on vounds bein sth on the front and bachithothe dead man and mpaparently appeared to be inflioted by guas of different calibre After Pinally quieting the fire, Inspeotor Hartin notified these headguarters amd the writer with other offloera went to the soene of the action and aftar raking a meyey of the attuation and in accordance with inatruetions of Judge kaviinge, removed the body
 amall sutromatio pigtol found in the viainity of the dead gaugglez were brought to these headguarters snd subsequenthy turned to the Gustows Service and receipti taken.
 coxds as being identical wh th aillexio podriques, arrested by osfivera of this aervice geptember 24,1928 in the same loanlity with other Mericaas with a large quaxitity of Aloohol and sotol. For this offence he was sentenced to 3 wonths in the $\overline{\text { mi Faso bounty }}$ jail and has been known to ofticers of this serviee as a Tha mum nex in the cangloymeat of the femous gumaen and ilquoz grugglex; Devid Torres. It hes been found by Ingpector in Charge, that this man is on smexican eitizen by birth.

Teference is taade to the repoxt anbultted by this office on March 8, 1830, conceming the seizure of a large quantity of liguor sand the ensuing batthe, resulting in the death of Juan維它ines together with report of jecember 3,1930 coveriag the death of two gunmen, namely, Qanuto goltlex and hiro corseo in this game vicinity. Theac faixly recent lights are eited as exarples of the kny encomateza along cordova Island by our officers. The night in guestion was oleax, the moon was shining and visability good.

Upon being informed of the oncounter and of the opinion of the officers that a man has been killed, the maiter called Judge Rawlings and acting upen hia inetriotions conveyed the body to the Peak-Hagedon mortuary and brought the contreband goods to this ofHee.

At a hearing on the 4th ingtant, the following veraict was rendered by Juage 2. B. kanilinge: "Gillerno jodriquez is found to have been killed by members of the sorder Fatrol in a Right with Hun funners while in the discharge of their duties and in their defense".

The mriters inveatigation indieates beyond a doubt that the conduct of oux officers mas exemplary and theis eations justifilable.

Hos/wain

(sigued) i. O. Horaley
Onief Patrol Inspector.
H. O. Hixareley Richard h. Hartin - G. Wailee

Onié̆ patrol Iñpector
Patrol Inspector Clerk-Typist

Fxamining officer

stenographer

BY The IEXAMIMIMG OFFTOER:
You are adviaed that I desire to take a statement from you concerning the denth of the Mexican Rum Runner, Guillermo Rodricuez, killed in a gum battle with the officers of this service at the foot of gopia st. this city, at about 10 P.M. on the and inetant.

