

Statement of CARLOTTA MONTES, made in the presence of RAMON RICO, before Assistant Superintendent Nick D. Collaer at Border Patrol Headquarters December 28th 1933, in the office of the Chief Patrol Inspector.

Present:

Nick D. Collaer  
Herbert C. Horsley  
Irvin H. Cone  
Taylor C. Carpenter  
William R. Lockett  
Carlotta Montes  
Ramon Rico

Assistant Superintendent  
Chief Patrol Inspector  
Senior Patrol Inspector  
Patrol Inspector  
Clerk

Examining Officer  
and acting Spanish  
Interpreter.

Stenographer  
Witness  
Witness

JAN 5 - 1934

El Paso, Texas

Carlotta Montes, having been first duly sworn, testified as follows:

- Q. What is your name, age, and address? A. Carlotta Montes, age 25, 3210 Manzana Street, El Paso, Texas.
- Q. Where were you born, of what country are you a citizen? A. I was born in El Paso Texas and am a citizen of the United States, of the Mexican race.
- Q. Are you lawfully married to anybody? A. No sir, I have never been married.
- Q. Who are you living with? A. Jose Estrada, who was killed last night.
- Q. How long have you been living with Jose Estrada? A. I have lived with him about eight years, we are not married but have two children, Lionel Romaldo Estrada, age four, and Ramon Estrada, four months old.
- Q. Tell me what you know about what happened yesterday and last night, when Federal officers and smugglers had a fight in east El Paso resulting in the death of Patrol Inspector Bert G. Walthall and your husband Jose Estrada. A. Fidel Ortega, who had lived with us about a year, and Ramon Rico, who had lived with us since last August, left sometime near noon yesterday and said they were going to Juarez and that when my husband Jose Estrada came home to tell him that they would wait for him in Juarez and that they were going to smuggle some liquor that night. When Jose came home about 4:15 PM from his work with the C.W.A., he brought me some sweet potatoes and said that he was going down town to cash his check and that he would be back soon. He returned in a few minutes, left for Juarez and returned again about 6:00 PM. He told me he was going to Juarez because he was going to cross liquor with Fidel and Ramon. I knew that liquor was Jose's business and naturally knew he intended to cross the liquor. He left the house about 6:00 PM in his car and was gone about one and a half hours when he came back and asked me to get his rifles ready, that he was going to the Island after Fidel and Ramon and the liquor. I secured the rifles from under the bed and gave them to him and he got the cartridges out of the dresser. The girl Eulalia Gasca, who lives with Ramon Rico, was there in the house and she asked Jose if he was going to eat before he left. He said no, that he would wait and eat when he returned. He took only a tortilla and some chili and departed in his car, carrying the rifles with him. They were loaded because I saw him loading them before he left the house. There were only three of us in the house when he went off the last time, Maria Estrada de Lopez, Jose's mother, Eulalia Gasca and myself. Jose went off in the car alone.

When Jose left to cross the liquor we three women stayed in the house.

About thirty minutes later Ramon Rico came in the back door with his hand over his face and it was bloody. I asked him where Jose was and he told me that they had had a fight with officers, that he thought Jose and one of the officers had been killed, and that they had an accident with the car and that Jose was dead in the car and that it was there on Magoffin Avenue in front of the San Pedro Drugstore. We met Fidel in the door as we left the house. Eulalia and I left the house, running by way of the alley to the 71 Taxi Stand on Alameda Avenue. We hired a taxi there and I told the driver to take us to Magoffin Street, that my husband was there dead. When we arrived at the scene of the wreck Eulalia and I got out of the car and went up to the side of Jose's car. I saw that the body was that of Jose, in the front seat, and the people around there said he was dead. We then got back in the taxi and I ordered the driver to go to Mr. Charles Owens' house but remembered that I did not know where Mr. Owens lived and so I told him to drive up Piedras Street to the house of Mr. Kale. I wanted to contact Mr. Owens to tell him what had happened for I thought he could advise me what to do. I then thought that Mr. Kale could tell me the address or phone number of Mr. Owens. When we arrived at Mr. Kale's house Eulalia and I got out of the car and told the driver to wait, entered the house and when Mrs. Kale told me that she would take us back I told the driver to go ahead. I told Mr. Kale that Jose was in the car on Magoffin Avenue dead and that they had had a collision. Mr. Kale wanted to know how he had been killed and I told him I did not know. Mr. Kale knew Jose was a smuggler because he was on his bond twice, one case is now pending. Mr. Kale told me that he would take us down to the scene of the collision, so Mr. Kale, his wife, myself and Eulalia got in his car and we went directly to the scene of the collision. When we arrived there Jose's car was gone, also Jose's body was gone, and there were only some people standing around talking. Mrs. Kale got out of the car and I think she went to a telephone, for she returned and said they did not have my husband in the County Hospital but that they had him in the Masonic Hospital. I heard the people say that there had been a fight between my husband's gang and the officers and that an officer had also been killed. Eulalia had left on foot to go to the house and Mr. Kale, Mrs. Kale and myself got in the car to go to the Masonic Hospital. Mrs. Kale started the car, drove out Alameda to Copia and on Manzana, turned and came down Manzana Street and when we were on Piedras Street the officers stopped us and in about half an hour they took us to my home at 3210 Manzana Street and you questioned me, as did this officer (indicating Senior Patrol Inspector Cone).

