

U. S. DEPARTMENT OF LABOR
IMMIGRATION SERVICE

IN ANSWERING REFER TO

No. 4007/3

Office Chief Patrol Inspector
El Paso, Texas.
July 31, 1929.

District Director
U. S. Immigration Service,
El Paso, Texas.

There are transmitted herewith transcripts of statements made before the writer by patrol inspectors Robbins Stafford, David L. Scoles, Merrill R. Toole and Richard R. Coscia and a Negro liquor smuggler Hugh Parker, concerning a gun fight had with liquor smugglers at about 7:15 PM on the evening of the 22nd instant near the Schneider and ^{the} Peyton Packing Plants this city in which five smugglers were killed or wounded and three others captured, together with four motor vehicles and approximately one hundred and fifty gallons of Whiskey. There were no casualties among our officers.

The Packing Plants are situated at the foot of 11th street and are located on an angle in the International boundary, the Rio Grande river on the South and by a monumented line on the East. This locality has been extremely difficult for our officers to work successfully due to the methods used by the smugglers and the general nature of the terrain. The locality is covered with large buildings, cattle pens, railroad yards, fences and drainage ditches. An elevated spillway leads from the plants along the boundary on the East and empties into the river. West of this spillway is an open field of approximately fifty acres with trees and brush scattered over it. On the South along the river and on the East along the spillway the brush is particularly heavy and in this locality our officers surprised this gang of liquor smugglers who immediately sought cover in the heavy brush.

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Our records are replete with both liquor and alien seizures made in this locality. On the right or West the Rio Grande Oil Company and Park Street are equally famous. On the left or North, Glass Hill, Coles Ranch and the Brick Plant are also scenes of many apprehensions. The entire area described extends for a mile and a half along the International boundary. The employees of these Plants are 90% Mexican with Tomas Montes mentioned in the statement of Hugh Parker holding a high position with the Peyton Packing Company. All these employees are friendly with the smuggling element and are always willing to spot or inform on our officers.

Early in 1927 Tomas Montes was apprehended by Patrol Inspectors Crossett and Pugh with a quantity of liquor in his automobile. The case was dismissed by the U. S. Commissioner on the grounds of illegal search. During the latter part of 1928 he was again arrested by Customs Officers after a battle with liquor smugglers in the Smelter District and criminal proceedings again failed because of lack of evidence to connect him with the smugglers. During May of the present year the writer and Senior Patrol Inspector Ellis were forced into a ditch while trying to overhaul the same Graham Paper truck now held in this case by a cordon of automobiles headed by Montes. He usually employs from ten to fifteen spotters, lookouts and gunmen in his operations.

On the 18th instant information was received indicating that Montes was operating at the Packing house and that the loads were being put over shortly before dark. Four of our officers were detailed to carry out a carefully prepared plan to seize or break up this gang. One officer was secretly placed on a high tower about two hundred yards to the West of these Packing Plants to observe and report to the other three officers located in an automobile approximately a mile away and beyond the area covered by the spotters.

Inspector Scoles who was located on the water tower observed four men beneath him who were apparently trying to determine what actions our officers had taken when driving in to allow him to assume his position about 4:30 PM. They apparently satisfied themselves that everything was O. K. They then walked to the levee that runs along the river at this point and were joined by four other men, all patrolled up and down the levee in search for officers until about 6:30 PM. In the meantime several automobiles and trucks were patrolling 11th street and assembling in front of Schneider's Packing Plant. A truck previously parked at the Southeast corner of the fence, where the liquor was subsequently loaded, moved into 11th street and after running several blocks returned and took up its position. This maneuver was repeated three times. Apparently in an effort to draw out any officers who might be in the vicinity.

At about 7:10 PM a number of men were seen to come from a small hut, opposite the Packing Plants, on the Mexican side which is occupied by Mexican Fiscal Guards. They disappeared into the brush and later appeared near the Packing Plant carrying what appeared to be kegs or packages. They were seen to pass over the spillway out into the United States and down the fence in the direction of the parked truck. They were then seen to begin loading the truck, signals were displayed to our officers on 1st street who immediately proceeded to the scene picking up inspector Scoles on the way in. As these officers approached the truck seven or eight men attempted to escape by passing over two high wooden fences and thru a barbed wire fence, all running in the direction of the border. Upon reaching the truck the Negro Hugh Parker was arrested and one officer detailed to remain with him and the liquor while the other three took up the pursuit of the smugglers.

