



The

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Glenn Elliott

He was Taller than That

By Glenn Elliott

In a business as gruesome as a police officer's can be, it is little wonder that, without an occasional bit of humor, life on the job might be unbearable. Statistically, police officers have one of the highest suicide rates of any occupation. This story by Glenn Elliott is a part of the same case than he talked about in the last issue of

the [Dispatch](#) [click here].

I was in my office in Longview early that Saturday morning in 1976 when I received a phone call from Panola County Sheriff Johnnie Spradley. He got straight to the point. "Glenn, we've got a body in the Sabine River on Highway 43 between Tatum and Marshall. It's in the water, right at the bridge. Can you come down?"

"I'm on my way, Johnnie."

"Glenn?"

"Yeah."

"We've got a body, but we don't have a head."

"I'll be right there."

I arrived at the crime scene about thirty minutes later. In my thirty-eight-year career with the Texas Department of Public Safety—twelve as a highway patrolman and twenty-six as a Texas Ranger—I'd seen my share of gruesome scenes. This one was no different: there was blood everywhere along the riverbank. There was a little twist, however. In the shallow water a few feet away lay the body of a headless torso. You could tell at a glance that the corpse had been a real winner. There were nasty tattoos all over his body.

After five hours of searching the river, we still didn't have a head. My job at the crime scene was finished.

We needed the information that could be gained from the autopsy of quickly as possible. In 1976, all the autopsies in my area of responsibility were performed at the Dallas Crime Lab, 125 miles west of my area. Hawthorne Funeral Home in Carthage picked up the body, and I asked the driver to head for Dallas and with an officer from Panola County, I would follow behind him and his associate in my vehicle.

We had gone about 30 miles when we got word on my radio that the head had finally been recovered. I radioed the ambulance and asked the driver to continue to Dallas while I returned to the crime scene. I would meet them at the crime lab later.

The Henderson Rescue Unit had recovered the head. There were three bullet holes in the face. One of the wounds near the left nostril had been fired at extremely close range. I placed some plastic in my back floorboard, laid the head on it, and prepared to depart for the Dallas Crime Lab. I was just stepping into my car when one of the officers stopped me.

"Glenn, before you leave, there's a boy over there who thinks this might be his brother. He wants to see the head."

I told him that was fine. Before bringing the young man to my car, the officer explained that he was a little "slow."

"Bring him over. Slow or not, he should be able to identify his own brother."

I reached toward the floorboard and grabbed the head by the hair. When I got it outside the car, I held it out at shoulder length. The boy was standing to my left, and I told him to come around so he could see the face.

"I don't need to."

"You don't?"

"That's not him."

"How can you tell without seeing his face?"

"Well, he was taller than that!"

*You can read about the whole case and many others in Glenn's book, **Glenn Elliott: A Ranger's Ranger**, sold through the Museum's gift shop. Order toll free at 1-877-750-8631.*

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21st Century Shining Star:

Sgt. Morgan Miller

by **Robert Nieman**

It is with honor that the *Dispatch* presents the recipient of the First Annual Chairman's Award, Morgan Louis Miller, as our 21st Century Shining Star. How much more of an honor can anyone have than to be recognized by his professional peers for a lifetime of excellence? He was given this distinction at the Texas Ranger Association Foundation's 2003 Texas Ranger Reunion at the Texas Ranger Hall of Fame and Museum.

Morgan was born in Brownsville, Cameron County, Texas, on November 13, 1945. He and his younger brother John Loren, also born in Brownsville, were the children of Morgan E. and Vivian, both now deceased. Morgan's father died when he and his brother were fourteen and eight years old, respectively. Vivian, a schoolteacher for thirty-five years, deserves most of the credit for raising the boys. His grandfather, Louis Miller, was a ranch foreman for one of the Lykes Shipping Lines ranches in Cuba and died from gangrene after being gored by a bull.

All of Morgan's early education was in Brownsville, and he graduated from Brownsville High School in 1963. He then attended Texas Southmost College in his hometown before transferring to Victoria Junior College in Victoria.

Even though Morgan had a II-S draft status [scholastic deferment], he volunteered for the army in October 1965. After completion of basic training at Fort Polk, Louisiana, he was assigned to the artillery branch and received advanced artillery training at Fort Sill, Oklahoma. He was then assigned to the Headquarters Battery, 52nd Artillery Group, at Fort Sill.

In May 1966, the entire battery of 106 men was ordered to Pleiku, Vietnam, in the Central Highlands about forty miles from the Cambodian border. The journey from Oklahoma to Vietnam still remains clear in Morgan's mind. After flying from Oklahoma City to Tacoma, Washington, the fresh troops were loaded onto an old World War II transport ship, the USNS General Nelson M. Walker. Morgan remembers that the best meal he had during the sixteen-day voyage was ox tails. Everything else was powdered eggs, powdered milk, dehydrated potatoes, powdered this, dehydrated that, etc., etc.

As soon as the troops arrived at Pleiku, they constructed a tactical operations center [TOC] atop a hill called Hill Saint Barbara, so named to honor a French unit that had been overrun and wiped out in an earlier war. The unit's mission was to deploy and coordinate fire-control missions for the different artillery units (105mm, 155mm, 175mm, 8 inch, etc.) under their command. In addition, the men also performed a variety of assignments such as guard duty, patrolling outside the perimeters to call in artillery fire, manning the howitzers around the base, and of course the curse of all enlisted men—KP [kitchen patrol].

Morgan served as the battery clerk (in all other units of the army, this position is known as a company clerk). After twelve months, he could have rotated out of Vietnam, but he extended his tour of duty for several months so he could earn an early discharge and get on with his life. In July 1967, he left Vietnam as an E-5 sergeant.

When he returned from Vietnam, Morgan needed work, but jobs in the Rio Grande Valley were scarce. As he stated, "I did not have many job skills except to drive fast." He applied for employment with the Texas Department of Public Safety. Unfortunately, by the time his background investigation was completed and he was accepted into the department, all the DPS schools had already started for the year. The first school that he could enter was the following year.

Morgan still had to make a living, so he coached at an elementary school and then was a southwestern Bell Telephone Company worker in Brownsville. But on April 30, 1968, he got the call he had been waiting for and started training at the DPS Academy in Austin. He graduated on August 23 and was commissioned a Texas Highway Patrolman on August 1 of the same year.

Morgan came by his career in law enforcement honestly. His father had been a deputy sheriff and a Texas game warden until World War II. At that time, due to domestic security concerns and the lure of a much higher salary, the senior Miller took a corporate security position with the Central Power and Light Company. His new job also earned him a commission as a Special Ranger—a commission he held until his death in 1959.

As a result, Morgan has no memories of not knowing Texas Rangers. Morgan's father was born in Carrizo Springs, Dimmit County, Texas. Carrizo Springs was the headquarters of Captain Alfred Y. Allee's Ranger Company D. Mr. Miller was a lifelong friend of the legendary Ranger captain and several of his Rangers. Morgan recalls that, throughout his childhood, many Rangers visited his father at their home.

Morgan's first duty station as a Highway Patrolman was in Victoria. There he was partnered with another future Texas Ranger, Stuart Dowell.

It was also in Victoria that Morgan made an even longer-termed partnership. He met Ann Newton there and married her on June 27, 1971. Ann taught school for twenty-nine years before retiring. Her father, the Reverend Doctor John H. Newton, was the pastor of the First Presbyterian Church in Victoria. Doctor

Newton was also the Chaplain of the Department of Public Safety until his death on October 10, 1974.

In November 1975, Morgan was promoted to sergeant and transferred to San Antonio. A little over a year later, in January 1977, he was selected as one of the supervisors of a task force of thirty-three officers from various DPS services to work the border from Brownsville to Del Rio.

For the second time in two years, the Millers uprooted and moved from San Antonio to McAllen. It was in McAllen that Morgan first met Ronnie Brownlow, the 2003 retired Texas Ranger Chairman's Award honoree.

DPS Narcotics Service Sergeant Jim Dalrymple and Morgan were co-supervisors on the task force. Morgan says that Jim taught him more about the Department of Public Safety than anyone to date. Regretfully, Sergeant Dalrymple was killed in the line of duty in an automobile accident on June 5, 1978.

Future Texas Ranger Stan Guffey was one of the Highway Patrolmen that Morgan oversaw. It was Morgan who wrote a supervisory recommendation when Guffey entered the Ranger service. Stan was carrying a pistol that Morgan traded him when he was killed in the line of duty on January 22, 1987.

Sadly, Morgan has had to deal with the loss of too many friends and co-workers during his career. A close friend from Brownsville, David Rucker, was killed in the line of duty on September 29, 1981. Rucker had entered the DPS Academy before Morgan graduated. During the time they were both there, they had ridden back and forth between Austin and Brownsville together.