Q. State your naile and ocoupation? A. Richard L. Martin, Patrol Inspector, U. 3. Tmigration Service, gorder Patrol, Kl Paso, Texas.
Q. What was your duty assignaent on the 2nd. inetant? A. I was to Patrol and guard the border from the Headgates to the septic Tanke, accompanied by Patrol Inspectors Raymond I. Dudley and Henry Waretock.
Q. Statie fully the eircumstances surrounding the kililing of the above mentioned Hexicon? A. Patrol Inspectors Dudley, 㶾erstook and I had information to the effect that David Torres nould oross from hexico into the united states near the foot of copia street sometime during the night of Msy 2, 1931. We concealed ourgelves behind a fence near the foot of Copia street which is about 40 yarde from the Intermationsi Boundary line. While lying in concealment and about 8 P. M., we noticed one or two men whom we were sure were "apotters", in the vicinity in which we were concealed. At about 9.30 . .M. one man came Irom Mexico into the united states directly opposite our place of concealment and held a converation with one other man whom we had seen previously neax the foot of copia street. shortly thereafter the same man who had come across the line frow Mexico walked out to the cdge of the embankment in the direction of the Mexican inne and whistled to several men whom we could see in the moonlight on the canal bank on the Mexican aide of the line. At about 10 P.M. two men carrying loads on their backs orossed from iexico into the vaited states. It appeared that they entered the United statea about half yay between the point where we were concealed and the corner of the house at the foot of Copia street where two men, one of whom was the man who had crossed the line some few minutes before. I jumped over the fence behind which we had been in concealment intending to intercept the anugelers who had resched a point on the hamerican side of the line, directiy in line between the man who was standing at the corner of Copia street and Patrol Tnspectora Dudley and maxstock and wyself. Before I could challange the suagglexs and before patrol Inopectors pudley and Waxstock could get over the fence, we wexe fired upon by the men who were atanding near the corner of the house at the foot of Copia street. I called out, "comos Federales". The man at the corner of Copia street continued to pire in our direction. r returned the fire, at the same time oalling out to Patrol Inepectore Dudley and Faxstock to shoot. At about this time some men in a canal on the Mexican side of the line, about 70 yards to the south of us, opened fire upon us with rifles. The man who had opened ilre in the beginning was to the east of us at the corner of Copia street, who was about 40 feet away from us, man north on copia street away from the line. We directed our fire in the direction of the men
who were firing at us from the liexican side of the line. While we were shooting at these men on the Mexican side of the line, other men opened fire on us from a northerly direction, west of copla street, at about So feet from the alley behind us. Firing continued spasmodically from our rear and from the men who wore on the Mexican alde of the line, for several minutes. Thenall fixing ceased. Patrol Inspectoris Dudley, Waxstook and I started to investigate the situation and diacovered a man lying near one of the loads that had been brought saross the line. He was half way between copla strent and our original position, exposed to the fire betweon the gumen who first fired on us from the foot of copia street and our position. This man appeared to be dead. We vere then exposed to view of the surrounding coumtry and at this time some men fired upon us irom a point on copia street about one blook and a half away, from a morth easterly direction, from behind the irrigation canal. fe returned the fire against these men. These men first firsd at us from approximately the center of copla gtreet for a few rounds and then the men crossed copis street and again fired at un. After this the firing ceased. I then telephoned a message to Border Patrol Headquartera and in response, Ohief Fatrol Inspector and other officers preceeded to the point in guestion and removed, the remains of Guillermo hodriquez to Feak-Hagedon Ondertaking establishment and the contraband 11 quor and the pistol found in the vioinity of the dead smugeler, were brought to these headquartors. Q. Wat happened to the other suugglerw who oroszed the 11 net A. He es eaped north on oopis street.
Q. How many men opened fire from the foot of copla street? A. I think there were two men.
Q. what did they appear to be firing? A. They appeared to be firing piato 1 s
Q. About how many shots did they fire from that position? A. About 5 or 6 shots.
Q. About how many ghots were fired from the wexican side of the line:?
A. About 14 or 15 shots.
Q. About how many shots were fired to the Hast and rear of you
A. About 3 shots.
Q. About how many shots rere fired from the viciaity of the Irxigation canal on copla street? A. About 8 or 8 ehote.
Q. pid elther of the smugglexs appear to be shooting? A. Yo
Q. In your opinion who wight have been the ommer of the automatic pistol found a fem feet from the dead amugglerf A. I am of the opinion that it was dropped by the saruggler who escaped as he oried out and fell to his knees and crawled to concealmeat.
Q. Were there any casulties anong our officers? A. Ho elr.
Q. Were there any witnesses other than the officers to this gun R1ght?
A. Yes. A Mexican whose name is Maria Andavazo imows something about it and a man and his wife, named pieinte and Maxgarita Conzales som the gunmen fire at us from the canal on copla street.
Q. What did the seized liguor consiet of A. It consisted of 22 pinta of Wiskey, 5 gallons of sotol, 12 pints of Tequila and 7 quarts of Cognac.

I certify that the above is a correct and complete transoript of my notes as taken by me in the above mentioned case.
(signed) W. G. Wailes.
\%. . Horeley Raynond 責. Dudley V. G. Vailes
 Patrol Inepeetor Clerk-Typiat