After passing over the fences our officers were fired upon from the direction of the spillway and later from the river bank. The officer detailed to remain with the Negro prisoner and liquor was instructed by inspector Stafford to cover any possible attack from the rear while he with inspectors Toole and Scoles deployed themselves to resist the smugglers attack. The officers are in agreement that at least five persons were killed or wounded in the ensuing fight which lasted about thirty or forty minutes. This was later substantiated by another smuggler caught in the same vicinity later on the same night who stated that two men had been killed and three wounded. It is a significant fact that although the Juarez ambulance made three trips from the city of Juarez to the scene of the fight; that no trace of the dead or wounded by search of Juarez hospitals and undertaking establishments was had and that no official report has been made by the Mexican authorities. The fact that men were seen coming from a house on the Mexican side occupied by Mexican Fiscal Guards points to the complicity of Mexican Fiscalies in smuggling activities. In this connection many reports have in the past been submitted and it is contemplated that a further similar report will be submitted covering observations of their activities now being made and information being gathered. The fight appears to have been divided into two phases the first between the officers and eight or more men who surrounded the truck and later by these men and ten more who had crossed the river to their assistance. The fire of our officers apparently was very accurate and deadly. At least two of the smugglers were heard to cry out and scream in their agony. During the fight inspector Coscia who had been left to guard the Negro prisoner and liquor had called to these headquarters and in response the writer with several other officers proceeded to the scene. The locality was thoroughly covered but no dead or wounded smugglers could be located due to the fact that they had fallen on the river bank or on Cordova Island, Mexican soil, and subsequently moved across the river by their companions.

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The liquor was loaded into the Graham Paper Company truck and brought to these headquarters together with a Dodge truck which had been abandoned, the driver joining the smugglers upon the arrival of our officers. A Buick and Ford sedan which had been occupied by three or more negroes were also brought in.

It will be noted that in the statement of Hugh Parker that he implicated other Negroes among them one named Connie Warren, who has been taken into custody by the Customs Investigating Department. While the Negro truck driver gives certain information regarding Tomas Montes it is not believed that sufficient evidence will be uncovered to implicate him in the transaction.

This is the most decisive and successful encounter had with smugglers since the writer's assignment with the Border Patrol Service and likely in the history of the Border Patrol of the Sub-district. Inspectors Stafford, and his officers displayed rare judgement, skill and courage and it is believed that the Montes Gang has been definitely disorganized and broken up. It is strongly urged that these officers be commended for their very fine actions in this encounter.

Hugh Parker, Lee Warren and Victor Thodberg, Negroes, a Ford truck, Dodge truck, Buick sedan, Ford sedan, fifteen ten gallong kegs of Whiskey and twenty three pints of Whiskey were turned to the Chief Mounted Customs Inspector Grover C. Webb on the 23rd instant and his receipt taken for same.

H. C. Horsley
Chief Patrol Inspector

HCH:R

Statement of Patrol Inspector ROBBINS STAFFORD as made before Chief Patrol Inspector H. C. Horsley in the office of the Chief Patrol Inspector, El Paso, Texas, on July 29, 1929.

PRESENT

H. C. Horsley	Chief Patrol Inspector	Examining officer
Robbins Stafford	Patrol Inspector	Witness
Buford A. Riley	Clerk	Stenographer

BY THE EXAMINING OFFICER:

You are advised that I desire to take a statement from you concerning a gun fight had between yourself, inspectors Richard R. Coscia, Merrill R. Toole and David L. Scoles, near the Southwest corner of Peyton's Packing Plant, this city with liquor smugglers on the evening of the 22nd instant.