Morgan had wanted to be a Texas Ranger from the day he joined the Department of Public Safety. He has never forgotten the moment when his Highway Patrol partner Stuart Dowell made Ranger. He knew then that he too would wear that most prized of all law enforcement badges one day.

It wasn't long before Morgan's dream came true. On May 1, 1978, he "busted back" to private. This was a demotion he happily accepted in order to have the honor of wearing a Texas Ranger badge as a member of Company "D".

Morgan's first official duty station was Laredo, but he never actually served there. His captain, John Wood, allowed him to remain in McAllen with the task force until December 1978. That month, there was a vacancy in Kingsville, and Wood gave permission for the rookie to assume that station. When Ranger Bill Nelson retired in August 1979, Morgan applied for and was allowed to transfer to Victoria. He's been there for twenty-five years, still going strong, and is the most senior active Texas Ranger.

Like fellow Ranger Lewis Rigler, there is only one title Morgan is prouder of than being a Texas Ranger private,* and that title is Dad. Morgan and Ann, who have been married thirty-three years as of this writing, have one son, Morgan II. He will receive his Doctor of Veterinary Medicine degree from Texas A & M University in May 2005.



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Walter Lane's Grave

19th Century Shining Star:

**Ranger Walter Paye Lane
(1817-1892)**

by Stephen L. Moore

In his broad Texas military service from private soldier to Confederate brigadier general, Walter Lane was hell on horses. In a colorful combat career spanning nearly three decades, this early Texas Ranger had at least ten mounts shot out from under him while charging across battlefields.

Born in Ireland on February 18, 1817, Walter Paye Lane came to Texas during the revolution of 1836 and quickly carved his name deeply into Lone Star State history. He joined a volunteer company in March, obtaining "a fine horse, double-barreled gun, and a brace of pistols." Sent ahead with dispatches, Lane joined General Sam Houston's Texas Army at the Brazos River.

By April 16, young Walter Lane had joined Captain Henry Karnes' Texas cavalry company. Four days later, he and famed Texian scout "Deaf" Smith reconnoitered General Santa Anna's Mexican campground, counting tents and estimating troop strength until taken under fire.

That afternoon of April 20, Lane was among sixty-eight cavalymen who volunteered under Colonel Sidney Sherman to engage the Mexican troops. Lane's military claims show that, during this action, he was "wounded by a Mexican soldier by being knocked off his horse by a lance at the battle of San Jacinto." Lane was rescued by his fellow cavalymen. Now horseless, he fought in the main historic San Jacinto battle on April 21 as an infantryman of Captain William Patton's company.

Within three days of the great Texian victory, Lane secured a new horse and was promoted to second lieutenant of Captain Karnes' cavalry. He served through July 16, 1836. Lane lost his second horse during an Indian battle on October 8, 1838, known as the Surveyor's Fight (in present Navarro County).

Several days after departing Old Franklin with a twenty-five-man surveying party, Lane noted that a number of Indians were keeping a close watch on their work: "One of them stuck to me like a leech, and succeeded in begging a piece of tobacco from me." After taking some of Lane's tobacco, this Indian walked back to a ravine some fifty yards away. Suddenly, about forty Indians arose and fired into the Texian surveying party, killing some of their horses and wounding several men.

Along the banks of Battle Creek, a desperate fight prevailed throughout this day. The surveyors fought valiantly over the next twelve hours, but by midnight, only ten Texans were alive and five of them were wounded. Only two or three horses remained. The most severely wounded men were loaded on the horses, and the men tried to race under the moonlight for the safety of some nearby timber. The remaining horses and three Texans were killed during the escape attempt.

Four of the surviving Texans were wounded, including Walter Lane. "I was shot through the calf of the leg, splintering the bone and severing the 'leaders' that connected with my toes." Lane and several of his comrades hid in the thicket while the Indians searched for them. "They passed us by, so closely that I could have put my hands on any of their heads."

Lane returned to San Augustine to recover from his near-fatal first Indian fight. In July 1839, he joined Captain William Kimbro's company for the Cherokee War of East Texas, narrowly missing the major battle with Chief Bowles that occurred west of present Tyler.

Lane worked as a merchant in San Augustine for several years.

In 1843, he sold out of his mercantile business and went to San Antonio. There is where he first met up with some of Captain Jack Hays' Texas Rangers. He made several unofficial scouts with them over the next two years until the Mexican War broke out.

In June 1846, the First Regiment of Texas Mounted Riflemen was formed under Colonel Jack Hays. His old Ranger company (now Hays' Company B) came under the command of Captain Christopher B. "Kit" Acklin and First Lieutenant Walter P. Lane. Acklin's company was mustered in on June 6, consisting of seventy-three men who had been recruited primarily from Point Isabel near the Rio Grande. When Captain Acklin stepped aside temporarily, Lieutenant Lane briefly commanded this unit from August 1 - September 12, 1846.

During the Mexican War, five more of Lane's horses were killed while he was charging into various battles. During the Battle of Monterrey on September 22, he commanded a detachment of men in the storming of Bishop's Palace. Colonel Hays' regiment was discharged after six months' service and returned to Texas.

Lane next joined Major Michael Chevallie's battalion of Texas Mounted Volunteers in February 1847. Of the original three companies, Captain Walter Lane of Company A was senior unit commander. He remained in federal service through June 30, 1848, and was promoted to major of this battalion on September 27, 1847.

General John Wool often used Major Lane's Rangers as scouts who patrolled in advance of the United States troops. Lane led his rangers on a major raid against Mexican guerrillas who were attacking American supply wagons. At Cerralvo, he and his men captured guerrilla chief Juan Flores, who was given a speedy trial and executed.

Major Lane and U.S. General Zachary Taylor did not see eye to eye on how to handle certain situations. When one of Lane's Rangers killed a fleeing Mexican horseman near the town of Madelina, Taylor placed Major Lane under arrest. One of the U.S. regulars who had accompanied Lane on this mission finally confirmed to General Taylor that Lane's Rangers had acted properly. "Old 'Rough and Ready' sent for me," recalled Lane, "relieved me from arrest, and made a grumbling kind of apology that he had been too hasty." According to Lane, General Taylor did not care much for the Texas Rangers or any Texas volunteers, remarking: "On the day of battle, I am glad to have Texas soldiers with me, for they are brave and gallant; but I never want to see them before or afterwards, for they are too hard to control."

While scouting near La Encantada, Lane and about sixty of his Texans encountered some one hundred and twenty Comanches who had stolen hundreds of Mexican horses and mules. Lane's battalion pursued the Indians for more than three hours, gradually overtaking them. The Comanche leader, sporting a red and white scarf tied around his neck and arm, finally turned his Indians into battle line to fight Lane's men. During the ensuing fight, Major Lane killed one Comanche who was about to finish off a wounded Ranger. "Being at full speed, I shot the Indian through the breast, and, running my horse against him, knocked him a distance of ten feet." At least thirty Comanches were killed in this fight, and a number more were wounded. Lane lost four

Rangers killed and fourteen wounded.

During the return from one scouting mission in Mexico, Major Lane took his men to the prison at Salado where the Texan Mier Expedition prisoners had been executed five years before. His Rangers retrieved the bones of those unfortunate Texans who had drawn the fatal black beans from a jar of colored beans. Lane had their bones transported back to La Grange in Texas for a proper burial.

After the Mexican War, Lane returned to Virginia for several months to visit relatives. He went west in 1849 to try his luck in the California gold mines. "I mined there four years, with varied success, sometimes having thousands and again flat broke," he wrote.

When the Civil War broke out, Lane was a merchant working a store in Marshall, Texas. He joined Colonel Elkanah Greer's Third Texas Cavalry and was elected its lieutenant colonel. At the battle of Oak Hill (also known as Wilson's Creek) in Missouri on August 10, 1861, Lieutenant Colonel Lane lost his eighth horse during a charge on one of the Union Army's batteries.

Lane's next big fight was known as Chustenalah and was waged against the Pin Indians in the winter of 1861-1862. During this time, Lane had yet another horse killed out from under him. On March 7, 1862, General Ben McCullough was killed in the battle of Pea Ridge in Arkansas. Lieutenant Colonel Lane lost his tenth horse during this engagement.

During his regiment's reorganization in May 1862, Lane declined an election to become colonel of the Third Texas Cavalry. He continued to lead the regiment for another month. His men were cited by General P. G. T. Beauregard for their valor at the Battle of Franklin, Mississippi.

