooper allowed Jim Bryant of the local Southwestern Bell Telephone Company to run a phone line into the house. Once he had the phone working, Bryant stayed at the scene until the situation was resolved in case we needed any other communication needs.

As soon as I arrived and was briefed, Chief McGlothlin told Cooper that from that point forward, I would be handling the negotiations. When I got on the phone with him, Cooper was very tense because there were so many police around the house. I knew I had to try to diffuse his agitation. One of the first things that a negotiator learns is to keep everyone on a calm course.

I kept assuring Cooper that no one was going to hurt him. We kept talking and, during the conversation, Cooper said that when it got dark, he would release the hostages and make a run for it. I believed he was just talking, but everything that is said has to be considered. Cooper also said that if we tried to rush the house, he would kill the hostages. This is a fairly routine statement that most kidnappers make but, routine or not, it was something

that I took very seriously.

In hostage negotiations, time is normally your ally. It certainly was this time. This situation lasted almost eighteen hours and, as the hours drug by, it was very difficult on everyone: hostages, kidnapper, officers, and me. But I believed, then and now, that if we had rushed the house or done anything prematurely during those long hours, it would very likely have turned out disastrously for everyone involved.

All during the negotiations, I truthfully assured Cooper that no one wanted to hurt him. The last thing in the world I wanted was for him to spook and start shooting. My objective was to get all three of the hostages away from Cooper unharmed.

When it became obvious that he wasn't going to turn all three loose, I began concentrating on getting five-year-old Christopher released. I appealed to Cooper's conscience. I told him that the child's grandfather was on the scene and was very anxious to see his grandson. I asked him to let the boy go to his grandpa. Cooper just replied, "Maybe a little later."

I then pointed out to Cooper what all this must be doing to the youngster emotionally. I said that I knew he didn't want that on his conscience. All Cooper said to that was, "I'll send him out after awhile."

Then Cooper asked, "When are you going to feed him?"

I answered, "As soon as we get him out here."

Without a pause, Cooper said, "You've got two of these gals wanting to smoke, too."

This was the opening I had been hoping for. In any hostage negotiation, there are two rules that you always abide by:

(1) Never let the kidnapper have anything without getting something in return. Cooper wanted cigarettes, supposedly for the women. Maybe they did want them; maybe he did. Regardless, he wanted cigarettes and I wanted the little boy.

(2) Even if you are the final word on the scene, never let the kidnapper know it. Always leave yourself an out: "I don't know, I'll have to check with my superiors." This way, you buy more time and, if the answer is no, you can blame the negative response on someone else. It is critically important to keep the kidnapper talking to you. As far as possible, you need to keep him believing that he has a sympathetic voice out there.

I continued communicating with Cooper. "I'll tell you what we'll do. We'll send some smokes in there for them if you will let that little boy come out."

"I'll let him go after while. You just have the stuff ready."

Cooper just kept delaying. I drew from the fact that he was a parent. "This granddaddy is up here and is awfully anxious. Are you a granddaddy?"

"No, not yet."

"Well, you're a daddy. . . ."

“Yeah.”

I could tell this had an effect on him, so I kept on. “You know what anxiety you would have if one of your children were down here. Just multiply it when you are a granddaddy.”

Cooper replied, “Yeah. You tell him he [the boy] will be coming out before long, and you send something in here for these two girls to smoke now. There is no need for them to do without just because we’ve got this mess going on.”

I agreed, but only if he would let the child loose.

Finally, at about 5:30, Cooper agreed to make the trade. He was to put the boy on the front porch and, in return, I would hand him a pack of cigarettes through the window of one of the rear bedrooms.

A lot of things went through my mind as I prepared to walk to the window. When Cooper had entered the Parsons’ home earlier in the day, he had waved a gun in the face of Karen Howard, the babysitter. After she escaped from his clutches, officers questioned her. From the description that she gave, we were fairly certain that Cooper was armed with a .22-caliber pistol.

Just because a .22 is a small-caliber weapon, don’t think for an instant that it isn’t fatal. I’m not much of a gambling man, but if I were, I would wager that more people are killed every year with a .22 than any other handgun. In spite of this, I decided not to wear a bulletproof vest.

Let me assure you that I am no braver than the next man, but there were reasons for my decision. I am a large man and in fairly good physical condition—at least I was twenty years ago. A .22 bullet into my torso would have to be an almost exact shot to be fatal. Also, a vest is large and bulky, and it would have been impossible for Cooper not to know I had it on. Clearly, Cooper was no fool. If he had seen the vest, he would have known that the only effective shot would be a head shot. And there was one thing I knew for sure: if I was to be shot, I much preferred it to be in the body than in the head.

When the situation was finally resolved, we discovered that Cooper was armed not with a .22, but a .357 Magnum. Trust me, if I had known it was a .357, I would have worn body armor!

Thankfully, everything went smoothly, and the swap was completed by 6:00 p. m. As soon as the youngster was out of the house, Chief Curtis McGlothlin grabbed him and rushed him to safety.

The first thing Cooper asked me when we reestablished contact was, “Is the grandpa doing okay?” I told him that all of us were deeply appreciative of the good faith he had shown with his action.

At this point, I decided to take another step. I asked Cooper to release the mother, Mary Lou York. I told him that the boy was crying and missing his mother terribly. Would he let the mother go? This was a ploy on my part because Christopher was actually happy to be out. If this could help bring an end to this situation without anyone getting hurt or shot, however, I’d say it.