WITNESS FIRST BEING DULY SWORN TESTIFIED AS FOLLOWS:

- Q. State your name and occupation? A. Robbins Stafford Patrol Inspector, U. S. I. S. Border Patrol, El Paso, Texas.
- Q. What was your duty assignment on the 22nd instant? A. I was assigned to work with patrol inspectors Scoles, Toole and Coscia from 4 PM to 12 midnight to work certain information on certain crossings in the vicinity of Peyton's Packing Plant, this city.
- Q. State fully the circumstances surrounding the gun fight had on the night in question? A. About 4 PM we left Border Patrol Headquarters in a government car and drove to the Colorado Horse and Mule Barn where I assigned inspector Scoles to watch the river and International line from a water tower at this point for any activity. I then drove back to 1st & 2nd streets, this city and from there inspectors Toole, Coscia and myself took up a position where we could watch for signals from inspector Scoles with whom we had previously made arrangements. This point is about eight or nine blocks from where inspector Scoles was stationed. Inspector Scoles was stationed about 150 or 200 yards from Peyton Packing Plant. The Southwest corner of the Peyton Packing Plant is approximately 200 yards from the International boundary on the Southeastern corner this Plant joins the International boundary thus forming a right angle. About 7:10 PM inspector Scoles signaled that the smugglers were crossing and had started to load a truck. We immediately drove to the Colorado Horse and Mule Barn and picked up inspector Scoles and then on to the Schneider's Packing Plant. Upon arriving at this point we observed a truck with nine or ten men around it and made a rush to capture them, they observing us climbed over a fence and started to Mexico. A Negro who was sitting in the truck in which the liquor was being loaded was apprehended and left in

charge of inspector Coscia while inspectors Scoles, Toole and I climbed over two high wooden fences and one birchwire fence in pursuit of the other men. As we crossed these fences two shots were fired in our direction and I returned the fire, one man was seen to fall and I called to inspector Scoles to rush into the field and gain cover behind a clump of bushes and to cover inspectors Toole and I so that we could advance farther down the fence in an Easternly direction so that we might quite a fire of the Mexicans who were in the brush on the Mexican side of the line. When inspector Scoles had gained his position in the field two men were observed running along the levee in a Southwesternly direction with rifles when one of them stopped and fired in our direction, I returned his fire with two shots the second apparently striking him as he threw his rifle in the air and fell over backwards. This levee is located on the river bank on the American side and runs East and West. At this time another man was observed by inspector Scoles behind a tree on the river bank with a pistol in his hand and who inspector Toole and myself had not discovered. Inspector Scoles shot at him and he fell away from the tree, as he was preparing to shoot inspector Toole. The smugglers then retreated back to the brush and levee. At this time ten or eleven men came up on the Mexican side of the river and crossed over to Cordova Island and commence firing at us from the brush for some ten or fifteen minutes but without success, they were finally driven back. At this time reinforcements arrived from Border Patrol Headquarters consisting of Chief Patrol Inspector Horsley, Senior Patrol Inspectors Birchfield, Reeves, Ellis and Patrol Inspector Steinborn. We then formed a skirmish line and then made search for any dead or wounded smugglers that might be found on American soil but none were found. We then loaded the liquor in the truck which had been left by the smugglers and I came into Border Patrol Headquarters with the liquor.

- Q. Was it light or dark when this action began? A. It was still light as the sun had just gone down.
- Q. Was it dark when this action ended? A. Yes it was very dark.
- Q. How much liquor was seized at this time? A. Fifteen ten gallon kegs and one sack containing 23 pints.
- Q. Where was this liquor found? A. One keg was found on the truck and fourteen kegs and the sack of liquor were found on the South side of the fence.
- Q. How many persons were killed or wounded in this fight? A. I saw four men fall myself and inspector Scoles a fifth man.
- Q. About how many shots were fired by the smugglers? A. I should judge about forty by the first bunch and sixty or more by the last bunch that came over.

Robbins Stafford

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Q. About how many shots were fired by our officers? A. I do not know, I fired about thirty times myself, inspector Cossia fired three times at a man on the levee who was fixing to fire at us from the rear then I knocked him over when I saw him. The other inspectors shot several times but I could not say as to how many times they fired.

I certify that the above is a true, full and correct transcript of my notes in the above mentioned case.