- Q. What did you at first tell me as to the identity of those who had passed through the house and left spots of blood on the floor? A. At first I told you I knew nothing about how the blood came there and later I told you Ramon Rico had come in through the back door.
- Q. Did you tell me anything about Fidel Ortega having been wounded? A. No, I did not tell you anything about him.
- Q. Why did not you and Jose get married? A. Because Jose has a wife, I don't know her.
- Q. How long had Jose been in the liquor business? A. I don't know. He has been in that business since I have known him, eight years.
- Q. How long has he been associated in the liquor business with Fidel Ortega? A. About one year, since Fidel came to our house to live.

- Q. How long has he been associated in the liquor business with Ramon Rico? A. Since last August.
- Q. How long has Ramon been living out of wedlock with Eulalia Gasca in your home? A. They had been together since August last.
- Q. Do you recognize these two guns (indicating a 30-30 Winchester rifle and 30-55 Winchester rifle marked "NDC 12-28-33" for purposes of identification)? A. Those are the two rifles that I got from under the bed and that Jose took with him when he left to get Fidel Ortega and Ramon Rico.
- Q. Did he have other guns in the house? A. Yes, he had another rifle and a shotgun.
- Q. Are these the ones (indicating a 7 MM Mauser rifle and a 12 gauge Winchester repeating shotgun taken from the house of Jose Estrada by Constable Brungardt)? A. Yes, they are the ones.
- Q. Are these the shells which you saw Jose put in the rifles at the house before he left? A. I don't know.
- Q. What pistols did Jose, Fidel and Ramon carry? A. I have never seen them with pistols. Every time Jose brought liquor over he took those two rifles.
- Q. Is it not a fact that at times he also took his shotgun? A. I have never seen him use it.
- Q. Do you know whether or not he has had it cleaned recently? A. Yes, about three weeks ago.
- Q. Just prior to having it cleaned, he had used it, had he not? A. No, it was out of order.
- Q. Have you ever seen him use that shotgun? A. No.
- Q. Well, then, how did it get broken? A. He loaned it to a man whose name I don't know.

Examining Officer addressing Ramon Rico:

- Q. Do you know to whom this shotgun was loaned, if at all? A. It was loaned to a man, but I don't know his name nor where he lives. He brought the gun back broken.

Examining Officer addressing Carlota Montes:

- Q. This gun has not been used since it was cleaned and repaired? A. Yes, I can say that for certain.
- Q. What did you say to Mr. and Mrs. Kale about a wounded man who would be at 171 Madison Street? A. I did not tell him that, I said that I lived at that address with my mother and then he said that I lived at 3210 Manzana Street and that is how he found out that Ramon and Fidel were at 171 Madison. I did not know where they had gone.
- Q. Is it not a fact, then, that you gave that Mexican officer the address of your mother, thinking that Ramon Rico and Fidel Ortega were still at your house? A. No, I never thought of that.
- Q. Do you know what American came to the house and took eight quarts of whiskey? A. We did not enter the house that time and if Kale took some liquor I don't know about it. I don't know who those Americans were.

- Q. Does Kale come to your house at 3210 Manzana Street? A. Yes, two or three times a week to drink. His wife also drank some, not much.
- Q. Did he also take liquor away with him? A. No, he only drank there.
- Q. When was all of that liquor which was found in your house brought there? A. It was brought in the day after Christmas. It was the first trip made by Jose in the new car. Felipe Ortega and Ramon Rico crossed it with Jose.
- Q. Were the rifles taken then? A. I don't know, I was not home.
- Q.

Examining Officer addressing Ramon Rico:

- Q. Did you make that trip? A. Yes, the day after Christmas. We only had one rifle at that time.

Examining Officer addressing Carlota Montes:

- Q. In how many trips did Ruben bring in liquor? A. I never heard of him working with Jose, Fidel or Ramon.
- Q. Were either Ramon or Fidel drinking prior to leaving for Juarez yesterday? A. No, not that I know of.
- Q. You have stated that Jose customarily takes rifles with him when he smuggles liquor. Why? A. To fight with if the officers came, I presume.
- Q. What purpose did the full box of 12 gauge Peters double ought buckshot shotgun shells serve if Jose did not use that shotgun which was found in your house? A. He has had that box of shells for a long time. He never used any.

Examining Officer addressing Ramon Rico:

- Q. Do you remember the instructions I gave you this morning with reference to making a voluntary statement, etc.? A. Yes sir, I remember.
- Q. You have heard the statement of Carlotta Montes. What if anything have you to say with respect to same? A. She is telling the truth.
- Q. Is there any part of her statement to which you take exception or which you would not accept as the absolute truth were you to have made the same statement and have had knowledge of the same facts? A. No, her statement is very direct and absolutely correct.

Carlota Montes  
Carlotta Montes

Ramon Rico  
Ramon Rico

## Witnesses:

Irvin H. Cone  
Irvin H. Cone, Senior Patrol Inspector.

Taylor G. Carpenter  
Taylor G. Carpenter, Patrol Inspector.

I certify above to be a true and correct transcript of the record.

Nick D. Collaer  
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Asst. Supt., Border Patrol,  
Examining Officer.