Cooper became very agitated and said he was tired of our calling him every five minutes. I assured him that we only wanted to make sure that everything

was going okay. He then said that he would let me talk to one of the women.

A few moments later, Jeannie Davenport was on the phone. I asked if everything were okay. She said yes, but the phone calls were really upsetting Cooper.

I told her, "I just wanted to let you know that the boy is wanting his mama awful bad, and I thought you might talk to Cooper about that and see if he would let Mrs. York come out."

At this point, Cooper got back on the phone. I repeated to him what I had just said to Jennie. Of course, I couldn't be sure how he would react to this request, coming so soon on the heel of the release of young Christopher. I was comfortable that Cooper wouldn't go over the edge, however, and he didn't. All he said was, "I'll get back with you."

I felt we were making very good progress when suddenly the top almost blew off. We had kept everyone not directly involved in the negotiations, including the press, several hundred yards from the house and the command post. Minutes after the swap, Cooper was on the phone to me in a very frantic state. He had the television on and had heard a reporter state that we were bringing in a special team. He wanted to know if we were going to rush the house.

"No, no. You know better than that."

He demanded to know what the reporter was talking about. I told him I didn't know, but whatever it was, it wasn't coming from us.

Cooper said, "Well, there is something on the news about a special hostage team coming over here. I want to know what's happening."

I assured him, "That's wrong, I can tell you that. Anything that you want to know, you can ask me. You can take my word on that . . . and you know my word is good. . . . I can assure you no one is going to rush you. We don't have any type of team coming and never have had any type team coming."

Another thing a negotiator never does, if he can avoid it, is to lie. One of the things you try to do is secure the kidnapper's trust. Obviously, you can't do that if he believes you are not being honest with him. I was being totally truthful with Cooper when I said that, unless he absolutely forced us, no one was going to rush the house.

Rangers John Dendy, Stan Guffy (later killed in the line of duty), Johnny Waldrip, and Joe Wilie had arrived at the scene and were in position to take whatever action was necessary. My captain, Bob Mitchell, had also arrived shortly after 3:00 p.m. and had taken overall command. We were not going to leave ourselves totally unprepared. During the standoff, I approached Cooper and the house twice. Both times, some of the Rangers were in position to fire if Cooper was seen with anything looking like a gun.

Just as suddenly as Cooper's hostility started, it ended.

"Hey! It's hot down here, man, and everybody is hungry. You send something down here to eat, and I'll send this girl (Mary Lou York) out so she can be with her son."

Cooper wanted three hamburgers and three sodas. I suggested that since he was going to release Mrs. York anyway, why didn't he let her come on out? He said no. I have no idea why he wouldn't agree, but he wouldn't. He said he would let her go after they ate.

Cooper had done what he said he would when he released Christopher, and I really had no choice but to agree with his request. I asked if it would be all right if we could make the swap the same way as before. Cooper agreed to receive the food through the back bedroom window. After they finished eating, he would release Mrs. York on the front porch.

Unfortunately, Cooper's agitation returned before the food arrived. "Hey! What's wrong, man? Every time I look out the window, somebody's got a pair of binoculars on this house. What's the deal? I told you everybody is safe in here. Every time I make a move, somebody is spying in the windows."

At this point, we still didn't know what the kidnapper's real name was. I answered, "Bob, you can understand that we are very, very interested in what's going on."

Cooper said, "She [Jennie] is perfectly safe and, in a few minutes, I'm going to have the girl call you."

Cooper was true to his word: our phone soon rang. It was Jennie Davenport and she assured me everyone was okay.

Cooper and I continued talking and finally came to terms. Again, I approached the bedroom window, this time with a sack full of hamburgers and soft drinks. He took the food and disappeared back into the bedroom. A few minutes later, at 7:40 p.m., Mary Lou York appeared on the front porch. Like her son, she was unharmed, and I escorted her to Christopher, who was eagerly awaiting her.

That left only Jennie Davenport.

---

In my life, I have known some incredibly tough men. At Texas Christian University, I played defensive tackle beside the legendary Bob Lilly. Since the creation of the Department of Public Safety in 1935, five Texas Rangers have been awarded Texas' award for bravery, the Medal of Valor. One of these was my Highway Patrol partner Bob Daughtery, who also became a Texas Ranger. One of the most difficult days of my life was when Bob gave his life in the line of duty. In her own way, seventeen-year-old Jennie Davenport was as tough and brave as any man I've ever known.

We had no way of knowing it at the time, but Jennie had already had her fiber tested and had passed with flying colors. That afternoon, she had been standing in the bedroom brushing her hair when she turned around and was confronted by a stranger pacing back and forth. Looking at her, he had said, "Be calm; there's somebody after me." She asked him who it was. He replied, "The cops."

Mrs. York and her son had been in the bathroom. She had just finishing taking a bath and washing her hair. Jennie called out to her aunt to please come out. "There's someone here," she said. Mrs. York came out of the bathroom, wearing a robe. Cooper ordered the women and the boy to sit on the couch and be quiet. After several minutes, he allowed Mrs. York to go into her

bedroom and put on some clothes.