(Signed) Buford A. Riley
Stenographer

Statement of Patrol Inspector DAVID L. SCOLES as made before Chief Patrol Inspector H. C. Horsley in the office of the Chief Patrol Inspector, El Paso, Texas, on July 29, 1929.

PRESENT

H. C. Horsley
David L. Scoles
Buford A. Riley

Chief Patrol Inspector
Patrol Inspector
Clerk

Examining officer
Witness
Stenographer

BY THE EXAMINING OFFICER:

You are advised that I desire to take a statement from you concerning a gun fight had between yourself, inspectors Robbins Stafford, Richard R. Coscia and Merrill R. Toole, near the Southwest corner of Peyton's Packing Plant, this city with liquor smugglers on the evening of the 22nd instant.

WITNESS FIRST BEING DULY SWORN TESTIFIED AS FOLLOWS:

- Q. State your name and occupation? A. David L. Scoles Patrol Inspector, U. S. I. S. Border Patrol, El Paso, Texas.
- Q. What was your duty assignment on the 22nd instant? A. I was assigned to work with patrol inspectors Stafford, Coscia and Toole.
- Q. State fully the circumstances surrounding a gun fight had in the vicinity of Peyton's Packing Plant on the evening in question? A. About 4 PM inspector Stafford, Coscia, Toole and myself got in a car with inspector Stafford in charge and proceeded to the water tower at the Colorado Horse and Mule Barn, which is located about two hundred yards from the International boundary. I was assigned to climb this water tower and watch for any activity along the river and Cordova Island at this point. I climbed the water tower as quickly as I could and the other inspectors drove away in the car. I was told by inspector Stafford upon arriving at the water tower to make certain signs if smugglers started to cross, in the direction of Mt. Franklin. Within a very few minutes four men came to the water tower, (Mexicans) and made search for any signs that had been left by us at that point. They then walked to the levee that runs along the river at this point where they were joined by four other men. These men then patrolled up and down the levee until about 6:30 PM. In the meantime about 4:30 PM I noticed a large green Buick sedan drive down the road toward the Peyton Packing Plant followed by a Ford sedan model "T" which was followed by a non-descriptive truck. This Buick sedan drove into the yard of the Schneider's Packing Plant and parked with it's back toward the road and inside of the fence against it. The Ford sedan parked in the same manner slightly to the left of it. The truck drove on the the Southwestern corner of the fence, turned around and

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backed up against it, and there remained approximately seven minutes. Then the large green Buick sedan drove away in the direction of El Paso followed by the Ford Sedan and truck. At about 6:00 PM these same maneuvers were repeated. At about 7:10 PM the same maneuvers were repeated by the same cars but a different truck. In the meantime I had been watching the river and International boundary of Cordova Island as far as I could see. I saw a number of men come out of the Fiscala shack on the Mexican side of the river. This Fiscala shack is located on the Mexican side of the river just below Peyton's Packing Plant where the river ceases to be the boundary. I could not see these men cross the river for the brush but when I saw the same men apparently carrying what appeared to be kegs or packages in the direction of the Southeastern corner of Peyton's Packing Plant, I saw them pass along the trough that carries away the refuse of the Peyton and Schenider's Packing Plants between the United States and Mexico on the boundary line, and then down along the fence in the direction of the International boundary line on Cordova Island and just behind the fence where the truck had parked. Then I saw a man start to load the truck with the liquor, then I gave my signal in the direction of Mt. Franklin and then I noticed a streak of dust in that direction which I supposed to be our car. I then descended the water tower as fast as I could and just in time to catch our car as it drove past. Inspector Coscia handed me my rifle when I had gained the car and we drove to Schenider's Packing Plant. I jumped from the car before it came to a stop and ran in the direction of the truck that was receiving the liquor around which was gathered seven or eight men. Upon seeing us the smugglers climbed the two wooden fences and one birbwire fence running in the direction of the International boundary. I was followed by the other officers climbed the fences in an effort to apprehend some of the smugglers. Inspector Coscia and Stafford stopped at the truck and captured a negro that was sitting in it, inspector Toole and myself pursuing the smugglers and as we were mounting the fences two shots were fired in our direction, we immediately returned the fire, inspector Stafford coming up in the meantime and began to return the fire, one smuggler was seen to fall. Then inspector Stafford instructed me to a clump of bushes a few yards away to take cover and from there return the fire of the smugglers while he and inspector Toole proceeded down the fence in a Southeasternly direction and the river to quite a fire that was coming from the brush on the Mexican side of the river at this point and as one of them fired in my direction inspector Stafford fired two shots in their direction one apparently striking the smuggler as he fell over backwards, the other disappeared.