Walter Lane returned to Texas to organize the First Texas Partisan Rangers, which went on to fight in Louisiana during 1863 and 1864. He was seriously wounded by three shots at the Battle of Mansfield on April 8, 1864, his last major combat of the Civil War. After recovery, he rejoined his regiment at Hempstead, Texas, and rose to the rank of brigadier general before the war's end.

After the war, Lane resumed his mercantile business in Marshall, Texas. He also served as a deputy federal marshal and helped found the Texas Veterans Foundation.

Following his death on January 28, 1892, General Lane's was the first military funeral held in Marshall. Governor James Hogg ordered the flag lowered to half-mast on the Texas Capitol in his honor. In 1893, Lane's fellow Marshall citizens erected a ten-foot stone-and-marble grave marker at his burial site. Moved to serve, destined to lead, and hell on horses, Walter Paye Lane was a true Texas patriot.

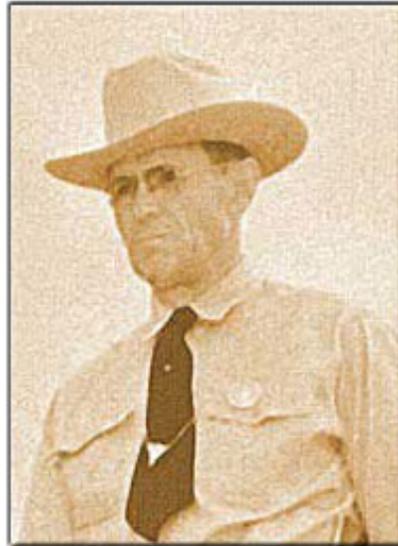

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20th Century Shining Star:

Capt. Bob Crowder

by Robert Nieman

Of the hundreds who have worn the badge of a Texas Ranger, only thirty are enshrined in the Texas Ranger Hall of Fame. None are more deserving than Robert Austin Crowder —Bob to his friends, Captain to his men.

Bob was born in the rural Rusk County, Texas, community of Minden on January 29, 1901. His childhood was one of nearly total poverty. This was years before Rusk

County would almost drown in a sea of oil during the East Texas Oil Boom of 1931. The boom would not have helped the family farm, however: Minden is located in southern Rusk County, and the oil field was miles to the north.

Bob was still an infant of fifteen months when his mother died. Shortly thereafter, his father was struck down with pneumonia that almost completely curtailed his ability to work. Being the youngest of three brothers, Bob lived for several of his earliest years with a nearby aunt. By the age of nine, he was doing a man's work at a neighboring farm for the princely sum of eight dollars a month, plus room and board. He sent seven of the eight dollars to his father. Bob later moved up when he went to work at another farm for the breathtaking sum of thirteen dollars a month!

As time went on, Bob had regular crop duties on his own half-share plots of land. When he was thirteen years old, he grew five acres of sugar cane that he thought was going to enrich his finances by five hundred dollars. It was during this period when he learned the golden rule: he who has the gold makes the rules. The property owner of his sugar crop acres forced the youngster to settle his five-hundred-dollar share for thirty dollars. After this, Bob gave up farming forever. For the next several years, he worked at everything from road gang to freight hauler.

In 1920, Bob and one of his brothers went to Colorado hoping to find work, but were unable to do so. One day in Denver, Bob's brother suddenly said, "Let's join the Marines." Crowder thought that was a good idea and joined up, but his brother backed out at the last minute.

As he would later tell his Rangers, Bob was a Marine through and through by the time he finished boot camp—even though that he absolutely hated his drill sergeant. Ironically, he himself was a drill sergeant a few years later. He said that the greatest lesson he learned in that position was that it is better and

easier to lead people than drive them. He applied this to the rest of his life.

After three years in the Marines, Bob decided it was time to move on. However, he found civilian life tough. He tried a variety of jobs, but discovered nothing to his liking. Then came 1925, when a door opened that would culminate with his induction into the Texas Ranger Hall of Fame.

Bob was driving for American Express and was so desperate to find any change of employment that he applied for a job with the Dallas Police Department. The DPD liked what they saw, and Bob was a Dallas policeman shortly thereafter. Training in those days was non-existent. The first time Bob ever rode a motorcycle in his life was on the job as a policeman.

Bob served the citizens to the best of his ability until January 30, 1930. On that date, his application to the newly formed Texas Highway Patrol was accepted. He reported for training at Camp Mabry in Austin, completing it on April 1. His first duty station was in Texarkana.

In those days, there were very few patrolmen. This meant that the areas of responsibility were huge, even by Texas standards. Bob and his partner E. H. Bruce covered a region larger than the state of Delaware! Remember, this was long before paved roads were prominent: most were either dirt or gravel. The only thing bigger than the two men's territory was their work schedule—seven days a week. The pay was a \$150 a month until 1933, when it was cut to \$130.

Bob worked hard, and that fact was soon recognized. In November 1931, he was promoted to sergeant and transferred to Camp Mabry in Austin as an instructor. He was a natural choice because he had been an excellent patrolman and also a Marine drill instructor.

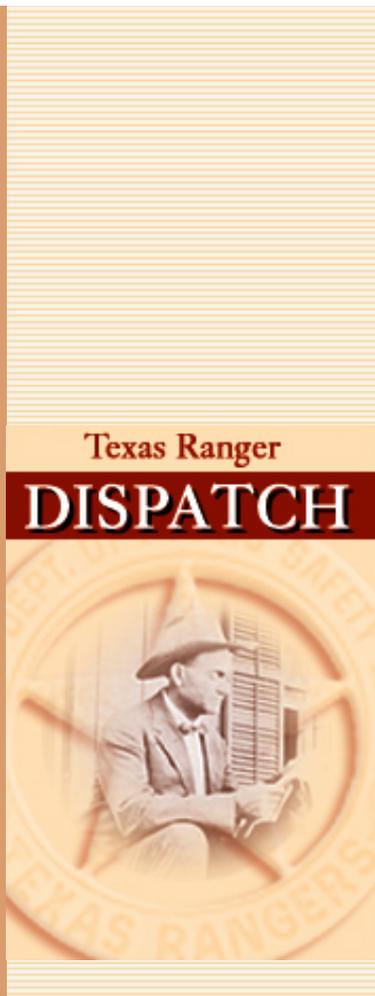
Unfortunately for Bob, the Highway Patrol was in a high state of flux. The adjutant general's office was being phased out to be replaced by the Texas Department of Public Safety. The sergeant's rank that Bob carried was eliminated, and he was once again a private, with the corresponding pay cut. As the reorganization continued, he was moved from Austin to Fort Worth to Mineral Wells to Wichita Falls. In 1937, the Great Depression was still in full throttle and, as in the rest of the world, jobs were being cut in the DPS.

By 1937, Bob had pretty well resigned himself to the fact that his future with the department was nearing an end. When he got a message that he was to call operator 13 in Austin, Bob was sure the axe had fallen. He was right: the axe was falling, but not in the way he anticipated.

On the other end of the phone line was Manuel "Lone Wolf" Gonzauillas. The Lone Wolf was in charge of the DPS' newly formed Bureau of Intelligence. He asked Bob if he would like to work for him. That was the easiest question Bob had ever been asked. "Hell, yes," was his immediate response. The next morning, he was stationed in Tyler as a member of the Bureau of Intelligence.

For the next two years, there were not enough hours in the day. The hard work paid off, and Bob transferred to the Texas Rangers in January 1939. Just as he had while in the Bureau of Investigation, he worked tirelessly. His philosophy was really quite simple: "This business of going to work at 8:00 and getting off at 5:00? You can't do it."

In 1940, Gonzauillas and the captain of Company B, Royal Phillips, swapped positions. Phillips became the head of the Bureau of Investigation, and



Gonzaullas took over command of Company B as its captain. One of the many things that made Gonzaullas one of the greatest Rangers ever was his ability to pick the right man for the right job. He wasted no time in promoting Bob Crowder to be his sergeant (now a lieutenant). For the next seven years, they made one of the best captain-sergeant teams in the history of the Rangers.

When Manny Gault retired as the captain of Company C in Lubbock in December 1947, Bob was named that company's new captain. He remained in Lubbock until 1951, when Gonzaullas retired. He then transferred back to Dallas and the command of Company B. In 1956, he was named the acting chief of the Texas Rangers. In 1957, he promoted again when he was named the commander of the Department of Public Safety's Region V in Lubbock. A corresponding rank of major came with the promotion.

Bob's heart, however, was still that of a Texas Ranger. Even though it meant busting back from major to captain in pay, Bob could not return to the Rangers fast enough when he heard of the retirement of Jay Banks, [<http://www.texasranger.org/dispatch/13/pages/Banks.htm>] his successor as commander of Company B. In 1960, Bob was again at the helm of Company B, a position he would hold until he retired in 1969.

