

U. S. DEPARTMENT OF LABOR

IMMIGRATION SERVICE

DISTRICT No. 25

ADDRESS YOUR REPLY TO
DISTRICT DIRECTOR
AND REFER TO

No. 5091/1031 & 5002/1051

OFFICE OF DISTRICT DIRECTOR
EL PASO, TEX.

October 18, 1930.

601
670

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

There is transmitted herewith, in quadruplicate, record of investigation covering a gun fight between Senior Patrol Inspector Paul M. Ross, Walter L. Muehlhaue and liquor smugglers at about 11:00 a.m. on the 16th instant. The officers and smugglers, so far as is known, escaped injury.

The record herewith clearly indicates that the above-named inspectors were amply justified in returning the fire of the smugglers, and did not violate outstanding instructions relative to the use of firearms.

G. C. WILMOTH
District Director of Immigration
El Paso, District.

Incl. 23021

U. S. DEPARTMENT OF LABOR
IMMIGRATION SERVICE

IN ANSWERING REFER TO

No. 4007/3

Office Chief Patrol Inspector
El Paso, Texas,
October 17, 1930.

RECEIVED
OFFICE OF DISTRICT DIRECTOR

OCT 18 1930.

IMMIGRATION SERVICE
EL PASO, TEXAS

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

There is transmitted herewith (eight copies) of statement of Senior Patrol Inspector Paul W. Ross, concurred in by Patrol Inspector Walter L. Huehlhause, concerning an armed encounter had with unknown smugglers in the vicinity of the "STANDPIPES AREA" this city about 11 A. M. on the morning of the 16th instant.

It will be noted that the officers saw two men crossing the river from Mexico into the United States with what appeared a bundle of clothing in their arms; that as the officers drove to the place of crossing, in a Government car, the smugglers returned to Mexico; that when the smugglers were safe on the Mexican bank one of the smugglers fired at our officers with a pistol from the top of the river levee in Mexico. This fire was returned by our officers. Approximately twelve or thirteen shots were fired, six or seven being fired by the smugglers and five or six by our officers. None of our officers were injured and it is not believed that any of the smugglers were hit.

After the above mentioned gunfight a 4½ gallon can of Alcohol which had been left on the American side of the river by the smugglers was seized by our officers and same was delivered to the Chief Mounted Customs Inspector in Charge on the 16th instant and the receipt of G. C. Webb taken.

BAR/

G. W. Linnenkohl
Acting Chief Patrol Inspector

Statement of Senior Patrol Inspector Paul N. Ross, concurred in by Patrol Inspector Walter L. Muehlhause, made before Acting Chief Patrol Inspector G. W. Linnenkohl, in the office of the Chief Patrol Inspector at El Paso, Texas, on October 17, 1930.

P R E S E N T

G.W. Linnenkohl	Acting Chief Patrol Inspector	Examining Officer
Paul N. Ross	Senior Patrol Inspector	Witness
Walter L. Muehlhause	Patrol Inspector	Witness
Buford A. Riley	Clerk	Stenographer

BY THE EXAMINING OFFICER:

You are advised that I desire a statement from each of you relative to an exchange of shots which occurred approximately at the foot of Charles street and the river bank, this city, at about 11 A. M. on the morning of the 16th instant between officers of this Service on one hand and unknown smugglers on the other at which time 4½ gallons of Alcohol was seized on the river bank at the place of the event.

WITNESSES FIRST BEING DULY SWORN TESTIFIED AS FOLLOWS:

Examining officer addressing Inspector Ross:

- Q. State your name and occupation? A. Paul N. Ross, Senior Patrol Inspector, El Paso, Texas.
- Q. What was your duty assignment on the 16th instant? A. I was assigned to duty with Patrol Inspector Walter L. Muehlhause, from 6 A. M. to 2 P. M. and our duty assignment was city scout.
- Q. Please state what you know of the circumstances surrounding the above mentioned incident? A. At about 10:45 A. M. Patrol Inspector Muehlhause and I were watching the "Standpipes Area" for aliens attempting to cross the river from Mexico into the United States. We noticed two men come from the Mexican side to the American side and as we drove the car to intercept them they turned around and ran back across the river to the Mexican side and one of the men as he reached the top of the levee on the Mexican side turned around and faced us firing several shots at us with a pistol. We then got out of our car and took cover along the side of the railroad tracks and returned their fire with our pistols. As we got out of our car I noticed a sack lying on the river bank between our position and that of the smugglers and directly in the line of their retreat. This sack later upon examination was found to contain a 4½ gallon can of Alcohol.
- Q. Did you see the persons who crossed the river carrying the can of Alcohol? A. From the distance they appeared to be carrying a bundle of clothing in their arms. We did not expect to find that they were liquor smugglers or desperate characters but thought they were only aliens illegally entering the United States.
- Q. Approximately how many shots were fired by both sides? A. We fired about five or six shots and the smugglers fired six or seven shots.

October 17, 1930.

- Q. Was the automobile in which you were riding hit by bullets? A. No sir.
- Q. Were any of the persons connected with this encounter injured during the exchange of shots? A. Neither Inspector Muehlhauss or myself were hit and I don't believe our shots proved effective because of the distance.
- Q. Were there any other witnesses to this gunfight? A. No sir, not that I know of, I didn't see any at that time.
- Examining officer addressing Inspector Muehlhauss:
- Q. You have heard the statement of Senior Patrol Inspector Ross, is it true in every respect? A. Yes sir, his statement is true.
- Q. Have you anything that you would like to add thereto? A. No sir.

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

(Signed) Buford A. Riley
Stenographer