A little later, Cooper had turned to Jennie and ordered her to go to the bathroom and take her shirt off. In no uncertain terms, she told him no. He then hit her twice. As he turned, Jennie saw a pistol in his back pocket, and she lunged for it. They struggled for a few moments before Cooper overpowered her. He told her to stay in the bathroom and not to come out.

A few minutes later, Cooper had returned to the bathroom and told Jennie that he was sorry that he had hit her, but he had to. He only wanted her to scream so that the police would know he meant business. We had heard the scream and, from the first, we had taken him seriously.

About two hours later, Cooper told Jennie to come out of the bathroom. She had a choice: she could either be locked in a closet or tied to a bed. She didn't want the closet, so Cooper tied her to the bed using a belt and some phone line. He told her that if anybody had to go [be killed], it had to be her cause Mrs. York had a little baby and she didn't have anybody.

Cooper had continued talking to Jennie. Finally, he said that he might spare her for a million dollars. Then he threw in the clincher: "If you can think of something to give me that's worth your life, just let me know."

Cooper left the room for a few minutes. When he returned, he looked at Jennie and said, "Sex is nothing to die over." Hearing this, Jennie started crying. Cooper added, "If you let me, I'll let you go. I promise." There was little doubt what he meant. Jennie chose to live.

It was after the rape that Cooper had requested the cigarettes. His abuse of Jennie was far from over, however.

Shortly after releasing Mrs. York, Cooper turned to Jennie and demanded that she again remove her clothes. She had no choice but to submit.

After this second rape, Cooper told Jennie that he didn't know how he could ever repay her! He said he liked to buy things for pretty girls and that if he had the money, he would buy her a new car! When Jennie later told us about that, she said, "I just thought that was stupid."

Before the ordeal was over, Cooper forced himself on Jennie once more.

One other thing. Despite his words of kindness, Jennie said Cooper had never let the pistol he was carrying out of easy reach, even when he was abusing her.

As for us, we never had any idea that all this was going on. If we had, I would have made another trip to the window so that Cooper would have been exposed. Then either one of the snipers or I would have ended this standoff right then!

---

The hours drug by, and we continued with our dialogue. Throughout, Cooper kept making one request after another. Some I could agree to; others I could not. As I said earlier, never admit that you are the final say-so.

Once, Cooper said that if we would let Jennie and him drive off, he would

release her outside of town. I told him that no one was going to harm him if he gave us any choice, but there was no way we could allow him to leave with the girl. I told him everyone would be better off if he would just let Jennie Davenport go. He continued to refuse.

At one point, I said to Cooper, "You have held out long enough."

He replied, "The only recourse I have is just to run out and let you shoot me, or I'll do it myself. I'm not going back to jail."

I told him to just step out of the house with his hands up, and no one would get hurt. Cooper wasn't having any part of this, at least not now. He said, "If I come out, I will make you shoot or either I'll do it in here myself. I've done it before; it just didn't work out."

I said, "You don't have to . . ."

"I did shoot myself there in Missouri, but my aim was off."

Again, I assured Cooper that no one would harm him. I told him to walk out on the porch.

"The only place that will walk me is back in the joint."

I asked him which joint he was out of. He said about any of them you could name.

This caught me a little off guard. "I beg your pardon. I'm not understanding you."

"I said I'm out of about any of them you can name. I've been to Marion, Leavenworth, Springfield, Jeff City, Samson, Lockson. You name them; I've been there." Then he repeated, "If I walk out, I'm going to walk out with guns poppin', and you do what you've got to do."

The last thing in the world we wanted was for Cooper to commit suicide by making us kill him.

Many people do not have the nerve to kill themselves, but they want to die. They therefore put the police in a position where the lawmen have no choice but to do the deed for them. From our conversation, I didn't think Cooper really wanted to die, so I took a gamble. I said to him that we didn't have any preparation for this, and our guys might not be good shots. I also told him it was a distinct possibility that we wouldn't get a good, clean, fatal shot. If that happened, we might just wound him and leave him paralyzed the rest of his life. That would be a miserable way to spend his remaining days.

Cooper agreed that he didn't want that under any circumstances. He wanted me to guarantee that we could kill him if we shot. I couldn't and wouldn't guarantee him that. Again, I told him we might not be able to get a clean shot and then who knew what might happen? The most sensible answer was for to give up so no one would be injured.

He kept insisting that under no condition was he going back to prison.

I said, "Well, of course, prisons have changed an awful lot. They are like a

country clubs now.”

Cooper wasn't buying into that. “They haven't changed in the past couple of months, have they?”

I tried again. “Well, yeah. Of course, ole Willie Wayne Justice (very liberal U.S. District Judge in East Texas) made all the decisions, and they are all in favor of the inmates down there.”

This talk kept going back and forth hour after hour. Cooper's main concern—at least what he kept telling me—was the treatment he would receive in prison. Over and over, he repeated that he had done all the time he was ever going to do.

I told him there was no way he wasn't going back to prison. He didn't like it, but I know he realized what I said was the truth.

Again, Cooper returned to the suicide story. He said that the last time he was hemmed up, he had shot himself, but they “managed to patch me up. Surely the second time around I can do a better job.”

I told him, “We don't want that to happen. Let me tell you that you and I have talked long enough that I consider you a friend.”

To which he said, “I might as well give you my name because I might die anyway.”

“Okay. What's your name?”

“Jimmie R. Cooper.”

I asked him where he was from, and he said, “East Alton, Illinois.”

