

**THE LIFE OF  
EVERETT EWING TOWNSEND**

BY

LEWIS H. SAXTON

AND

CLIFFORD B. CASEY



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## TABLE OF CONTENTS

CHAPTER	PAGE
I. Early Life .....	1
II. Young Manhood on the Border .....	17
III. Texas Rangers .....	21
IV. Customs Service .....	37
V. The Elsinore Cattle Company .....	45
VI. Sheriff of Brewster County .....	48
VII. Big Bend Park .....	52
VIII. Reminiscences of Border Kindnesses .....	63
Bibliography .....	68

## OBITUARY NOTICE

*The subject of this biography, Everett Ewing Townsend, died at Alpine, Texas, on November 19, 1948.*

## ACKNOWLEDGEMENTS

Although some attention has been given to the service of Everett Ewing Townsend as a Texas Ranger, comparatively little is known of the contributions which he made to his State as a mounted customs inspector, sheriff and promoter of law and order, as a state legislator, and in the acquisition and development of the Big Bend National Park. He has possibly done more for international good will and feeling along the border than any other person.

The writer extends his expression of gratitude and appreciation to Mr. Townsend for his patience, his assistance, his kindness, his generosity in allowing the writer to use valuable documents, and to give his time for personal interviews. Indeed, to have had the opportunity to spend many pleasant hours with Mr. Townsend and to have cultivated his friendship was a rare privilege accorded to the writer.

The writer wishes to express his gratitude to Dr. Clifford B. Casey for his help in selecting this study and the guidance in historical research. Appreciation is also expressed to Dr. G. P. Smith for his kindly attitude and assistance. The writer is indebted to Dr. A. N. Foster, Dr. H. V. Williams and others who have shown an interest and have been helpful in any way.

## CHAPTER I

### Early Life

Everett Ewing Townsend, born October 20, 1871, in Colorado County, Texas, was by virtue of inheritance destined to become a prominent figure in the building of the "last frontier." He came from a family of leaders, law men, and soldiers whose background of culture and refinement fitted them for the historical roles that they inevitably played. From the time that the first members of the Townsend family came to America during the 17th century, their names have appeared as "first" on many frontiers. They were not just adventurers; they were builders; and their contributions to the development of our great nation have not been small.

#### *Ancestry*

E. E. Townsend's great grandfather on his father's mother's side, David Ewing, was born in Philadelphia, Pa., in 1770, was educated there, and chose a seafaring life. After serving his term of naval service, he bought a sloop, armed and equipped her as a slave-trader between the United States and African coast. He followed that business until the War of 1812 broke out between the United States and England. Then the United States Government offered to commission all private owners of good vessels that were willing to take part in the war, giving one-half of all that they could capture from the enemy as payment for their services. He applied for and received a Commission to serve during the war, which he did and received credit from the Government for doing good service. David Ewing continued this rough seafaring life after the War of 1812 and never followed any other trade. Still quite young, in the year 1818, he died on the coast of New Brunswick.<sup>1</sup>

Thomas Townsend, great grandfather of Everett Ewing Townsend on his father's side, was a South Carolinian. Early in the nineteenth century, Thomas and his brothers, John Light and William, moved to Bulloch County, Georgia. They settled there, and all three brothers reared large families. Thomas

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<sup>1</sup>From family record of W. W. Townsend, p. 1, in personal files of E. E. Townsend.

Townsend was united in marriage to Miss Elizabeth Stapleton, and to this union was added eight sons and one daughter: Thomas, Roderick, Stephen, William T., Light Thomas, Asa, Spencer, Moses, Stapleton, and Elizabeth.

After the acquisition of Florida by the United States in 1819, these eight young Townsend brothers trekked into that territory, being among the first American settlers. They helped to organize the governments of several different counties in Florida. The first date recorded in Florida concerning these brothers was at Monticello. On January 27, 1827, Stephen Townsend married Sabrina A. Roberson.<sup>2</sup>

Later it is noted that Light Thomas Townsend and Emma A. W. Ewing were married on January 20, 1830.<sup>3</sup> They were the grandfather and grandmother of Everett Ewing Townsend. Two sons were born to them, Joseph Madison, on April 29, 1831, and William Wallace Townsend,<sup>4</sup> on January 16, 1833. A short time after the birth of William Wallace Townsend (father of Everett Ewing Townsend), Mrs. Emma Ewing Townsend became ill and passed away during the winter of 1834.