At this time I observed a man behind a tree with a pistol in his hand in the direction of the river and who was fixing to shoot inspector Toole who had not observed him, I fired in the direction of this man and he was seen to fall away from the tree apparently wounded as he began to moan and cry as he rolled over. At this time I ran out of ammunition clips and had to lay down in the brush and reload my gun while three men from the brush on the Mexican side of the river fired shots in my direction. Inspector Stafford soon noticed this and returned their fire, apparently wounding someone of them as I could hear groaning and crying in that direction. I then heard shots in the direction of the truck and turned in time to see inspector Coscia motioning in the direction of the levee, there I observed two men one with a rifle, inspector Stafford directed his fire in that direction and the smuggler was seen to throw his rifle in the air and disappear behind the levee with the other man. This levee runs parallel with the river on the American side. At this time the firing ceased and within a few minutes reinforcements from Border Patrol Headquarters as inspector Coscia in the meantime had gotten to a telephone and called Border Patrol Headquarters for help. Upon the arrival of Chief Patrol Inspector Horsley with reinforcements a skirmish line was organized and under his direction the brush and battle ground was beat out for any sign of dead or wounded Mexicans but none were found. The liquor was then loaded into the truck and brought to Border Patrol Headquarters.

I certify that the above is a true, full and correct transcript of my notes in the above mentioned case.

(Signed) Buford A. Riley
Stenographer

Statement of Patrol Inspector MERRILL R. TOOLE as made before Chief Patrol Inspector H. C. Horsley in the office of the Chief Patrol Inspector, El Paso, Texas, on July 29, 1929.

PRESENT

H. C. Horsley	Chief Patrol Inspector	Examining officer
Merrill R. Toole	Patrol Inspector	Witness
Buford A. Riley	Clerk	Stenographer

BY THE EXAMINING OFFICER:

You are advised that I desire to take a statement from you concerning a gun fight had between yourself, inspectors Robbins Stafford, Richard R. Coscia and David L. Scoles near the Southwest corner of Peyton's Packing Plant, this city with liquor smugglers on the evening of the 22nd instant.

WITNESS FIRST BEING DULY SWORN TESTIFIED AS FOLLOWS:

- Q. State your name and occupation? A. ^Merrill R. Toole Patrol Inspector, U. S. I. S. Border Patrol, El Paso, Texas.
- Q. What was your duty assignment on the 22nd instant? A. I was assigned to work from 4 PM to 12 midnight with patrol inspectors, Stafford, Coscia and Scoles.
- Q. State fully the circumstances surrounding a gun fight had with liquor smugglers on the night in question? A. About 4 PM we started out from Border Patrol Headquarters under the direction of inspector Stafford in a government owned car and drove to the Colorado Horse and Mule Barn which is located approximately one-hundred and fifty yards from the International boundary and slightly East of Peyton's Packing Plant this city. When we had gotten down about 7th street inspector Scoles lay down in the back of the car so as to make it appear that only three men were in it, when we had arrived at the Colorado Horse and Mule Barn, inspector Scoles got out of the car and climbed the water tower at that place to watch the International boundary for any illegal activity in that vicinity. The rest of us then drove back to 1st and 2nd streets about three-fourths mile away where we watched for any signals, thru field glass from inspector Scoles. About 7:10 PM inspectors Scoles signaled that smugglers were crossing and we drove at a high rate of speed as would be safe to where inspector Scoles was stationed, where we stopped and picked him up. We then drove to Schenider's Packing Plant. Upon arriving at this point we all jumped from the car and made a rush to a truck that was being loaded