We immediately ran a check on Cooper. DPS Chief of Criminal Law Enforcement Floyd Hacker started contacting officers in states where Cooper had served time. One of the reports we got back from a sheriff in Indiana made cold chills run through me. It stated: “Lordy, if you're in a hostage situation, don't let your hostage negotiator get up close. That's what happened here. He [Cooper] had a hostage and he lured the hostage negotiator up close and shot him in the face.” Needless to say, I didn't go back to the window a third time.

Cooper and I continued to talk, and he soon said he wanted to talk to his mother. I've yet to see anyone so tough that they didn't soften when it came to their momma. He gave me her phone number, and I tried to call her but couldn't get an answer. I told him I let the phone ring fifteen times without success. He gave me another number to try but, like the first time, we got no answer.

Having done this for Cooper, I asked for something in return: I wanted to talk to Jennie Davenport. Cooper put her on the line. She said she was doing okay.

Cooper got back on the line and said he had to hang up for a while. He had some thinking to do. I tried to keep him talking and was successful for a while. Our rushing the house was still on his mind. He said that he was going to keep Jennie close so that if we charged the house, we couldn't help hitting

his hostage. Yet again, I assured him we were not going to attack the house.

I reminded Cooper that if we had wanted to attack the house, we could have already done that. In response, he said that he didn't want to hurt anyone either. If he had, he could have shot me either time I was at the window.

Cooper kept in this vein until the late hours. I don't know if he really began to care or not, but he started saying that it didn't matter what happened to him, he just didn't want anything to happen to "Jeannie."

Cooper asked how Chris York was doing. I told him that it was a fine thing he had done when he released Chris and his mother. He said he really liked the youngster. He had even given him money to put in his piggybank.

By now, one of the local television stations had sent a helicopter to cover the hostage situation. I told Cooper that the helicopter wasn't ours but the TV station's. This was a negotiating ploy because it actually was a DPS helicopter. The last thing I wanted Cooper to think was that we had sharpshooters hovering above him. I said that the copter would be shining its spotlight on us and that was to his advantage if he came out. Any lingering doubts he might still harbor as to whether we wanted to hurt him or not was resolved with that spotlight. If he would walk out on the porch, the helicopter would have the light on him the moment he stepped onto the porch. I told him that he had to know that there absolutely no way we would shoot with the world watching. He couldn't argue with that point.

I could understand Cooper's not wanting to return to prison, but he had made his bed, and he would have to lie in it. I told him, "We can't blame you for wanting to get away. I think every one of us in that situation would want to, but let's be practical and realize that we can't let you get away. The only reasonable solution that is possible is to let Jennie walk out of the house and then you walk out."

"Well," he said, "I have been giving that a lot of thought, and I will get back with you as soon as I come up with something. Whatever it is, I'm going to be square with you, okay? If I'm coming out shooting, I'll tell you, and if I'm coming out barehanded, I'll tell you."

We continued contacting officials who might be able to provide us any enlightenment on Jimmie Cooper. One of these was Cooper's former attorney, Jerry Cohen, who by this time had become a federal judge. I informed Cooper that the judge had agreed that the only solution was for him to surrender. The judge also wanted us to tell Cooper that if he gave up, he would do everything he could to help him.

This must have had some effect on Cooper because he suddenly said, "I'll tell you what I'll do. If you will fix it up where I can talk to my mom, I'll send the girl out to you." I reminded him that I had tried both the numbers he had given me without success. He said that his mother sometimes turned the ringer down when she went to bed, "but she gets up real early."

It was now about 11:30 p.m., and I told Cooper that he didn't need to drag this out until morning. Why didn't he go ahead and let Jennie go and then surrender himself?

He didn't agree. "I want to talk on the phone to Mom. If things go for the worst, I would just like to talk to her. She might have a solution or something."

**“Well,” I said, “for the life of me, if I knew there was another solution, I would be the first one to volunteer it.”**

**I again reminded Cooper that Judge Cohen was very firm when he said that he should give himself up and do it now.**

**Cooper went back to his condition. “I would be willing to if you could get ahold of Mom. That’s the deal. She gets up about 6:00.”**

**I kept trying to reason with Cooper that it was in everybody’s best interest to release Jennie and come on out. His only answer was, “You been negotiating pretty good on all this, so you get ahold of Mom in Illinois, and I’ll send her [Jennie] out at the break of day”**

**I gave Cooper my word that I would keep trying to reach his mother, but if I couldn’t get her on the phone, there was nothing I could do about it. I couldn’t shake him. He wasn’t coming out or releasing Jennie until he talked to his mother. He said, “Win, lose, or draw, as soon as I talk to Mom, I’m sending her [Jennie] out. I don’t know if I’m coming out, but I’m sending her out.”**

**We kept talking and Cooper finally said, “At 6:00 in the morning, she [Jennie] is going to walk out the front door.”**

**About 12:30 a.m., I called Cooper and told him we had finally contacted his mother. We had talked to the local police in Betalto, Illinois, and requested that they go to her house and ask her to call us. She quickly complied. Because we were on a makeshift telephone, I told Cooper we could neither patch the call through nor could he receive or make any calls.**

**Cooper wanted to know what his mother had said. I told him that she said that she loved and respected him, but she wanted him to give himself up immediately. She also said that she was sure that his Uncle Bob and Aunt Helen would want him to give up. I had no idea who Uncle Bob and Aunt Helen where, but he obviously thought a great deal of them.**