Examining officer Witness stenographer

BY THE EXAIINIME OFTIORR:
You are advised that 1 desire to take a statement from you conoeming the death of the Mexican Rum Runner, Cuillemo Rodriquez, killed in a gun battle with the officers of this service at the foot of Copia st. this eity, at about 10 POM . on the znd instant.
WTENSES BETMG TIRST DULY SWONT TRSTTFLED AS FOLLOWS:
Q. State your name and occupation? A. Raymond y. Dudley, Patrol Inspeetos, U. S. Imigration service, Boxder Patrol, EI Pazo, Texas.
Q. What was your duty assignment on the and instant? A. I was to patrol and guard the border from the Headgates to the septic Tenks, accompanied by Patrol Inspectors R. ho Martin and Henry Waxstock.
Q. State fully the circumetances surrounding the killing of the above mentioned Mexican A. As we got to the foot of copia street facing on the International Boundary line, before dark, we had been there only for a few minutes, concealed behind a fence in a yard, when we hesrd some shouting. We left the yard to investigate and later shen we had sterted back toward the oar which was parked about two and a half blooks from the foot of oopla street, as we came through a yard fseing on San Antonio Street, directiy back of the yard we had previously been concealed in, on copia street, there was a moman there who told us that there was a car parked in the vicinity supposed to belong to David Torres, (Motorious liquor surggier) and expected a load of liquor from Hexico to orose the borcier at the foot of Copia street. We got back into this yard by way of the alley and tooik up a position facing the International boundary. After we had been there mbout half an hour we saw indications of spotting from copia street. Also there was a car which came on Copia street and turned dom towards the International boundary on this side, for a distance of perhaps a block or two and then turn, going bsok north on copia street. some time later a man paseed directIy by the yard where we were concealed who also seemed to be apotting He disappeared north on Copia gtreet and a short while later returned to the foot of copis street, stepping out on the embankment and gave a low whistle. Within perhaps one or two minutes, two men appeared in the brush on the Mexican aide of the line almost directly in front of us. They crossed the line into the bnited states and oame up the embankment towards the foot of Copla street. When they had reached a point almost direotly East of us and perhape 50 qeet avay, Nartin jumped the fence between us and the swuglers landing in a orovehing position. At this time the smugglere discovered Martin and some one immediately opened ifre from the point directly Hast of us and seemingly just beyond the amugiers. At this time hartin called, "Somos fecierales", but the firing continued from the same point, shooting in our direction. Then rartin opened fire and oalled for us to do likewise. We inred several anots each, when the firing at the corner ceased. Wazstock and I olimbed the fence to where Martin was located. Vexy shortly thereafter, several shots were fired from the
Q. In your opinion who was the owner of the amall pistol found in the vioinity of the dead amuggiexp A. That would be impossible for me to say becauce I did not see the pistol fall. I only sam it later.
Q. What hagpened to the second amuggler who crossed the liner A. At ore time he sppeared to fall to his lnees and cry out but later gained his feet and disappeared around a corner in the viltad states.
Q. were there any whesses other than the officers to this fight? A. There was at least one other witneas whose name is Maria Andavaso, who Iives near there. She sam one of the gumsen xum through the yard and I thinlt a man and his wife, living near the eanal on copia street, saw the gunnea fire near their house. These axe all the witnesses that I know of.

I certify that the above is a correct and complete transoript of my notes as taken by me in the above mentioned case.
gtatement of Patrol hwepector HEMRY MAXCPOCK, nata before Ohtef Patrol Inspectox H. G. Horsley, May 4, 1931, 11 Paso, Texas.

स. 0. Horsley
Henry livzstook
№̂e G. Wailes

Ohiē̄ Fatrol
Patrol Inspector
0lexk-Typist
> gramining officer Witness atenographer

GY THE BXALITXMG OHFIOER:
You are advised that I desire to take a etatement fxom you concerning the death of the Mexican Rua Funner, Guillexmo Rodriques, killed in a gun battle sith officers of this service, about 10 F .1 l . on the ind. instant.

Q. State your name and occupation? A. Henry waxatook, Fatrol Inspector, U. S - Imagration Service, Border Patrol, Th Paso, Texas.
Q. What was your duty sasignment on the Ind ingtant? A. I was to patrol and guard the border from the Headgates to the septic ranks, neacmpanied by Patrol Inspectors Rtohsrd L, Martia and Maymond M. Dudley.
Q. State fuily the eiroumstances surrounding the killing of the above mentioned jexicant A. I left headguarters at 6 P.M. accompanied ky the abovs montioned officers. We patroled a few streets thet face on the border. We worked into grama street in this vicinity and walked through a yari to s fence. This fence was facing the Mexican line and about a distance of 50 feet froa the line. ge waited there foz about an hour. He saw cuite a bit of spotting, and also an automobile driving up and dom, innally entering into a small alley on the Anerican side of the river. It disappeared several times and came back. We then saw a man walk slong the line on the American side. He stopped at the corner at the foot of oopla st. sad apoke to another man who was standing there. I was the rear man in the yard and could not see the man who was standing at the corner when the boy walked up to hire. This boy then walkec across the $L i n e$ and whistled. A fev minutes or so later, two men entered the united states from Hexico, caxying loads on their becke. We tried to climb over the fence in order to apprehend the men when we were fired upon. Martin climbed over the fence and I believe called out somethisg in spanigh but in the exeitement I do not know what it was. I was inred upon by the man who was standing at the foot of copia street at about 40 feet away. Martin ifred in the direction from which it ome and oxdered us to do so. At this time we heard shots coming from the Hexican ide. We firedin that direction also. After a fer chots they disapgeared and then we heard shots coming from Hexioo at about 60 yards. We returned their 11 we when we heard shote irow our rear which $I$ believe, was coning from Gramak street at a dietance of about 50 feet. At this timeboth budley and I climbed over the fence and we were still being fire upon from Hexieo. We all three jumped into the ditioh and at this tinee we heard shots coning from a different direction, apparentiy north on copia street. Ve returned their fire and never heard no more from them. We tried to get out of the ditch several times but were fired upon spasmodiesily from the Mexican alde and we were irept in the ditch for about 30 minutes. When wo did inveetigate, we found the man lying on the ground near the foot of copla