with liquor a few yards away around which was gathered several smugglers. Upon seeing us the smugglers fled in the direction of Mexico, all but one who was captured, he being a negro. Two of the inspectors stopped at the truck just long enough to capture the negro and I mounted the wooden fences in an effort to apprehend some of the smugglers and as we were mounting the fences we were fired upon by some of the smugglers, which fire was immediately returned and one man was seen to fall after inspector Stafford had fired two shots in that direction. Inspector Stafford directed inspector Scoles to proceed to a clump of bushes out in a field a few yards away while we kept him covered, then for him to cover us as we proceeded sixty or seventy yards farther down the fence so that we might quite a fire that was coming from the brush on the Mexican side of the river. After we had proceeded a few yards two men were observed on the levee that runs parallel with the river at this point and who were firing in our direction, at this time inspector Stafford and I directed our fire in their direction and one man was seen to fall and the other disappeared behind the levee. About this time inspector Scoles spotted a man behind a tree some distance away with a pistol in his hand who was fixing to fire in my direction, he immediately shot the smuggler and he was seen to fall away from the tree apparently wounded as he began to groan and cry. About this time we heard shots to the rear of us and turned and saw inspector Coscia motioning in the direction of the levee toward two men who were fixing to fire at us from our backs, inspector Stafford fired in their direction and one was seen to fling his rifle high in the air and fall backwards, the other going out of sight behind the levee toward the river. About this time seven or eight men were seen to cross over to Cordova Island and who began to fire at us from the brush at that point. We held our position and continued the battle for some ten or fifteen minutes at which time the smugglers retreated. In the meantime inspector Coscia had telephoned Border Patrol Headquarters and reinforcements arrived within a very few minutes. At this time Chief Horsley took charge of the situation and the brush was beat out and the ground thoroughly covered to see if there were any dead or wounded men left on the battle grounds but none were found. We then proceeded to load the liquor in the truck and which was later brought to Border Patrol Headquarters together with the negro mentioned.

Q. What did this liquor consist of? A. Fifteen ten gallon kegs and one sack of bottled liquor.

I certify that the above is a full, true and correct transcript of my notes in the above mentioned case.

(Signed) Buford A. Riley
Stenographer

Statement of Patrol Inspector RICHARD R. COSCIA as made before Chief Patrol Inspector H. C. Horsley in the office of the Chief Patrol Inspector, El Paso, Texas, on July 29, 1929.

PRESENT

H. C. Horsley	Chief Patrol Inspector	Examining officer
Richard R. Coscia	Patrol Inspector	Witness
Buford A. Riley	Clerk	Stenographer

BY THE EXAMINING OFFICER:

You are advised that I desire to take a statement from you concerning a gun fight had between yourself, inspectors Robbins Stafford, David L. Scoles and Merrill R. Toole, near the Southwest corner of Peyton's Packing Plant, this city with liquor smugglers on the evening of the 22nd instant.

WITNESS FIRST BEING DULY SWORN TESTIFIED AS FOLLOWS:

- Q. State your name and occupation? A. Richard R. Coscia, patrol inspector, U. S. I. S. Border Patrol Headquarters, El Paso, Texas.
- Q. What was your duty assignment on the 22nd instant and state fully the circumstances surrounding the gun fight had with liquor smugglers during that tour of duty? A. I was assigned to work from 4 PM to 12 midnight with inspector Stafford, Scoles and Toole. Shortly after 4 PM we got in a government owned automobile and drove to the Colorado Horse and Mule Barn which is situated about two hundred yards from the International boundary line just East of Peyton's Packing Plant this city. While enroute to this designated spot inspector Scoles concealed himself in the back of the car, leaving the three of us visible. Upon arriving at Colorado Horse and Mule Barn water tower, inspector Scoles got out of the car and climbed same to watch for illegal activities in that vicinity. The rest of us returned to the corner of 1st and 2nd street approximately eight or nine blocks away and took up our station to watch for signals from inspector Scoles, with whom we had previously made arrangements. At about 7:10 PM we received a signal from inspector Scoles that smugglers were about to load out a load of liquor in the vicinity of Peyton's Packing Plant, we immediately drove at a high rate of speed back to where inspector Scoles was and there picked him up and proceeded to the Schenider's Packing Plant. Where we all jumped from the car and made a dash toward a truck that was being loaded with liquor around which was gathered a group of smugglers, who upon our arrival made a dash for a wooden fence nearby and mounting same running in the direction of Mexico. Upon my arrival at the truck I apprehended a negro who was getting out of it and who had not seen us upon our arrival.