**All Cooper said was, “At 6:00 in the morning, I’ll send her out. I ain’t made up my mind what I’m going to do yet.”**

**I said his mother wanted to talk to him as soon as this was resolved. “She is standing by a phone to talk to you, and we’ll let you make your first phone call there.”**

**Cooper said okay. I then asked him to let me talk to Jennie. He put her on the phone, and I told her that he said he was going to release her at six in the morning. I asked her if she believed him. She said that she did.**

**Cooper got back on the phone and said again that he would let Jennie go at 6:00, but he still did not know what he was going to do. Then he added, “She will come out, and she will tell you what I’m going to do. Then you’ll know how it is.”**

**All I could say was okay.**

**Cooper said he was sitting in a chair with his gun and was going to take a nap. If anyone tried to rush the house, he would wake up shooting. Yet again, I assured him that no one was going to rush the house.**

At 3:00, I called Cooper and asked him to come on out, and again he refused to do anything until 6:00.

That ended our conversations until 5:19, when Cooper called us. The first thing he said was, "She will be on the porch at 6:00."

I asked him what his plans were, and he said he didn't know yet, but he would get back to me. I asked him to let me talk to Jennie so that I could give her instructions as to what to do once she was on the porch. He put her on the phone. I told her that once she was on the porch, she should keep walking straight. There would be someone to meet her.

At 5:46, Cooper called us again. I asked him when Jennie would be coming out. He said she would be coming out in just a few minutes. I again asked to speak to her. She was soon on the phone. I instructed her, "Come out the front door and just continue right straight forward. There will be someone there to meet you just as soon as you get across the street. But don't turn either way; just go straight ahead. Do it just rapidly as you can."

Moments later, Jennie appeared on the porch and stood there for a couple of minutes—and then went back in the house!

At 5:54, Cooper was on the phone again. "I had her out on the porch. Don't you want her?"

I said we sure did. "Don't you remember the instructions? Just tell her to walk straight on across the street."

Cooper said, "I asked her, and she said that she had to wait for somebody to come down for her."

"No, no," I said, "just have her walk straight on across the street."

At 5:55, Jennie again appeared on the porch. This time, she kept walking across the yard and across the street to Rob Brennand, chief of police in nearby Clifton.

Finally, the hostage situation was at an end, but not the crisis. Jimmie Cooper was still in the house with a pistol, and we knew from his past record he would use it.

True, we could have rushed the house or simply waited for a clear shot and put an end to it, but that's not our way. I had not lied to Cooper: we did not want to hurt him, let alone shoot him. So it was back to the phone.

I told Cooper that this needed to end and right now. He wouldn't agree to that. He said he was going to give me until daylight. He claimed that if we decided to shoot him, he wanted everyone to be able to see it. I told him that if had wanted to shoot him, we could have done that a long time ago.

He starting trying to run the show with statements like: "Here's what I want you to do" or "I want you to come in, and I will surrender to you. I don't want to surrender to anyone else." He said that he would surrender only to me because he had confidence in me and no one else.

It was time for the games to stop. I told him, "You don't have anything else we want. We'll run the show now, and you will do it on our terms." He didn't like that, but I guess he realized the truth in what I said. He still made a few efforts to dictate terms, but his power had walked out the door with Jennie Davenport. I told him to come out on the front porch and lay the pistol down.

Cooper kept insisting that he wanted to wait until daylight. He still claimed he was afraid he might get shot. Even though I had just assured him that we were in charge, I still wanted this to end peacefully. I told him that if he listened, he could still hear the television station's helicopter. All he had to do was turn on the porch light and lay the pistol on the porch. (From Mrs. York, Jennie, and Karen, we were confident that Cooper only had the one pistol.) We would have someone (Joe Wilie) close enough to the porch to verify that he had indeed surrendered his weapon. Once we knew he was unarmed, he was to walk out on the porch with his hands in the air. I promised him I would personally handcuff him, and that would be the end of it. As we walked across the yard to the car that would be waiting, the helicopter would be hovering above us with its spotlight focused on him. I reminded him for what seemed like the hundredth time what I had told him earlier: the last thing in the world he had to worry about was anybody doing him any harm with the world watching.

Cooper just couldn't turn loose of the fact that he no longer was in charge of the situation. His excuse now was that he didn't want the press even seeing him. I told him I didn't have any control over the press, so I couldn't promise that. Besides, we didn't have radio contact with the helicopter, and it was impossible for me or anyone else to contact it.

Then Cooper went back to his fear of being shot. "I don't like stepping out there with all those fools out there with them guns. You are one thing, but they are something else."

I'm a fairly patient man, but Cooper was testing it. "Jimmie, you know if we were wanting to harm you, we would have done it long ago."

"Well, no," he said, "because she (Jennie) was in the house."

"You exposed yourself many times," I reminded him yet again.

"Yeah, I know that," he admitted.

Then he said, "I'll hand the gun out to you. Bring your car down and just park it right here in front of the house. I will hand the gun out to you, and you can walk in and cuff me. We will go out to the car and beat this news media."

I remembered the Indiana officer he had shot and wasn't having any part of that. I told Cooper that my captain wouldn't accept that.

"I'll run another one past you," he said. "I will put the gun on the porch. You can pick it up, walk on in here, cuff me up, and me and you will get in your car."