Street and three sacirs near hiw, apparentiy conitaining 11 quor. Far troi. Inspeotor martin then stated that he was going to phone in the office. Ho was gone for about is minutes and men he returned we went into the ditoh again asd waited until help arne from the office.
g. In youx opinion was the mall automatic pistol found in the vieinity of the dead man, dropped by the coad caugeler or the guasan at the foot of Gopia street? A. When the officera came to the scene of the fight and arter the inveatigation, by ohies Patrol Inspeotor H. 0 . Horsley, he oxdexed m us to load the 11 quor and the body on the truck I pioked up the sacks of 11 quor and carrited them to the truok. When I got back to help with the body, I was told that on automatio piatol was found near the body. I did not see it uatil the following day.
Q. Were there any witneeses other than the officert and the manglers?
A. There were witnesaes that avy the man shoot at us on aramaz streethe. and oopia street. I ald not learn their mames.
Q. Were there any casulties suffared by our officers? A. To Six.
Q. What happened to the eecond mauggler win escaped? A. As I was the rear zan and ay viez partially obstruoted by the trees in the yard in mich we were conoealad, I did not get a viaw of the mea as the y were sscaping.

I oertify that the above is a correct and complete transcript of my notes as taken by me in the above mentioned case.
 H. C. Horsley, in the office of the Ohief Patrol inspector, il paso, Texas, Ilay 3, 1931.
H. O. Horsley aichard L. Martin需 - G. Wailes Maria Andavazo
 GUAGE:
Q. State your name? A. Maria Andavazo.
Q. Where do you live? A. I live at 2534 gast san Antonio street.
Q. Did you hear the shooting dom near your house last night? A. Yea.
Q. Did you see any of the smugglers with guns firing at our officers?
A. Yes. I sam one man near the Ganal fire at the orficers vith a pistol.
Q. Was this gouth or Morth of the Canali A. It was south of the canal.
Q. Do you know who he was? A. Tes. He wae Jose puran.
Q. Where does he live? A. He lives at 3505 Hivera street, gl paso.
g. Where were you when you saw Jose puran fire at the officen? A. I was at my house looking through the window.
8. Are you sure it was Jose Juran? A. Yes sir.
Q. Do you know of David Torres? A. Yes, I know of him.
Q. Does he suuggle liquox in that vicinity? A. Yes 3ix.
Q. Do you know whether or not that it was his gang last night? A. Yes. It was not his gang.
Q. What gang was it? A. It wae Angel conzales's gang,
Q. Where does he live? A. He lives at walnut and olive streets.
Q. Was he dom there last night? A. Yes six.
g. How do you know A. Because I know the boys that work for him.
Q. Did you see him? A. yo sir.
Q. Do you know the name of the body that was killed? A. Yes. Fis name was cuillermo muran.
Q. Is he known by any other name? A. Yea. He takes his father's name aometimes, Guillermo kodriquez.
Q. Where does he iive? A . He lives at 3505 hivera street.
Q. Is he a regular liquox smuggler? A. Yes.
Q. pid you see any men running from the scene of the fight? A. Yes. I saw two men.
Q. Do you know these two men? A. Yes. They were Raul Duran and Jose Duran.
8. Did they have any gunal A. I aid not see any, they were zunning.
Q. Did anybody clae see these men liring at the officers? A. Xes. There were others saw it but I don't think they would testify.
Q. Who were they? A. they were two boys. I con't know what their names axe. They are mad at me for talking to the officers.
Q. Did you see anyone firing from the Mexican side of the linef A. No. I could not see toward Mexico.
Q. Ie Ravi and Jose Duran related to Guillermo Duran? A. Yes. They are brothers.
Q. Was Raul puran shooting from the Ganal? A. I don't know.
Q. Did you see any other persons ehooting? A. Mo. I heard shots in different directions.

## Statement of Maria Airbavazo, (continued)

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

(signed) 需. G. Wailes.