The other inspectors mounted the fence in pursuit of the smugglers and as they did so, I heard several shots and then I heard our officers return their fire. I handcuffed my prisoner and remained with the liquor as I had been directed by inspector Stafford upon my arrival at the truck, to watch for any one that might try and recapture the liquor from their rear. I then handcuffed my prisoner to a wagon that was standing nearby and proceeded to the fence over which the smugglers and officers had disappeared. Upon my arrival at the fence I noticed two men on the levee to the rear of our officers and fired my pistol four times in their direction, upon doing this I attracted the attention of inspector Stafford who raised his rifle and shot one of the smugglers who was seen to fall backwards and throw his rifle high in the air, the other disappeared behind the levee. As my pistol had jammed on me on the fourth shot and I had only my shotgun left and the battle with the smugglers seemingly becoming more brisk all the time I went to the Rio Grande Oil Company a short distance away and called Border Patrol Headquarters for help. However, the firing ceased within a few minutes, when help arrived. Chief Patrol Inspector H. C. Horsley immediately took charge and a skirmish line formed, we went thoroughly over the battle ground for signs of any dead or wounded smugglers but none could be found. After we had made our search for the dead or wounded smugglers we loaded the liquor in the truck and returned to Border Patrol Headquarters with our prisoner and liquor.

Q. How much liquor was seized at this time? A. Fifteen ten gallon kegs and one sack of bottled liquor.

I certify the above to be a full, true and correct transcript of my notes in the above mentioned case.

(Signed) Buford A. Riley
Stenographer

Statement of HUGH PARKER, made before Chief Patrol Inspector H. C. Hersley,
at Border Patrol Headquarters, July 23, 1929.

H. C. Hersley
H. V. Ellis
HUGH PARKER,

PRESENT
Chief Patrol Inspector
Sr. Patrol Inspector
DEPONENT

Examining Officer
Acting Typist.

DEPONENT, after being duly sworn, testifies as follows:

Examining Officer to Deponent: You are advised that I am a Chief Patrol Inspector, in the service of the United States Government and that I desire to take a statement from relative to a certain load of liquor alleged to be in your possession about 7 P.M. on the 22nd day of July. Such statement, if made by you, must be voluntary on your part and may be used against you in subsequent proceedings. Are you willing to make such a statement?

A. Yes sir.

Q. State your name, age and present place of residence.

A. Hugh Parker, I am 21 years old and live at 4013 Madera St. El Paso.

Q. Of what country are a citizen and to what race do you belong?

A. I am a citizen of the United States and of the African race.

Q. State in your own words what connection you had with the fifteen barrels and one sack of Whiskey which was apprehended at the Schneider Packing Co. property at 7 P.M. July 23, 1929.

A. On Sunday afternoon about 6:30 P.M. a Mexican by the name of Manuel saw me at Second and El Paso streets and asked me if my name was Parker. I told him yes, he asked me if I knew a boy named Willie, I told him yes, he then said Willie was sick and that Willie told him to see me, that I would drive a truck for him, I told him I would. The Mexican then told me to meet him at Second and Mesa sts. at 6:30 P.M. Monday. I met him there at 6:30 P.M. Monday and he told me to wait there and another Mexican would come along in a few minutes, driving a new Ford roadster. In about ten minutes a Mexican drove up to where I was, he was in a new Ford Roadster, he said to me "Is your name Parker", I said yes, he told me his name was Pedro and asked if I had seen Manuel. I told him yes, then he told me to get in his car, saying "Every thing is fixed". I got in his car and he took me to the Schneider Packing Co. told me to get in that truck, pointing to a Ford truck with a Graham Paper Co. sign on the side, I went to the truck and climbed in, there were eight men, Mexicans, on the inside of the fence where the truck stood next to the fence, they waiting for barrels which two more Mexicans were rolling to the fence. They put one barrel in the truck, then four men drove up in a closed car, as they got out I saw that they were officers, the Mexicans all started to run towards Mexico. Two officers climbed over the fence, the other two stopped at the truck where I was. They told me to put up my hands and get out of the truck, I got out of the truck, one officer put handcuffs on me, the other went over the fence, then I heard some shooting, one officer came back to the fence and told the officer guarding me to go telephone for some more help. The officer guarding me got in a car and drove away. In a few minutes he returned and called to the officers that help was coming. Then the other officer who had been guarding me went back across the fence to where they were shooting. There was more shooting and then some screaming, the screaming came from the other side of the fence. Then after the shooting stopped the three officers came back to the fence, then