I told him there was no reason for anyone to come into the house. "You walk out with your hands clear, and there will be absolutely no harm done to you in any way."

Cooper just kept dragging things out. He knew it was over, but he just couldn't bring himself to give it up. He kept insisting that he didn't want the

news media anywhere near, and I kept telling him I had no control over them. Reality finally set in, and Cooper finally agreed to turn the porch light on, lay the pistol on the porch, and walk out. I radioed to everyone to be extra sharp because Cooper was getting ready to come out, and this thing was coming to an end.

We had kept the media two blocks away from the York house, but that didn't prevent them from monitoring our radio traffic. Throughout the negotiations, I had kept all the officers apprised of what was progressing, and the media had listened in.

Joe Willie was one of the snipers, and the media was obviously listening when Joe said, "Well, Sergeant Prince, you might have the news media move because they're right in my line of fire." Before I could put the radio down, I looked around and the news media was scattering in every direction at speeds that would have made any track coach proud!

Regardless, Cooper insisted that he didn't want to have the helicopter hovering over him. "I don't want that light shining down in my face like some chump. I mean, I don't think I'm asking too much. I'm telling you, you can bring three or four with you, cuff me up on the porch, stick me in the car, and we'll drive off."

The bottom line was that Cooper wanted us in the house, but we were not going in. I told him, "I just don't have any control over that light."

Then Cooper made it sound like I had misunderstood him. He said, "You've got control over how far we've got to walk to get to your car."

I agreed, "But I want your hands clear when you walk to me."

Cooper said that his hands would be empty provided we would let him talk to his mother. I told him that would be no problem. "I will let you talk to your mother." And I did.

Then I told Cooper to go ahead and turn the porch light on, lay the gun on the porch, and then stay put until I had someone verify everything had been done.

Cooper turned the porch light on, reached through the door, and laid what appeared to be a pistol on the porch floor. Moments later, Joe Willie's voice came over the radio. He verified that the item was indeed a pistol.

I got back on the phone and told Cooper that my captain and I would soon be driving to the front of the house. I told him we would stop in front and get out of the car. He was to walk out to us.

Cooper said he didn't want to be manhandled. I told him, "You will not be. I'll put the cuffs on you myself."

Cooper said, "All right. When you get here, you get out of the car so I can hear what you say.

"Okay," I said.

And that ended our telephone negotiations.

At 6:08 a.m., Jimmie Cooper stepped onto the porch with his hands over his head. He walked to the middle of the yard, all the time keeping his hands in the air. Captain Mitchell and I were waiting by the car. I told Cooper to lay face down on the grass, and he did as instructed. The captain and I approached, and I handcuffed him. Captain Mitchell, Sheriff Danny Profitt, and I then escorted Cooper to the Bosque County Jail, where he was booked at 6:20 a.m. At 6:30, he was allowed to call his mother as I had promised.

Cooper was charged with two counts of burglary of an inhabitation for his break-in of the Parsons and York homes; five counts for the kidnappings of Karen Howard, Christopher Parsons, Mary Lou York, Christopher York, and Jennie Davenport; three counts of sexual assault against Jennie Davenport; and felony possession of a firearm. He was brought before Bosque County Justice of the Peace Alvin James, who set bail of one million dollars on the charges of kidnapping, sexual assault, and burglary. He also added another one hundred thousand dollars on the firearm possession.

In a plea bargain worked out on Monday, January 14, 1986, Cooper pled guilty to the charges of kidnapping and burglary. He was given a life sentence. He got an additional fifty years on the sexual assault charges. Federal prosecutors agreed to let him serve his federal time concurrently.

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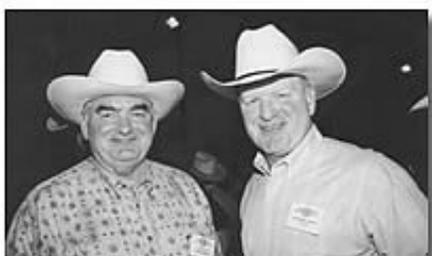
Every hostage situation is different, and this one had its own uniqueness. Usually when a kidnapper takes a hostage, it is a part of his plan, and he is prepared to use violence to achieve his goals. This scenario certainly did not the actions of Jimmie Cooper. This was not a planned kidnapping: it happened by accident.

When Cooper went into the Parsons' home, he was looking for a cool place to lay low until dark. The presence of Karen Howard and five-year-old Christopher Parsons was purely a mishap. When Cooper went into the York house, he was simply running and looking for any place to hide. He found three hostages as his only bargaining card.

Make no mistake about it: I believe Cooper would not have hesitated to start shooting if we had rushed the house. As we have seen from his constant referral to this, it was definitely a major concern of his. Our job was to keep reassuring him that this would not happen unless he gave us no choice. Also, if he had pointed a gun at me or we had believed that the hostages' lives were in danger, we would have resolved the issue right then and there.

