

U. S. DEPARTMENT OF LABOR
IMMIGRATION SERVICE

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No. 5091/664

MAIL AND FILES

OFFICE OF DISTRICT DIRECTOR
AUG 5 1927
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August 2, 1927.

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Commissioner-General of Immigration,
Washington, D. C.

AUG 10 1927



There are transmitted herewith copies of a report made by the Inspector in Charge of this Service at Naco, Arizona, under date of the 31st ultimo from which it will be noted that on the night of the 30th ultimo Patrol Inspectors Floyd A. Davis and Tom P. Isbell proceeded to "Barnett's Ranch" about three miles northeast of Naco, Arizona, evidently seeking further information concerning the alleged operation of a still in that vicinity; that some unknown person opened fire on them; that they returned the same; and that apparently no casualties resulted.

It is assumed that the officers were merely attempting to confirm their suspicion that a still was in operation and to learn the identity of the owner before passing the information to the appropriate prohibition officer, and that they had no intention of raiding the still themselves.

S. G. Wainwright
District Director

MVC
Incl. 60165.

Letter forwarded



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H.S.

U. S. DEPARTMENT OF LABOR
Immigration Service

Office of Inspector in Charge
Naco, Arizona
July 31, 1927.

No. 643/402

Inspector in Charge,
Immigration Service,
Tucson, Arizona.

Some months ago Patrol Inspector Floyd A. Davis of this station was informed that a still was in operation at a place called "Barnett's Ranch" some three miles northeast of Naco, Arizona, and near Don Luis and he was again furnished similar advices about two weeks ago. On the 30th instant while endeavoring to apprehend a Mexican alien named Ignacio Medrano at Bisbee, Arizona, Patrol Inspector Davis was informed that Medrano had taken some mules to the Barnett Ranch and in company with Spanish Interpreter Bayze of this station he proceeded there at about 3.30 P.M. on that date but failed to find the Mexican. However, while looking thru the corrals for this Mexican and his mules Inspector Davis noticed a strong odor of liquor and upon tracing it down and looking thru the cracks of an out house he saw a good sized still apparently in operation, the door to the building being locked. Spanish Interpreter Bayze smelled the liquor also but did not see the still at that time. There appeared to be no one at the ranch at that time and the officers returned to Naco and reported the matter and on the same night Patrol Inspectors Davis and Isbell went to this ranch for the purpose of observing same with a view to ascertaining who was conducting the still as they were still unaware of his identity. While standing at the corner of the out house where the still was located at about 8.30 P.M. one man suddenly appeared from around the building and immediately opened fire on the officers apparently with a 30-30 Winchester rifle and also another man who they did not see was shooting from the opposite side of a board fence. The officers returned the fire and these unknown men disappeared and the officers having exhausted their ammunition did not follow them and so far as is known the other parties to the shooting were not hit. When the man who first began shooting appeared he did not say anything to the officers and the officers did not have time in which to inform him that they were officers. The officers communicated with the Sheriff at Bisbee and with this office with the result that the undersigned and Spanish Interpreter Bayze proceeded there as did Sheriff Henshaw and his deputy Walter Sheppard. Patrol Inspectors Dillman and Morrow at Hereford were also communicated with and arrived at the scene thereafter with a bloodhound belonging to Inspector Morrow but on account of a rain storm the dog was unable to follow up the trail of either one of the men who shot at the officers. The patrol inspectors did not have a warrant to search the house where the still was located. However, they were aware of the fact that the still was in operation there as it could be seen from the outside and were waiting for the parties concerned in order to take them into custody. The door to the out house where the still was located was later opened by Deputy Sheriff Sheppard and the still apparatus was seized by the patrol inspectors, together with some 13 gallons of corn whiskey and conveyed to Naco. There were also four full barrels of mash which was destroyed. Being unable to locate either one of the men who were evidently conducting the still, two Mexicans Pasual and Felix Cardenas, father and son, were interviewed and today statements have been secured from them in connection with the parties who were operating this still. Felix Cardenas, who speaks good English, testifies that Freeman Crouch and his father, known as "Dad" Crouch were frequenting the house for the last two or three months and that yesterday

7/31/27

when Inspector Davis and Interpreter Bayze were at the corrals Freeman Crouch ran out of the house thru the front door, by the Mexican's house and thru the brush; that later, about 7.30 P.M., Freeman Crouch and his father returned to the ranch at which time Freeman Crouch had a rifle or shot gun in his hand; that they left the ranch and at about 8 P.M. a man named "Jack", who is in charge of Barnett's property, came down to the ranch in an automobile and was talking to him out on the road and while they were talking Freeman Crouch and his father came to the ranch again, Freeman carrying a rifle. Felix Cardenas states that this was about 8.30 P.M. when Freeman Crouch and his father came and that they spoke to Jack and later went into the front gate of the Barnett yard and started thru the orchard to the rear and that in a very short time they heard the shooting at the house and in a few moments Freeman Crouch came running back thru the front gate, across the lane into the pasture lots and jumped the fence into a pond of water at the same time calling to "Jack" "I must go" and disappeared in the brush. Felix Cardenas claims he did not see the elder Crouch leave the ranch. Pascual Cardenas testified to the fact that he saw Freeman Crouch and his father come to the ranch about 7.30 P.M. at which time Freeman Crouch had a rifle and although he does not know the names of these men he knows them well by sight and also testified that they have been at the ranch some two or three months; that when he had occasion to be around the out house he smelled liquor. Neither Inspectors Davis or Isbell can testify positively as to who was shooting at them as it was dark and no one spoke but the evidence of the Mexican boy clearly indicates that it was either one or both of the Crouchs. Efforts have been made to locate the man "Jack" but thus far have been unsuccessful. The writer personally visited the scene this morning and from the bullet holes in the building behind where the officers were standing it is quite apparent that whoever did the shooting did it with intent to kill as the holes were in line with the upper part of a man's body. Neither Mexican saw more than one rifle and that was in possession of Freeman Crouch. Patrol Inspectors Davis and Isbell are of the opinion that both men were shooting at them but cannot state positively as to this. Freeman Crouch was arrested about two weeks ago for having liquor in his possession in an automobile, a Maxwell Sedan, which was seized by the Prohibition agents and he is now at large under a \$1000 bond. It is understood that in 1921 he was convicted for violation of the Prohibition Act and served one year and 22 days at Prescott, Arizona. Freeman Crouch has not been engaged in any legitimate employment for several months and is a habitual bootlegger and a dangerous character.

It is requested that the facts in this case be presented to the United States Attorney for an opinion as to whether or not complaint should be filed against Freeman Crouch and his father or either one of them for violation of Section 16 in interfering with an immigration officer in the performance of his duty. It is noted that Section 16 apparently refers to interference with an immigration officer in the performance of his duty under that act. However, if prosecution can not be had under that section then it certainly should be had under some other as it is believed that this is a meritorious case for prosecution. In the case the U.S. Attorney authorities prosecution please notify this office telegraphically, advising under which section of law complaint should be filed.

Please expedite.

Inspector In Charge

STW/jon

CC District Director, El Paso, Texas, and Chief Patrol Inspector, Tucson, Arizona.