Regrettably, Bob Crowder was unable to enjoy his retirement long. He died of a heart attack on November 26, 1972.

[Click here for Bob Crowder's Hall of Fame profile.](#)

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Texas Ranger Leander H. McNelly Stands Trial: Charged With Violating Neutrality Laws

by **Chuck Parsons**

On Saturday night, May 8, 2004, the place to be was the Knox Room at the Texas Ranger Hall of Fame & Museum in Waco. Approximately 300 people attended the mock trial and dinner, sponsored by the Hall of Fame, the Baylor Law School, and Uncle Dan's Bar-B-Que & Catering.

The trial was based on the events of November 1875. At that time, Captain McNelly and some twenty-six Rangers had crossed over the Rio Grande in what McNelly considered "hot pursuit" against a band of cattle thieves. McNelly and his men attacked the first ranch they came to, believing it to be the Las Cuevas Rancho. Mistakenly, they had rounded up the wrong ranch and killed some dozen allegedly peaceful and harmless men who were unarmed.

McNelly and his men spent three days in Mexico along the river, standing off several hundred Mexicans who believed their country was being invaded by an enemy force. Ultimately, McNelly did recover some stolen cattle. However, this was not before creating an international incident, one which could have easily ended with all his men as well as himself being killed.

What if charges had been brought against McNelly for his actions? This is the premise of the mock trial. Baylor Law School and the Hall of Fame presented a professional program that held the attention of the audience throughout the nearly three-hour presentation. U. S. District Judge Amos Morrill was played by real-life Judge Ed Kincade. The prosecution team was headed by U.S. Attorney General Edwards Pierrepont, played by Law Professor Bill Underwood. He was ably assisted by U.S. Attorney Andrew Jackson Evans, played by Tim Fults, and Sam Houston's son Temple, played by Jeremy Counsellor.

McNelly was ably defended by well-known attorney John Sayles, played by Professor Gerald Powell, and Thomas M. Jack, portrayed by Ben Selman.

McNelly was acted by John Deaver (a close lookalike). Other witnesses included U.S. Secretary Hamilton Fish - Craven Green, Brigadier General E.O.C. Ord - Dick Baker, Ranger Privates George Durham and William C. Callicott - Lee Sanders and Dan

Sorey, respectively. Phil Martinez played the Minister of Foreign Affairs of the Republic of Mexico Jose Lafragua, and Maria Gonzales, whose husband and father were killed in McNelly's raid, was performed by Nicole Martinez.

Hall of Fame Director Byron Johnson opened the evening with a few introductory remarks. The assembly then was ordered to stand up as Judge Morrill entered. The U.S. soldiers, dressed in appropriate period uniforms—carbines, pistols and saber—were members of the Badland Rangers organization of re-enactors. Several of McNelly's men were also present in the courtroom, including Sergeant George A. Hall, played by Jim Ryan.

Occasionally, the testimony of the witnesses was interrupted. Once, the questioning of McNelly brought about a near outburst from the McNelly's Rangers present in the courtroom. They approached the witness as if to protect him from the perceived insult to their captain's character. McNelly, managing to raise his voice in spite of his attacks of coughing due to consumption, managed to quiet them down without any serious disturbance to the progress of the trial.

In lieu of the traditional jury seated in a box, this night each gentleman at each table was a jury member who marked his ballot after hearing the testimony and closing arguments. The final tally was a "not guilty" for McNelly. There was no question that McNelly and his men crossed the Rio Grande, the international boundary between two countries who were officially at peace. However, McNelly's defense lawyer John Sayles managed to convince enough members of the jury that the violence in the Nueces Strip area, the land between the Nueces and the Rio Grande Rivers, was not at peace but rather in a genuine state of war. This no doubt saved McNelly from being found guilty of the charge.

When the verdict was announced, there was tremendous applause. Many stood and then rushed to McNelly to congratulate him.

The enormous amount of research and planning of this event resulted in the trial being a tremendous success. Congratulations and thanks go to Dr. Gerald Powell, the creator and guiding force behind this creation, the actors who volunteered countless hours of preparation, and the staff of the Texas Ranger Hall of Fame and Museum.

A Photo Album



The Courtroom at the Texas Ranger Hall of Fame and Museum



Defense Attorney John Sayles played by Prof. Gerald Powell

Prof. Powell produced and directed the event.



McNelly and the Defense Team



Capt. Leander McNelly



Prosecution Attorney Temple Houston played by Jeremy Counseller



Prosecution Team



**Witness Maria Gonzales
played by
Nicole Rodriguez**



**Bailiff US Marshall Dale
Evans**

**played by
McLennan County
Sheriff Larry Lynch**



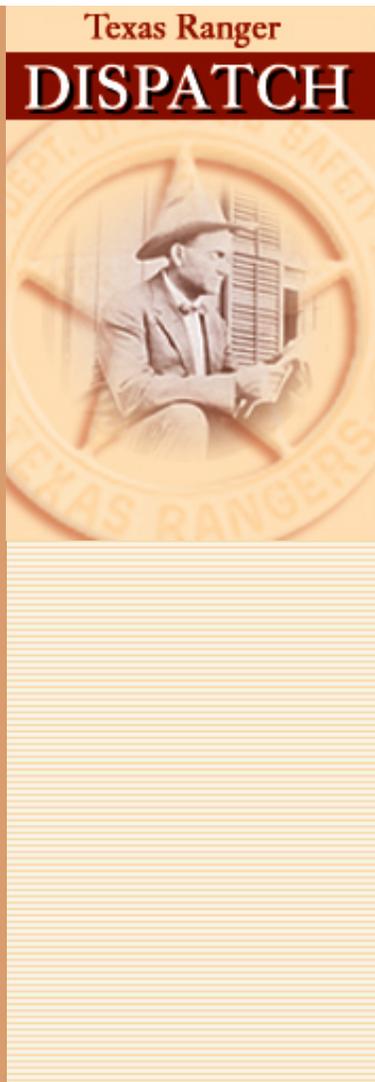
**US Secretary of State
Hamilton Fish
played by
Craven Green**



**US District Judge Amos
Morrill**

played by

**US District Cour Judge
the Hon. Ed Kinkeade**



Audience members
Chuck parsons (Left)
and
Robert Nieman (Right)



Witness Brig. Gen. E.O.C.
Ord
played by
Dick Baker

Dispatch

Jr. Rangers

Corporate Club

Museum Store

Exhibits/Artifacts

Benefactors



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The obelisk at the grave of Charles H. Fusselman, one of a handful of markers in the Lagarto Cemetery, Live Oak County, Texas. Photo by Chuck Parsons.

Charles H. Fusselman (1866-1890)

By Chuck Parsons

Like too many young Texas Rangers of the Frontier Battalion, Charles H. Fusselman is best remembered for his early death. He was killed in the line of duty by rustlers near El Paso, Texas, on April 17, 1890. Although nothing could compensate his family and friends for his untimely demise, they could find some satisfaction at least in knowing that justice was ultimately served in the legal hanging of his murderer.

Charles Henry Vanvalkenburg Fusselman was born July 16, 1866, in Greenbush, Sheboygan County, Wisconsin, the son of carpenter John and his wife Abbie. [1] Naturally, he became known to all as Charley. There was one older brother, John, born about 1859. [2]

During the 1870s, the Fusselmans located to Texas. Perhaps John's brother, Sam, had convinced him of the opportunities there, because by 1880, his family was in Corpus Christi, Nueces County, where Sam was raising stock with his wife and three children as early as 1870. [3]

Not long after the 1880 census, John Fusselman moved his family to Lagarto in southeast Live Oak County. At that time, it

was a thriving community which boasted the Lagarto College, a newspaper, two churches, two hotels, a steam cotton gin and gristmill, a school, and several general stores. Today, however, it is a ghost town where only the cemetery remains—and where Charley Fusselman is buried. [4]

Why Fusselman joined the Texas Rangers is unknown, but he became part of the elite Company D as a private on May 25, 1888, at Realitos in southwestern Duval County. One of the most famous Texas Ranger photographs is of this company and was made the year Fusselman joined. Several of the Rangers shown, such as Baz Outlaw, became famous or notorious. Some who kept the Ranger star shining bright included J. Walter Durbin, Jim King, and Captain Frank Jones.

The name of C. H. Fusselman first appears in Ranger records on the May 1888 muster roll of Captain Jones, commander of Company D. The company was then stationed in Duval County. As 1st sergeant, Jones had Ira Aten, a Ranger who would later make a name for himself by recording his memoirs. J. Walter Durbin was 1st Corporal. Captain Jones received \$100 per month, a 1st sergeant received \$50, and a corporal got \$35. The eleven privates in the company each earned \$30 per month, while teamster John Lott received a scant \$20.