H. O. Horaley

Brett B. Kuril
Irs. Margarita Gonzales
BY The nxamilimg ofriock:
Q. Are you willing to make a statement concerning the fight had in this vicinity at about 10.30 saturday ${ }^{2}$ git on the and instant? A. Yes six.
Q. State your name A. Margarita Gonzales.
Q. of what country are you a citizen and of what race do you belong?
A. I am a citizen of Mexico and of the lexicon race.
Q. How long have you resided in the United States? A. 15 years.
g. How long have you resided here at 314 gouth Oopia street? A. Juat a few weeks.
Q. Fere you at your home at about 10 a clock saturday night? A. Yes.
Q. State what you saw or know of the shooting in this vicinity about that time? A. I heard some shooting near the International moundany line at the foot of Oopia street about two block e from my house and ny husband and I went to the front door to look in that airedtion. At about this time we saw two men in front of ours house behind the loves and at least one of them had a pistol in his hand and was firing towards the foot of cobia street. They were accom pamied by a mom who was crying. Some one near the foot of Copia street started shooting at these men and they ran east along the irrigation embsniment towards the back of wy house where they appearently stopped and did some more shooting. My husband and I did not see them in this position as we had run into a book room of our house for safety.
Q. Were both of the men shooting? A. I don't know. 1 only saw the pisfol in the hands of one of them.
Q. Tho was with you saturday night? A. Only my husband.
B. Did he also see the shooting? A. Yes Sir.
Q. Did you know the men who were shooting or the woman A. Mo. I never saw then before.
Q. Were there any witnesses other than yourselves? A. Wot that I know of.
Q. Can you see cordovan Island Prom your door A. Yea six.
Q. Can you say whether or not any one was shooting from Cordovan Island
A. I don't know. They were shooting from that direction.
Q. Was your house struck by bullets? A. Wo sir.
Q. Is your house on the Forth side of the irrigation anal or the south side A. It is on the north side of the sal.

I certify that the above is a correct and complete transcript of my notes as taken by me in long hand in the above mentioned. case.
(Signed) Herbert O. Horsley Chief Patrol Inspector
atatement of VIOINTE conzanEs, made in hie home ty 314 south dopia street, before Ohief Patrol Inspeotor H. O. Horsley, on May ${ }^{51}$, 1931,
Easo, Texas, in the mil sh language.

Examining officer
II tnese
Witnes.
H. ©. Horsley Bretit B. Huris vicinte conzales
WITMSSS BEIIG FIRST DULY BWORI TESTITIED AS FOLLOWS:
BY THE EXAUINLMG OFFIGRR:
Q. State your aame and occupation? A. Vicinte Gonzales. I work in a grocery store, la Idesi, on Rucsiyptus Street.
Q. of what country are you a citizen and of what race do you belong?
A. I sim a eitizen of Hexico and of the ficxican kace.
Q. How long have you lived in the United statea? $A .15$ yeare.
Q. How long have you resided here at 314 south Oopia street? A. Just a few weeks.
Q. Were you at your home at about 10 o'olock saturday hight? A. Yes.
Q. State what you know if anything, concerning the $f$ ight between the officers of this service and the hum runners near your house on that night? A. My ndfe and I had gone to bed and at about 10 F.M. we heard a number of shots fired in the direction of copia street about a blook or two away from our house. Ve got wo and went to the front doox and saw tro men ruming east behind a levee in front of our house followed by a woman who was crying. The men stopped directly in front of our house, about 30 feet away, and atleast one of them started shooting with a pistol which he had in his hand, in the direction of cordova.Island. some one in that direation appeared to be returning the fire and all thrae of them ran along the cansl towards the baok of our house where appearently they again stopped and did sone more shooting. At this time wy wife and I took reruge in a bsok room of our house for safety.
Q. Did you know the men or the woman that you saw run aloug the canal?
A. 黄 0 Six.
Q. Fere there any witneases other than your wife and you to the shooting? A. Hot to my knowledge.
Q. Were both of the men armed? A. I don't know. I only saw one have a pistol in his hand.
G. Do you know whether or not shooting was ooming Iram Mexican territoxy? A. I don't linow. It sounded dom in that direction.
Q. How many shots did you hear from the direction of Cordova. Ieland?
4. I heard 6 or 7 shote.
9. Is your house on the North or south side of the irrigation eanal?
A. It is on the $\begin{aligned} & \text { Borth side of the canal. }\end{aligned}$

I certify that the above is a correct and complete transeript of my notes as taken by me in long hand in the above mentioned. case.



