

U. S. DEPARTMENT OF LABOR

IMMIGRATION SERVICE

DISTRICT No. 25

ADDRESS YOUR REPLY TO  
DISTRICT DIRECTOR

AND REFER TO

No.

5091/1044 & 5002/1051

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OFFICE OF DISTRICT DIRECTOR  
EL PASO, TEX.

November 8, 1930.

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

NOV 12 1930

There is transmitted herewith, in quintuple, record of investigation covering a gun fight between Patrol Inspectors Richard R. Coscia, Charles E. Gardiner, Curtis D. Mosley and an unknown Mexican gunman at about 4:30 p.m. on the 1st instant. It will be noted that one "Chato" was apparently wounded by the officers, although that fact has not been definitely established. The above-named officers escaped injury.

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



G. C. WILMOTH *gcw*  
District Director of Immigration  
El Paso District.

Incl. 23064

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U. S. DEPARTMENT OF LABOR  
IMMIGRATION SERVICE

IN ANSWERING REFER TO

4007/3  
No.

Office Chief Patrol Inspector  
El Paso, Texas.  
November 7, 1930.

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

There is transmitted herewith (ten copies) statement of Patrol Inspector Richard E. Goscia in which Patrol Inspectors Charles E. Gardiner and Curtis D. Hensley concur, concerning an exchange of shots between these officers and an unknown Mexican gunman in the "Standpipes District" this city at about 4:30 P. M. on the 1st instant. Our patrols have on numerous occasions in the past been fired upon by unknown and concealed persons from the Mexican side of the line. The instant case seems to be either a desperate effort to quickly draw and hold the attention of the officers from an important smuggling operation or the work of an irresponsible drug or liquor addict, probably the latter.

At about 6 P. M. on the date mentioned the Chief Mounted Custom Inspector received a report from one of his informants indicating that a Mexican known only as "Chato" had been seriously wounded through the right shoulder by Immigration Border Patrolmen and had been removed to the Liberty Hospital, Juarez, in a dying condition; that "Chato" claimed to have killed at least one officer in the encounter. The Hospital and Police authorities in Juarez deny having any knowledge of the case, this however is the usual procedure of these officials in such cases. The report of the Chief Mounted Custom Inspector seems to be somewhat substantiated by a later report received from a resident of the "Standpipes District" who claims that he observed the police patrol removing what appeared to be a wounded man with a rifle from the locality shortly after the departure of our officers. The case is being investigated further by friendly Mexicans in Juarez.

Our officers suffered no casualties.

HCH:R

H. G. Hensley  
Chief Patrol Inspector

Statement of Patrol Inspector RICHARD R. COSCIA, concurred in by Patrol Inspector Curtis D. Mosley and Charles E. Gardiner, as made before Chief Patrol Inspector H. C. Morsley in his office at El Paso, Texas, on November 3, 1930.

P R E S E N T

H. C. Morsley	Chief Patrol Inspector	Examining officer
Richard R. Coscia	Patrol Inspector	Witness
Curtis D. Mosley	Patrol Inspector	Witness
Charles E. Gardiner	Patrol Inspector	Witness
Buford A. Riley	Clerk	Stenographer

BY THE EXAMINING OFFICER:

You are each advised that I desire to take a statement from you concerning an exchange of shots with an unknown person in the "STANDPIPES DISTRICT" this city at about 4:30 P. M. on the 1st instant.

WITNESSES FIRST BEING DULY SWORN TESTIFIED AS FOLLOWS:

Examining officer addressing Inspector Coscia:

- Q. State your name and occupation? A. Richard R. Coscia, Patrol Inspector Immigration Border Patrol, El Paso, Texas.
- Q. What was your duty assignment on the 1st instant? A. I was assigned to duty with Patrol Inspectors Mosley and Gardiner and we were to guard the border in the vicinity of 9th street and the Standpipes area from 4 P. M. to 12:01 A. M.
- Q. State fully the circumstances surrounding the above mentioned incident? A. Patrol Inspectors Mosley, Gardiner and myself had gone up the levee to Franklin Headgates (vicinity of standpipes) and were returning towards headquarters cutting sign along the river bank when we heard a rifle shot and the bullet striking the water near us. This was about 4:30 P. M. We looked around and observed a man standing on the levee on the Mexico side of the river and at the same time saw him pick up a rifle and level it at us. At this time I drew my pistol firing five shots in his direction and at about the same time Inspectors Gardiner and Mosley fired several shots at him with their automatic rifles. The man got down behind the levee and fired two or three more shots in our direction. This fire was returned by our officers.
- Q. From your observations could you tell whether the man was hit or not? A. No sir I could not. However about an hour later an informant of mine told me that a man had just been picked up by the Juarez Police Patrol in that immediate vicinity who carried a rifle and was wounded.
- Q. Could you identify the man that was doing the shooting? A. Owing to the distance I could not see the features of the man's face but he wore a white shirt, dark trousers and a dark hat.
- Q. How far was this man from you at the time you saw him? A. I should judge about one-hundred and twenty-five yards across the river in Mexico. He was directly across the river from the foot of 8th street this city.
- Q. Have you learned of his identity? A. Nothing, only that he is called "CHATO" (Bulldog) and is a notorious thief on both sides of the line.
- Q. Have you learned why he was shooting at you? A. No sir I have not but information received since the shooting indicates that merchandise from the American side was about to be smuggled into Mexico as two Mexican men in a large car were seen in the vicinity of the standpipes shortly before the firing began.

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OFFICE OF DISTRICT ATTORNEY

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IMMIGRATION SERVICE  
EL PASO, TEXAS

Information further indicated that the large car the two Mexican men were driving contained sacks and a box that appeared to be loaded with merchandise.

- Q. What is your personal opinion as to why this man was firing at you? A. I believe that he saw us working in this same vicinity on the 31st ultimo and decided to take a few shots at us on the last instant thereby establishing a reputation for himself.
- Q. Were there any witnesses to this incident other than the gunman and the officers involved? A. No sir, not that I know of.
- Q. Approximately how many shots were fired by this gunman and how many by our officers? A. This gunman fired four or five shots, I fired five shots from my pistol and I believe Inspectors Mosley and Gardiner five or six shots each.

Examining officer addressing Inspector Mosley: You have heard the statement of Inspector Coscia is it true in every respect? A. Yes sir.

- Q. Have you anything to add to this statement? A. No sir, I have nothing further to add.

Examining officer addressing Inspector Gardiner: You have heard the statements of Inspectors Coscia and Mosley are they true in every respect? A. Yes they are true.

- Q. Have you any further statement to make? A. No sir.

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

(signed) Buford A. Riley  
Stenographer