One of the most famous Texas Ranger group photos, made at Realitos in 1887. Standing from left: James W. King, Baz L. Outlaw, Riley Barton, Charles H. Fusselman, Will "Tink" Durbin, Ernest Rogers, Charles Barton, Walter Jones. Seated from left: Bob Bell, Calvin G. Aten, Captain Frank Jones, J. Walter Durbin, James R. Robinson, Frank Schmid. Photo courtesy the late Ed Bartholomew.

Charley Fusselman was mustered in on May 25. The other privates were Cal G. Aten, Ira's younger brother; A. Dillard; John R. Hughes, who would later become known as one of the four great captains; Gerry "Walter" Jones, a brother of Captain Jones; James W. King; W.W. Jones; Baz L. Outlaw; Ernest Rogers; J.W. "Wood" Saunders; and Frank L. Schmid. [5]

Fusselman is first highlighted in the records in October when the company was stationed at Rio Grande City in Starr County. On the 27th, Private Fusselman and one other Ranger were sent to Roma to oversee county elections. Their presence alone apparently prevented the contending parties from causing any disturbance, as nothing more is noted in the return. The pair was gone from camp two days and marched a total of thirty miles. [6]

Any specific duties and activities performed during the next few

months have not been recorded. Perhaps Fusselman was one of the privates who were part of a scout, never identified by name, rather than being in charge of one. In any case, the returns make no mention of him by name.

For a while at least, Fusselman and Privates Ernest Rogers and Cal Aten were on detached service with Captain James A. Brooks in Rio Grande City. [7] He may have been one of the five men scouting in late October in Roma, where they arrested five men. Another man surrendered peacefully, as he felt he was as guilty as those who had been arrested! After being delivered to jail, the six prisoners were all "bailed out the same day." More exciting perhaps was the news that the stage between Rio Grande City and Pena had been held up by a single highwayman. [8]

In March 1889, Fusselman and Corporal Durbin scouted to Zavala County to resolve a dispute between two former partners over ownership of a herd of cattle. When the joint venture had dissolved, one partner, instead of dividing the cattle, took the entire herd. His empty-handed partner charged the man with theft. The two Rangers caught up with the thief but could not immediately locate the herd. Fusselman delivered the bandit to jail in Uvalde, Uvalde County, while Durbin searched for the stolen cattle. He ultimately located them in a pasture near Cotulla, La Salle County. [9]

Affairs were going from bad to worse in far West Texas, and a detachment was sent to Alpine. In the early seventies when the Frontier Battalion was first created, a detachment might number fifteen or twenty men. Now in a much slower economy, the state reduced the number of Rangers drastically. Walter Durbin was in charge of the detachment composed of B. L. Outlaw, Charles Barton, John Hughes, and Fusselman. Durbin had gone on ahead by train, and the detachment, going by horseback, did not reach Alpine until May 11, having made the long trek of 400 miles. Fusselman and two of the men arrested a trio of roughs on the 25th: Antonio and Casimer Beveles for rape, and Tonadolo Morales for assault to murder. They were delivered to Brewster County Sheriff ex-Ranger J. T. Gillespie. [10]

Captain Jones' brother-in-law, William O. Grady, worked at the Fronteriza mines in Coahuila, Mexico, and requested several tough men to guard mining shipments. Durbin, Outlaw, and Hughes were eager for the work. On May 16, Outlaw resigned, with Durbin and Hughes leaving the service the following day. With the resignation of Corporal Durbin, an opening was in the ranks; Fusselman was recommended to fill the vacancy. Captain Jones, who greatly respected Durbin's opinion, made Charles H. Fusselman corporal of Company D to be effective on May 18, 1889. The captain may have had some reservation about his choice to replace Durbin, as he wrote to Captain L.P. Sieker: "Fusselman is a good man but is somewhat lacking in experience, he having been in the service only a year." [11]

We know of one mano a mano gunfight in which Fusselman emerged the winner. He faced down and killed Donaciano Beslanga on June 4, 1889, at Maxon Spring, near Marathon, Texas. Fortunately, he was able to relax in Sheriff Gillespie's office afterwards. There he left a detailed account of the incident. On Tuesday, June 5, he penned the following account:

[Y]esterday morning while in discharge of my duty as

Ranger I killed one mexican name Donaciano Beslanga. I will explain.

Sunday eve as I road [sic] in to Alpine I met Capt Gillespie who had a telegram from Haymond station, stating that the now deceased had the town terORIZED [.] he had shot one man a bad flesh wound & was riding through town shooting & all was endanger of their lives. Capt Gillespie asked me to go with his Deputy & make the arrest. well we took the 8.52 train & when we arrived at Haymond the now deceased had gone to Maxon Springs[.] we got a hand car & went down but did not find him & was informed over the wire that he was at Haymond[.] we returned on 3.20 train & the Deputy gave up & returned to Alpine[.] I stayed to try & find some other trace of him & found that he was at Maxon Springs & we had missed him by the [inadequate] description [so] I borrowed a mule & went again to Maxon Springs found he had left at sun rise[.] I lay & watched his wife until 10 at night when a heavy storm blew up which drove now deceased in to camp his home for shelter[.] I run on him but he sliped [by] me as it was so dark

I followed his course to watter tank & as I was looking under the tank for him lightning flashed & he shot at me at about 100 yards I did not see where he was until he fired second shot then I run toward him & returned the shot[.] lightning flashed & he was down on [the] track & fired several shots & run & I lost him as it was so dark & raining so hard. next morning I got a rifle & took his trail at daylight when about 3/4 mile from Station I heard him cough[.] I went toward him & the instant I saw him he saw me & sprang up to his knees[.] I could see there was no chance of his giving up as he had a bad expression on his face so I fired as he did both at same time[.] witnesses said that the two shots were so near together that they could just be distinguished then about 15 shots were exchanged all this happened in about 20 seconds I emptyed my gun run in on him grabbed his gun & shot him once with pistol before he would give up. he was hit 8 times 5 shots were fatal he would of fought 10 minutes longer if I had not grabbed his gun & took it away from him I then wired Gillespie who came at night with Justice & held inquest & we returned to Alpine[.] the officers all say I am justifyable in the killing as it was in self defence in the Discharge of my Duty please excuse this long explanation[.]

J.R. Dawson, justice of the peace of Precinct No. 1, recorded that "the deceased came to his death by gunshot wounds at the hands of Charles H. Fusselman while in the legal discharge of his duties as an officer that said Homicide was clearly Justifiable under the evidence." [12]



**Captain Frank Jones, seated center
L to R: Ira Aten, Walter Jones, Charles Fusselman, James R. Robinson, Wood Saunders (directly behind Captain Jones), John Hughes (the future Border Boss), Walter Durbin, Bass Outlaw, Will "Tink" Durbin, Ernest Rogers, Unknown.**

This gunfight certainly contained elements that would make a great action scene in a western movie. It began on one day and continued the next, a torrential storm preventing clear visibility. One officer left the other to face the desperado alone. Shots were fired so close together they almost sounded as one. Flashes of gunfire - lightning flashes - and guns emptied. Fusselman established himself with this gunfight as a lawman to be taken seriously in spite of his brief Ranger experience.

Corporal Fusselman was at Fort Davis when he penned a letter to Captain L.P. Sieker requesting a copy of the Fugitives from Justice booklets. These were pamphlets providing the names and description of wanted men from all counties in the state. He obviously intended to make good use of these lists, anticipating that wanted men would try and lose themselves in the sparsely populated regions of West Texas. Wrote the corporal: "Will you be so kind as to forward me a Fugitive [sic] list as it may prove [sic] of some benefit to me[.]" [13] Parts I, II and III were sent out on June 17 to Fusselman.

Fusselman was eager for the hunt. On the 14th, he and one other Ranger went on a scout into Buchel County [14] after cattle thieves. This time he was not successful: he had no gunfight or arrests. They were out eight days and marched a total of 175 miles.

No sooner had the pair returned than on the next day, June 23, Fusselman and one other scouted into Reeves County. This time, they were successful: they arrested Manuel Trevino, charged with murder. This scout lasted three days and covered a total of 65 miles. They brought the prisoner back to Alpine and delivered him to Sheriff Gillespie. [15]

Additional responsibilities had been placed on Fusselman during this month of June. On the 19th, U.S. Marshal Paul Fricke appointed him as a deputy. He believed the young Ranger could do good work in tracking down smugglers and "mescalleros," those who dealt in illegal alcohol. Initially, Captain Jones wanted Fusselman to reject the appointment. Fusselman did write out a letter of resignation, but Fricke was not satisfied: "I have declined to accept it [the resignation letter] until I can communicate with you . . . [as] the two positions dovetail." Ultimately, Jones allowed Fusselman to maintain his deputy marshal commission. [16]

Even with the presence of a handful of Rangers, the citizens of this area of the state wanted more protection. On June 29, a petition was prepared and forwarded to Governor L.S. Ross. The petitioners "most respectfully represent that a force of rangers is absolutely necessary for the protection of the lives and property of the citizens of Presidio County."