shooting but the officers were there for about an hour longer. They then loaded the rest of the whiskey and brought it to Border Patrol Headquarters. Q. Were either the Mexicans or the American officers within your view when the firing started? A. No, they had gone around a corner of a high sheet iron fence.

Q. This man, Manuel, who hired you on Sunday, how long have you known him and what is his last name?

A. I don't know his last name, I just met him that day.

Q. What is the last name of the man, Pedro? A. I don't know.

Q. Were Manuel and Pedro Mexicans? A. Yes, sir.

Q. Who is this boy you call Willie? A. His name is Willie Gumbree.

Q. How long have you known Willie Gumbree? A. I have known him for him about six months.

Q. Is he a colored boy? A. Yes, sir.

Q. What does he do? A. I never knew him to work at anything. I think he is a gambler.

Q. Did he ever drive this Graham Paper Co. truck loaded with liquor?

A. Yes, sir.

Q. How do you know that he did? A. He told me that he drove a Graham Paper Co. truck loaded with liquor about three or four times a week.

Q. Why did he not drive it on this night? A. He told Manuel that he sick.

Q. Did he or anyone else tell you who the liquor belonged to?

A. Willie Gumbree told me that he drove a truck loaded with liquor, three or four times a week, for Tom Montes.

Q. Did you know that you were to drive a load of liquor on this date?

A. No, not until I arrived at the Schneider Co.

Q. Do you know colored boys, named Cenny and Lee Warren? A. Yes, sir.

Q. Where do they work? A. Cenny works for the Graham Paper Company and Lee is working as an extra train porter.

Q. Do they ever drive liquor cars for Montes? A. I think Cenny does.

Q. Do you know Vistor Thadberg? A. No sir.

Q. What was the Dodge truck doing down there where the liquor was at this time? A. A Mexican boy, whom I didn't know, drove it there and then went over to the other Mexicans where the liquor was.

Q. Do you know a Mexican named B. Morales? A. No, sir.

(B. Morales, listed as owner of Dodge truck, Tex Lic. 55-546, Ysleta, Texas)

Q. Do you know Tomas Montes when you see him? A. Yes sir.

Q. Did you ever see Montes in company with Gumbree? A. No sir.

Q. Did you ever see the Mexican, Manuel, who hired you, riding with Montes? A. Yes, sir.

Q. About how often did you see them? A. Once or twice.

Q. Where were you to drive this load of liquor and what were your instructions?

A. I was to drive it to Second and Kansas Streets and to leave it there with the motor running, to walk away from it.

Q. How much were you to receive for driving this load and who was to pay you?

A. I was to receive two dollars, a Mexican was to be standing at Second and Kansas who was to pay me the two dollars.

Q. Did you see Montes driving near the Schneider Packing plant while you were there ? A. No, sir.

Q. Were any cars driving around "spotting" ? A. A Ford truck was near the Stockyards office.

Q. Do you have any further statement to make ? A. No, sir.

The above statement has been read to me and is correct

(Signed) Bush Parker

Deponent

(Signed) H. C. Horsley

Witness

I hereby certify that the foregoing is a true and correct record of the testimony in this case and when read to the DEPONENT, he immediately signed his name.

(Signed) Harry V. Ellis

Acting Typist