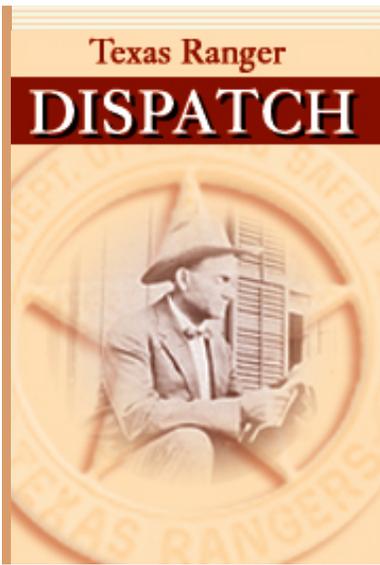
One final note before I finish. A few days after the incident, the Meridian Lions Club gave a dinner honoring Karen Howard for the incredible bravery she showed when she kept her calm and fled with young Karen Parsons. It was a fitting tribute to a very brave young lady.

§



**Capt. Bob Prince and son Lt. Randy Prince**

Captain Bob Prince grew up in the Fort Worth area. As a teenager, he was Golden Gloves heavyweight champion in Fort



**Worth.** After graduating from Arlington Heights High School, he attended TCU and played football. He was the right defensive

tackle, and the left defensive tackle was the NFL Hall of Famer and Dallas Cowboy, Bob Lilly.

After a distinguished career as a Texas Highway Patrolman, Bob Prince became a Texas Ranger. He capped off his career as a Ranger captain. Today he works for a private prison firm.

One of Bob's four sons, Randy, has been promoted to the rank of Captain of Texas Rangers, following in his father's footsteps.

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Texas Ranger

**DISPATCH**



**Capt. James Ray**

## Charlie Miller on Ranger Levi Duncan

by Capt. Jim Ray, Ret.

*No retired Ranger commands any more respect from his peers than does Jim Ray. Not only was he a great field Ranger, but he was also the captain of Company "C" in Lubbock before leaving the Rangers. In 1968, he accomplished what no other Ranger has ever done since the formation of the Department of Public Safety: in 1935, he became the chief of Criminal Law Enforcement. He held this position until his retirement in 1978.*



*The Dispatch is very grateful for Captain Ray's contribution of this humorous story that was told to him by Texas Ranger Hall of Famer Charlie Miller.*



Charlie Miller (left) told me that Levi Duncan considered himself a great camp cook. Whenever a camp was set up, Levi always wanted to be the cook. Charlie said that Levi would get up in the morning wearing only his long johns and boots. He would start a fire and begin frying eggs and bacon, using a spatula to turn the food. There was nothing unusual about this, but what got Charlie and the other Rangers was that Levi would turn the eggs, then swat a fly, then turn the bacon, and then scratch his butt using the same spatula. To make matters worse, all the men would have been in the field for several days with no opportunity to take a

bath, and Levi's long johns were just about as dirty as Levi—and the rest of the Rangers.

On this one particular night, Levi wanted all his companions to go out in the woods, gather some firewood, and build a campfire. He would cook some steaks.

Charlie said all he could think about was those dirty long johns and Levi's scratching with the spatula he would be using to cook supper. Charlie decided he couldn't handle it. He turned to his fellow Rangers and said, "Come on. We'll go find a steakhouse somewhere, and I will buy us a good steak for supper." And that's what he did.


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## Colt's Lightning

by David Stroud



*I* began collecting Colt and Remington revolvers in 1968 while attending Stephen F. Austin as a history major. I was on the GI Bill. By saving

change from the \$138 monthly check, I was able to attend the twice-yearly Houston Gun Show and purchase a '60 Army, '51 Navy, or '61 Navy in reasonably good condition. As an enthusiast of antique weapons ranging from flintlocks to cartridges, I often examined Colt Lightnings as historical artifacts of the American West.

One weekend, I was examining several Lightnings. The dealer, whom I considered much more knowledgeable than I, offered the advice to stick with the slightly more expensive but much more desirable Civil War Colts and Peacemakers. "Lightnings," he added, "are like pocket models, conversions, and turn-of-the-century guns. They'll never command the attention required to increase in price. They are bad investments." He pointed to one of the guns. "If you have just have to own one, you'd better get that one. It's one of the few that still works."

I listened and then carefully placed the old double-action back on the dealer's blanketed display, and happily purchased the larger framed '51 Navy or '60 Army instead.

Now, please don't misunderstand. I was buying nice Civil War Colts for less than \$200 while passing up better conditioned \$80 to \$100 Lightnings.<sup>1</sup>

Those days are gone forever. Those \$80 ugly ducklings have grown into \$800 swans and joined their big brothers, the famous Peacemakers, as rightful partners in taming the Wild West.



Peacemaker (top) & Lightenting (Bottom)

In January 1877, Colt introduced the smaller revolver to the gun-buying public as the "New Double Action Self-Cocking Central Fire Six Shot Revolver." For obvious reasons, that more-than-a-mouthful product name was soon



changed to the "Lightning Model," which is easier to say and offers more marketability by suggesting its "lightning-like" action.

Although the self-cocking revolver was considered public domain by that time, in 1881, William Mason was eventually awarded three patents relating to the Lightning's internal parts. He thereby was credited as being the designer of Colt's first double action.

The Lightning was originally manufactured in .38 caliber only, with barrel lengths of 1½" to 6" without ejectors and 4½" to 10" with ejectors. Later that year, a .41 caliber was added to the production line and became known as the

Thunderer.<sup>2</sup> Both models bear hard-rubber, bird's-eye grips and barrels marked, "Colt's Pt. F. A. Mfg. Co., Hartford, Ct., U.S.A. Colt D.A. 38. (or .41)." The left side of the case-hardened frame is stamped, "Pat. Sept. 19, '71. Sept.