The citizens' main concern was for the residents of the towns of Presidio, Pulvo, and Ruidosa. The petition contended that "stock is daily being stolen by lawless bands who have their rendezvous in the Sparsely settled sections of the Republic of Mexico." Recent anecdotal incidents were related. Ignacio Goodman, on June 21, was with another man when they were halted by masked men and robbed of \$450. About May 31, Francisco Vasquez was robbed of forty head of horses. A short time before this, Messrs. Norman and Morgan lost fifty head of horses and mares to thieves, and R.C. Daly lost sixty-five. Small ranchers "are continually being depredated upon."

On June 1, Felix Hernandez lost thirty-five head of horses, and "we are reliably informed that the Mexican authorities contemplate placing a force of Mexican troops at and near the town of Ojunga opposite Presidio for the purpose of chasing these lawless characters out of that country." [18] If this would happen, the lives and property of the citizens of Texas in Presidio County "will be at the mercy of these characters unless a body of rangers are stationed at or near Presidio." No ranger company was sent to Presidio County, but a letter was forwarded to Fusselman and one to Judge P.F. Edwards of El Paso, making them aware of the serious concerns of the citizenry. The governor was at least aware, even if he did not respond affirmatively to their needs. [17]

Fusselman's close call with death was not repeated, so far as known, but he was continually in potentially dangerous situations, dealing with thieves, smugglers, and killers. In July, he went to Shafter in search of stagecoach robbers. Although he did not track them down, he did arrest one Tovarito Quintella for "rudely displaying a pistol." [18] This was a 220-mile march, and Fusselman was absent from Alpine for ten days.

No sooner had Fusselman returned than he went out again, this time with three men. They scouted in Presidio County under orders from Adjutant General King "to investigate reported robberies and theft." On this scout, Fusselman arrested Jesus Mendoza and one Gregoria, both charged with horse theft. This was a nine-day scout covering 200 miles. The stage robber now had an identity: James Webb. On July 22, Fusselman scouted in Brewster County for him, but failed to find him. [19]

At Fort Davis on July 20, Fusselman wrote a long letter to Captain Sieker detailing "a few of the crimes committed [sic] on the river[.]" He wrote not only of the crimes but also of the people living there:

The river is all settled up on both sides by farmers, from Polvo to Rio Daso [sic, Ruidosa.] on this side there is 2000 inhabitants of which 300 are at Presidio 150 at Polvo 100 at Rio Dosa the balance scattered along the river[.] on the other side there is 6,000 inhabitants of which 1000 are at Presidio Del norte[.]

it appears that the most of the tillible soil is in mexico side, the river is fordable at all Points. [20]

Now Fusselman wrote as if he had been a long time in the service:

I have Ranged from Brownsville to this place[.] this frontier is more in kneed [sic] of rangers than any section I ever was in & I think it truly nesicary that a company or at least a squad of 5 or 6 be stationed at Presidio[.] they may not be able to make many arrests but their presents [sic] will civilize the country[.] in regard to the county there is no grass & watter together within 40 miles of Presidio it has not rained there in 1 year & if it should the soil will not grow grass[.] there is grass 8 miles from Presidio but no watter nearer than Presidio. [21]

Scouting activities in August were similar to those in the preceding months. On August 2, Fusselman and one other scouted to the Rio Grande in south Presidio County and arrested two men charged with horse theft, Juan Riduquiz and Ricordo Bolvusialo. They were jailed, and the Rangers continued on. This scout lasted fourteen days, and the men covered 278 miles. Following this, Fusselman and one other spent six days guarding the jail in Jeff Davis County in order to give their horses as well as themselves a rest from riding.

The September-December monthly returns for the balance of 1889 are similar to the preceding ones in reporting Fusselman's activities. He was almost daily out on scouts, making arrests for all types of illegal acts: theft of a saddle, horse theft, smuggling, assault to murder, tracking a jail escapee, arresting cattle thieves. In addition, he had to attend court. In these four months, Fusselman logged 1,020 miles on official business!

By late November, Fusselman was wanting a break from service and requested permission to spend some time at home with his family. He wrote Adjutant General King:

I have Ranged since May 1888 & have never had a furlough[.] I was [a] private until June 1st then Corpl until Aug 20 & now am Sergt & you will confer a great favor on me if you will grant me about 15 days furlough[.] I want to leave here about the 12 of Dec & return the 27 of Dec spending Xmas at home which is in Live Oak Co Texas. [22]

Presumably Fusselman's request was granted as his name does not appear in the records until February 1890.

Fusselman's concern for the citizens of the country is frequently seen in his letters to his superiors. In February, he wrote to Captain Sieker asking him to come and make his own investigation. "Since Aug 17th 1889 there has been 7 murders committed in & near Presidio Co & the murderers taken refuge in Mexico & some of them American citizens. no steps can be taken to get them[.] the Mexicans in Mexico seems to uphold them." [23]

More immediate concerns required his attention, however. Two

of his mules became "locoed" and at least one of them would never be worth anything. He had tried "everything he could think of to cure her without success." [24] While concerned over transportation needs, Fusselman was still making arrests. On March 2, he scouted to the Rio Grande and arrested Alexander Lena and Severano Lijan for horse theft. This four-day scout covered 150 miles. On the 11th, he and one other Ranger scouted in Brewster County after Bill Taylor and John Barnhart, but they were unsuccessful this time. It was a four-day march covering 130 miles. On the 14th, he arrested one Ocon for smuggling in Jeff Davis County, and on March 17, he arrested Lebrado Angelan for horse theft in Presidio County. [25]

Then Charles H. Fusselman was called to attend court in El Paso. It was April 17, 1890, when he by chance was in El Paso County Sheriff James H. White's office [26] visiting with Deputy Frank B. Simmons [27] and ex-Ranger George Herold. Rancher John Barnes rushed in to report that rustlers had raided his ranch and stolen all his horses and some of his cattle. After trailing them for a short distance, he had wisely decided it was too dangerous to follow them alone and requested help. As Deputy Simmons could not leave the office unattended, Fusselman volunteered to go along with Herold and Barnes. Herold had extensive experience serving in the Civil War, going up against raiding Indians and outlaws, and serving as city marshal of Laredo. In contrast to Fusselman's youth, Herold was nearly sixty years old.

The lawmen quickly found the trail and caught up with Ysidoro Pasos [28], one of the rustlers who had been posted as a lookout on the back trail. He was taken and tied up. Fusselman then led the posse into one of the Franklin Mountains' many canyons. Barnes held the reins of the captured thief's horse when they located several of the stolen animals. Believing them abandoned by the thieves, the lawmen apparently let down their guard.

Unknowingly, they had entered the rustlers' camp. Ambushed! It was every man for himself.

When the gunfire erupted, Fusselman called out, "Boys, we are in for it, and lets stay with it!" Almost immediately, Fusselman fell dead, the victim of an outlaw's Winchester bullets.

Not knowing how many rustlers might lie ahead in ambush, Barnes and Herold left their dead companion instead of risking their own lives. Instead of fighting the outlaws in the tradition of the western movies, they let go of the reins of Pasos' horse and hastened back - Herold to El Paso and Barnes to his ranch. The rustlers fled the scene as well, not knowing if other lawmen were coming or not. [29]

Sheriff White organized a posse of a half dozen men, "six of the most fearless men in the county," according to one report. He sent them out in pursuit of the thieves and murderers. They were followed by a wagonload of provisions. [30]

In spite of the determination of the posse, the trail was lost in the rough Franklin Mountains. Fusselman's body was found and taken to El Paso's Star Stable undertaking establishment. [31] Initially, he was buried in El Paso's Concordia cemetery but, within days, brother John Fusselman arrived in El Paso and had the body exhumed and delivered to the Lagarto Cemetery.

Corporal Fusselman was laid to rest for the second and final time on April 29, 1890. His grave is marked by a tall but damaged obelisk. He was only twenty-three when he was killed.

Fusselman's Ranger companion, Cal G. Aten, wrote the following to Captain Sieker a few days after Fusselman's death:

A good boy and energetic ranger has been laid away through the Deviltry of a lot of cowardly thieves and murderers in which this country abounds. Much regret is expressed here among the people and I hardly know what we can do without him. [32]

Ultimately, Geronimo Parra, a well-known rustler along the Mexican border, was identified as the man who killed Charles Fusselman. His life had been one of anger and desperate combat, the evidence of which was obvious by the bullet and knife wounds on his body. Jailed for burglary in 1891, he escaped but was captured later that year. When released, he was shot and wounded by a Las Cruces, New Mexico, Deputy Sheriff Ben Williams. He was again in prison in early 1894 for assault to murder and burglary.

Ranger John R. Hughes, now a captain of Company D following the death of Captain Frank Jones, learned of Parra's incarceration and wanted him in Texas to stand trial for Fusselman's murder. For help, he turned to noted lawman Pat Garrett, the slayer of Billy the Kid. By chance, Garrett was in pursuit of Pat Agnew, a bandit who was known to be in Texas. The two lawmen agreed that if Hughes could capture Agnew and turn him over, Garrett would use his influence to have Parra turned over to Hughes. Hughes succeeded, and Garrett kept his part of the bargain: Parra was soon in Hughes' custody.

Parra stood trial for murder and was found guilty mainly upon the testimony of George Herold, who identified him as the assassin. In El Paso on October 6, 1898 - over eight years after Fusselman's death - Parra was convicted and sentenced to hang. The killer appealed. The sentence was affirmed and Parra was to be executed on January 5, 1900. Antonio Flores was scheduled to die with him in a double execution. As the two men were taken from their cells to the gallows, they both produced handmade knives and began stabbing at anyone nearby. Their efforts were fruitless. No one was seriously injured and both were quickly subdued.

The trap door dropped under Flores first. Deputies then attempted to remove the rope from Flores to be used on Parra, but they found it could not be loosened easily because it had not been properly stretched. Deputies then hauled Flores' body up through the trap door and laid it at the feet of the waiting Parra. The rope was finally removed from Flores' neck and placed around Parra's. Then he too dropped through the trap door into eternity.

Parra had been allowed to make a final statement. He claimed innocence in the murder, forgave all, and asked for forgiveness. About one hundred spectators witnessed the grisly scene, including several who had served with Fusselman during his brief Ranger career-- and Captain John R. Hughes. [33]

As a final tribute to young Fusselman, the canyon where he was killed is now named Fusselman Canyon.

DIVIDER FRANK JONES GROUP PHOTO HERE

This group photo of Rangers has become popular perhaps due to their evident pride in displaying their weaponry and also because of the number of well-known names featured. Most famous certainly is B.L. Outlaw.

The picture is also remarkable for the sets of brothers pictured: Frank Jones and his younger brother Gerry "Walter" Jones; J. Walter and his younger brother James William "Tink" Durbin; and Charles Barton and his brother Riley. Cal Aten's older brother was also in the company but was on detached service at the time.

Also of interest is that aside from Fusselman, five of the men pictured lost their lives due to violence:

? Captain Jones was killed while fighting bandits near El Paso on June 30, 1893.

? Frank Schmid was severely wounded in a street fight in Richmond, Fort Bend County, on August 16, 1889. This wound cost him his life on June 17, 1893.

? James W. King, who had enlisted on March 23, 1888, was discharged on September 1, 1889. On February 11, 1894 he was murdered by rustlers in Zavala County.

? B. L. "Bass" Outlaw was discharged on September 18, 1892, and became a Special Ranger as well as a Deputy U.S. Marshal. On April 5, 1894, he was killed by Constable John Selman during a drunken scene in El Paso.

Several of the men pictured lived long lives:

? Calvin G. Aten died on April 1, 1939.

? Gerry Jones died November 5, 1917.

? Joseph Walter Durbin died on September 19, 1916.

? Tink Durbin, Walter's brother, died on April 5, 1911.

? It is believed the Barton brothers also lived into the 20th century because their widows applied for a pension based on their 1888-89 service. No further details have been learned.

? Of the others who posed for this photograph—Bob Bell, James R. Robinson, and Ernest Rogers—their final days are unknown as yet. Hopefully, a Texas Ranger buff will someday learn of their final days.

Endnotes

[1] Robert W. Stephens. *Bullets and Buckshot in Texas* (Wolfe City, Texas: Henington Publishing Co., 2002). Stephens gives Fusselman's birth date, birthplace, and second middle name of Vanvalkenburg, citing the Fusselman family bible (pp. 172, 179). The Nueces County census of 1880 places his birth as Wisconsin (*U.S. Census: Nueces County, June 15, 1880, 38*). Stephens

provides the most complete treatment of Fusselman's life to date. Leon C. Metz places an entry on Fusselman in his *The Encyclopedia of Lawmen, Outlaws, and Gunfighters* (New York: Facts on File, 2003), 89. Ranger historian Robert M. Utley, in *Lone Star Justice* (New York: Oxford University Press, 2002), gives him brief mention although Charles M. Robinson III in *The Men Who Wear the Star* (New York: Random House, 2000) fails to mention him.

[2] *U.S. Census: Nueces County, June 15, 1880, 38.*

[3] *U.S. Census: Nueces County, July 6, 1870, 176.*

[4] When the Fusselmans moved to Live Oak County is unknown. Stephens merely writes that "as a youth," Charley "walked the streets of Lagarto." A letter written by Fusselman in 1889 confirms the location as he refers to his family in Live Oak County.

[5] *Muster and Pay Roll of Captain Frank Jones, Duval County, May 31, 1888.* The original muster and pay rolls, monthly returns, and correspondence relative to the Texas Rangers are located in the Texas State Archives, Austin.

[6] *Monthly Return, Captain Frank Jones, October 31, 1888.*

[7] *Monthly Return, Captain Frank Jones, November 30, 1888.*

[8] *J. Walter Durbin to Adjutant General W.H. King, October 29, 1888.*

[9] Robert W. Stephens. *Walter Durbin: Texas Ranger and Sheriff* (Clarendon, Texas: Clarendon Press, 1970), 73.

[10] *Ibid.* Stephens, Walter Durbin, 77.

[11] *Captain Frank Jones to L. P. Sieker*, written from Uvalde, May 21, 1889. Original in Adjutant General Correspondence, Texas State Archives. L.P. Sieker had a long and varied career as a Ranger. He enlisted in Captain C. R. Perry's Company D on May 25, 1874 and was commissioned a lieutenant in 1881. On September 1, 1882, he was promoted to captain of Company D, which position he held until being appointed quartermaster on October 15, 1885, with the rank of captain. In 1889 he was made assistant adjutant general.

[12] *Fusselman's letter*, dated June 5, and Dawson's statement of his being cleared of any wrong doing, is found in the correspondence to Adjutant General W.H. King, Texas State Archives.

[13] *Fusselman to Captain Sieker, June 14, 1889.*

[14] Buchel County was abolished in 1896 and now is a part of Brewster County.

[15] *Monthly Return, Captain Frank Jones, June 30, 1889.* While Fusselman and the others were in West Texas, Captain Jones and the balance of the company were in Richmond, Fort Bend County, preserving the peace following the Jaybird-Woodpecker Feud. He added the scouting reports from his detachment to the monthly return as appendages.

[16] *U.S. Marshal Paul Fricke to Adjutant General King, December 12, 1889.*

[17] "Petition for Rangers to protect citizens of Co[unty] against marauders" to Governor L.S. Ross, June 29, 1889.

[18] *Monthly Return*, Captain Frank Jones, July 31, 1889.

[19] Ibid.

[20] *Fusselman to L.P. Sieker*, written from Fort Davis, July 20, 1889.

[21] Ibid.

[22] *Fusselman to Adjutant General W.H. King*, November 26, 1889. With the loss of the 1890 census, it is difficult to determine the family of Fusselman at Christmas time in December of 1889. In 1880, in Nueces County, there were his parents and brother John as well as uncle Sam Fusselman, his wife Henrietta, and their four children (Charley's cousins): James M., Nattie J., Ada M., and John M. (U.S. Census: Nueces County, June 15, 1880 census, 38). By 1900, brother John and family were still in Nueces County. Living with them were John and Charley's father, John, now seventy-six years old. (U.S. Census: Nueces County, June 12, 1900, Enumerator's District No. 135, sheet 25).

[23] *Fusselman to L.P. Sieker*, written from Marfa, February 29, 1890.

[24] *Captain Jones to L.P. Sieker*, March 28, 1890.

[25] *Monthly Return*, Captain Frank Jones, March 31, 1890.

[26] Sheriff James H. White was elected on November 4, 1884; re-elected November 2, 1886, and November 6, 1888; and served until November 4, 1890.

[27] Frank B. Simmons was elected on November 8, 1892; re-elected November 6, 1894, and November 3, 1896; and served until November 8, 1898.