15, '74. Jan. 19, '75,"<sup>3</sup> and the trigger guard has either ".38 Cal." or ".41 Cal." The weapon was awarded its own serial-number range. Despite its malfunctioning reputation, 166,849 of these guns were produced before the revolver was discontinued in 1909.



With a Colt weapon, there is always more to any model than meets the glancing eye because of personal customization. The first double-actions were no exception. The weapon could be purchased with blue or nickel finish; various barrel lengths; with or without ejectors; and hand-etched, plain, or carved ivory grips. After the Second World War, a collector would need to acquire approximately 151 revolvers to own one of each variation. Even then, he would probably hear of at least one or two examples that he missed.

Inferior quality is often given as the reason so many non-working Lightnings exist. The truth may be that that the weapon was designed to work as a double-action only, and gunman, long accustomed to the single-action, caused the weapon's malfunction.<sup>4</sup>



It is frustrating trying to locate a working model Lightning. It is also exasperating trying to document Lightnings and Thunderers actually used by Texas Rangers, lawmen, and outlaws. However, there are a couple of notable exceptions.

John Wesley Hardin once used a Lightning to reclaim his losses in an El Paso poker game. He was also carrying his nickel-plated, ivory-gripped Thunderer as a backup weapon when John Selman killed him. Hardin apparently liked Colt's double-actions and purchased an engraved, nickel-plated, pearl-gripped Thunderer #73728 from George Lock. He then had to surrender it to William J. Ten Eyck "for displaying the same at the Gem Saloon."<sup>5</sup> James "Killing Jim" Miller, one-time Texas Ranger, full-time gunman, and killer of Pat Garrett, gave Hardin, who was his cousin, a pearl-gripped, 2½-barreled Lightning with the back strap inscribed, "J.B.M. TO J.W.H."<sup>6</sup>

While he was customs collector, Patrick "Pat" Floyd Garrett's El Paso friends

presented him with an engraved Thunderer. It was gold-finished over nickel-plating and had German silver grips.<sup>7</sup>

Thomas Speers, of Kansas City, Kansas, was presented a nickel-plated, 4½"-barreled Thunderer with the back strap inscribed, "Thomas Speers, Chief of Police, from the Force 1882." Speers had been marshal of Kansas City from 1870 to 1874 and chief of police from 1874 to 1893.<sup>8</sup>

Henry "Billy the Kid" McCarty, a.k.a. William Bonney, Henry Antrim, Kid Antrim, and William Antrim, was believed to have used a Lightning or Thunderer because of the famed photograph of him holding a Model 1873 Winchester. The photo caused many to not only believe the Kid was left-handed (photo is reversed), but also that the holstered Colt single-action was one of Colt's double-actions.

Lightnings and Thunderers are at long last recognized as legitimate Wild West handguns. During their production, the frontier witnessed no less than 387 recorded gunfights, and Lightnings and Thunderers added double-action clouds of gunsmoke to our colorful history.

**David Stroud** was born in Tyler, Texas, and graduated from Henderson (Texas) High School in 1963. He enlisted in the Marines the following year and served a tour in Vietnam and two years as a drill instructor at Parris Island, South Carolina. He earned his B.S. and M. A. degrees in history at Stephen F. Austin State University and is a history instructor at Kilgore (Texas) College. He has written seven books, along with fifteen articles and book reviews.



### Notes

1 These are relative prices. Many Lightnings were found as low as \$50 while some now are in the several-thousand-dollar price range. This depends on condition, engraving, and historical provenance.

2 The term "Lightning" is proper for both the .38 and .41. In fact, Belden and Haven's outstanding history of Colt revolvers never used the word "Thunderer."

3 These dates refer to three patents Mason already had.

4 This often-heard explanation has been confirmed by three antique gunsmiths.

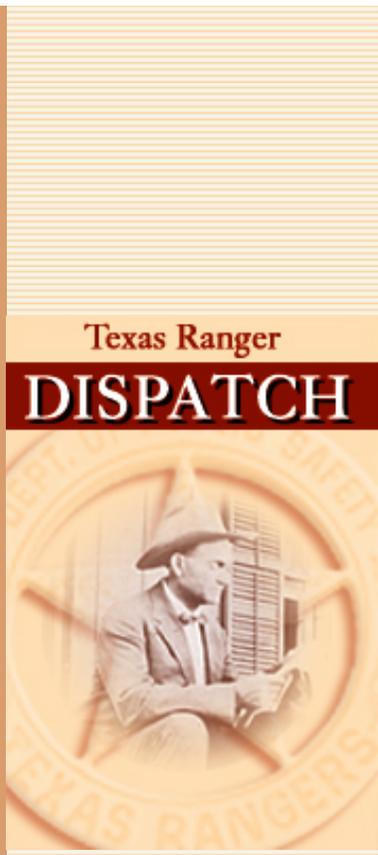
5 Hardin's engraved Thunderer sold on June 3, 2002, for \$100,000.

6 The inscribed Lightning realized \$168,000 on June 3, 2002.

7 Pat Garrett's Thunderer did not appear on the "prices realized" sheet. However, the estimated range was \$100,000-\$150,000.

8 Thomas Speers' Thunderer was estimated to bring \$7,000-10,000 in April, 1995.

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