[28] This man's name is from Leon C. Metz, *The Encyclopedia of Lawmen, Outlaws, and Gunfighters*, 89.

[29] Details on Fusselman's murder and subsequent actions by El Paso officials are found in the *Galveston Daily News* of April 18 and 20, the *San Antonio Daily Times* of April 19, the *San Antonio Daily Express* of April 19, and the *El Paso Times* of April 18-20, 1890.

[30] *The Galveston Daily News*, April 18, 1890, citing a report from El Paso dated April 17.

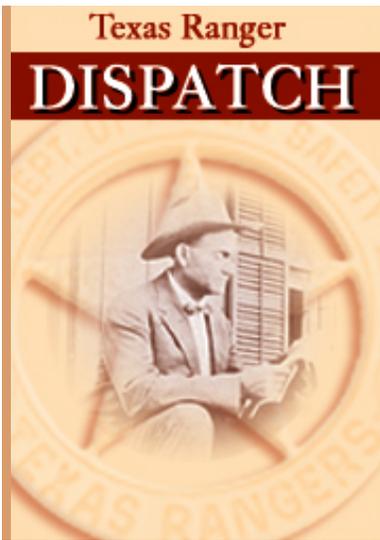
[31] Stephens, *Bullets and Buckshot in Texas*, 175.

[32] C.G. Aten to Sieker, written at Marfa, April 22, 1890.

[33] Details of the apprehension and execution of Parra are from Stephens, *Bullets and Buckshot in Texas*, 176-79, and from Leon C. Metz, *Pat Garrett: The Story of a Western Lawman* (Norman: University of Oklahoma, 1974), 216-17.

Recommended Further Reading

Metz, Leon Claire. *The Encyclopedia of Lawmen, Outlaws, and*



Gunfighters. New York: Facts on File, Inc., 2003. (Entry on Charles Fusselman, 89)

Stephens, Robert W. *Bullets and Buckshot in Texas*. Wolfe City, Texas: Henington Publishing Co., 2002. (Chapter on Charles Fusselman, 172-81)

Stephens, Robert W. *Walter Durbin: Texas Ranger and Sheriff*. Wolfe City, Texas: Henington Publishing Co., 1970.

Dispatch

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Ask the Dispatch

When we started the Dispatch in 2000, we never in our wildest dreams thought that it would be the success it has become—50,000 plus readers per month! One of our major goals was not only to create an interest in the Rangers, but also to stir new research.

In that vein, we have received many questions from all over the world. Because of the overwhelming number of requests, we have decided to start a new column, "Ask the Dispatch." In it, we will attempt to share as many questions and answers as possible.

Before any question or request will be considered, the following **MUST** be furnished: name, mailing address, and email address.

We do ask that any of your questions that concern ancestral research be directed to www.texasranger.org. Go to the heading on the top navigation bar marked **Family History**.



In watching the Rangers portrayed on the media in such shows as "Walker, Texas Ranger," one has to wonder how much action Rangers do see in the line of duty. Even as investigators, they deal with felons that do not want to get caught and in turn may resist arrest or try to run. Basically, I would like to know how often Rangers have engaged in action-based activity in performing their duties such as hot pursuits, shootings, raids, etc. in the past few years. Last year during the Ryan Frasier investigation, I spotted a Texas Ranger and his vehicle on Baylor campus and it had a light/siren on the dash. I was wondering exactly how often it is used. I believe many fans of the Rangers would also be interested.

- *David Jakubowski*

Dear David,

We don't encounter as much of the action that is required to be portrayed on television for a television show to survive. However, we are assisting local and federal agencies on a daily basis arresting fugitive felons and executing search warrants on homes and other type buildings. Our Ranger investigators are all

trained in "building search" procedures similar to what you see the military doing in Iraq. We drive unmarked vehicles, so we do not get involved in pursuits unless we are assisting a marked police unit that has overhead lights and sirens. Our Rangers are also now going through advanced training in "tracking techniques" that include compass, GPS, and some patrolling-type shooting tactics. Some of the trainers are ex-law enforcement and some ex-military. We want our Rangers trained to handle any type of situation they might encounter.

*Richard Sweaney, Captain
Company B, Garland*



Your Dispatch page on the web says that Tom "Black Jack" Ketchum was hung in Clayton, Texas. He was hung and is buried in Clayton, New Mexico.

- Berry Spradley

Mr. Spradley is correct and we have made the correction.



How do I get on the list to receive the Dispatch? Also, are back issues available?

This one is easy. Simply sent us your email address and we will be happy to include you on our mailing list when a new issue of the Dispatch comes out. Also, currently ALL issues are still online. Simply go to www.texasranger.org



I have bought a 1851 Colt Navy .36 Caliber gun. But unfortunately it has damaged parts. I would like to refurbish it and put in an exhibition.

I would like to ask you where I can buy parts or is there any service to refurbish it?

Regards.
Atila Erdemli
Antalya, Turkey

Although I'm no authority, I have collected antique revolvers for many years and have learned from the real authorities a thing or two I'll be happy to share:

1- Not being sure what you mean by "refurbish," beware that buffing and/or bluing the old Colt will virtually destroy any antique value it has. Antique collectors prefer the weapon "as is."

2 - If "refurbish" means to restore the Colt to firing condition, a source to acquire parts for antique guns is:

**Dixie Gun Works, Inc.
Gunpowder Lane
P.O. Box 130
Union City, Tennessee 38281
Telephone (901) 855-0700, orders only (800) 238-6785.
(They have a very inexpensive catalog you might want to check first.)**

I know a dealer who will sometimes do this, but you need to give him a call and not take my word for it. However, you need to know a little more before you call him, such as what type Colt it is (1860 Army, 1851 Navy or Colt Single Action Army, for example.) His information:

**Mack Woods
Shootist Gun & Knife Shop
4007 S. Broadway
Tyler Texas 75701
Phone: (903) 581-4867**

Last, but not least, the gun belongs to you, so do any of the above that makes you happy. But do be careful and work with a firearms specialist. Antique firearms are often weakened by age and can be unsafe.

**Best of luck,
David Stroud**



I enjoyed seeing your picture at the grave of Thalís Cook in the most recent Dispatch.

Thalís was my great-grandfather's (John E. Cook) stepbrother. Their father Dave Cook was the commander of a citizen militia in Uvalde County in 1859. John Cook was also a Texas Ranger under Captain McNelly and after the Civil War was a scout and hunter for the army. Cook's Slough that runs through Uvalde, Texas, was named after the Cooks. Thalís and John's brother-in-law was famous Ranger Captain and Sheriff Pat Dolan.

John Cook had several sons. One son (Enoch) became a Texas Ranger in the El Paso area. He died of illness at age twenty-one about 1906. Enoch was a brother to my grandfather, who was a rancher in the Fort Davis area. I came by the Ranger museum last year and donated various articles and pictures of these men.

My great-grandfather John married twice; both women were McKinneys and were related. At the time John was married to his first wife, he was a brother-in-law to Mr. Reading Black, who was a Texas Ranger and is recognized as the founder of Uvalde, Texas. There were several of the McKinneys in Uvalde who were Texas Rangers. John's sister's son was Tom O'Follard, who rode with Billy the Kid. One of Tom McKinney's cousins was Kip

McKinney, who was Pat Garrett's deputy U.S. Marshall and who helped kill Tom and Billy.

I recently retired after serving the great state of Texas for twenty-eight years as the district manager for the Texas Railroad Commission. I really enjoy reading the stories on your web site. Keep up the good work.



When I was at your museum years ago, I read something on a Ranger (I believe he was a captain) who was a preacher. Would you know who that was and do you have any information on him? I'm researching heroes for our boys at church.

Thank you for your help,
Reverend Don Miars

Three deeply respected Rangers were known as "Christian Rangers": Thalys Cook, Augie Olds, and Hall of Fame Captain John H Rogers.

I'm afraid I cannot help you with Olds, but I have listed links below (click on them to open new pages) about Cook and Rogers that you might find helpful. (Any Ranger history will talk about Rogers.)

Hope you find this helpful.

- Bobby Nieman

<http://www.texasranger.org/dispatch/10/Pages/EncyLawmen.htm>
<http://www.texasranger.org/dispatch/10/Pages/Rogers.htm>
<http://www.texasranger.org/dispatch/3/Cook.htm>
http://www.texasranger.org/halloffame/Rogers_John.htm
<http://www.tamu.edu/upress/BOOKS/2003/spellman.htm>

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The writers and staff of the Dispatch want to thank all of our readers and sponsors who have made our magazine such an overwhelming success.

Robert Nieman
Managing Editor