A few years later, January, 1838, death came to Light Thomas Townsend. His two young sons went to live with their grandmother Ewing.<sup>5</sup>

Three of the eight brothers settled in Madison County, Florida. William T. Townsend and Stapleton Townsend entered into a contract concerning one woman, two girls, and one boy, Negro slaves, March 16, 1837. Nearly a year later William T. Townsend bought land from Asa Townsend on January 12, 1838. Forty acres were sold for \$40.00.

Evidently not all of these eight brothers chose to remain long in Florida. At the early date of 1826 some of the brothers appeared in the colonies of Texas, and they first located in Fayette County.<sup>6</sup>

The Townsend family came to Texas from Florida in 1826 and acquired the choicest land in Fayette County. The Stephen Townsend homestead, two miles south of Round Top, overlooked the present Brenham-LaGrange Highway. It is fairly well preserved today. Fritz Kuhn

<sup>2</sup>County records of Jefferson County, Florida, at Monticello, the county seat.  
<sup>3</sup>*Loc. cit.*

<sup>4</sup>W. W. Townsend died in Alpine, Texas, May 29, 1915.

<sup>5</sup>County records of Madison County, Florida, at Madison, the county seat.

<sup>6</sup>L. R. Weyland and H. Wade, *History of Early Fayette County*, 1936. p. 30.

of Round Top is its present owner. John Townsend was granted one-fourth league four miles east of Round Top. J. T. Townsend's land was located two miles north of Fayetteville. Nathaniel Townsend's grant included the present town of Oldenburg. William S. Townsend, who married Polly Burnam, daughter of Jesse Burnam, was granted land three miles east of Round Top.

The Townsend family turned out "en masse" for the Battle of San Jacinto. To them belongs the distinction of having a larger representation present on April 21, 1836, than any other family in the fight. Members participating in the San Jacinto campaign were Stephen, Spencer, John P., J. T., and Nathaniel. The last named had the misfortune to be selected a member of the Harrisburg camp guard, and was thereby deprived of the glory of helping to win the Battle of San Jacinto.

Very few men were wounded in the battle mentioned. Spencer Townsend was one of those few; he lost a finger, which was shot off during the historical skirmish. It will be noted that he entered Texas at an early date, some years before the Texas Revolution, in which he was wounded.<sup>7</sup>

Spencer Townsend, born in South Carolina, emigrated to Texas in 1836 with his brother, Thomas Roderick, and settled where the City of Crockett now stands on the Old San Antonio and Nacogdoches road. He entered the ranger service February 1, 1836, as captain of a company on the frontier, where he remained until called to the army March 16. He was discharged May 12, 1836. In 1838 he was issued a headright certificate for one-third of a league of land by the Milam County Board.

After Stephen, Spencer, and Thomas Roderick Townsend appeared in Texas, four of their brothers followed. William Townsend is the next brother whose name shows on the early records.<sup>8</sup>

This is to certify that William Townsend entered my company as a private in the Volunteer Army of Texas March 1st., 1836, and is this day honorably discharged, and is allowed eight days to go home. A. Somerville, Lt. Col. Comg. 1st. T. V. W. W. Hill Captain Company, H 1st. Regtl. Texas Volunteers, Head Quarters May 30, 1836.

There is much evidence that the Townsends were leaders

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<sup>7</sup>Samuel Houston Dixon and L. W. Kemp, *The Heroes of San Jacinto*, 1935, p. 332.

<sup>8</sup>Comptroller's Military Service Records, No. 4039, Archives, Texas State Library.

and lawmen. An example is that of Stephen Townsend, who, after serving in the capacity of Captain in the Texas army during the battle of San Jacinto, became the first sheriff of Colorado County.<sup>9</sup>

Colorado County District Court, May Special term 1838. To the Auditor of Public Accounts, Sir: This is to certify that Stephen Townsend, sheriff of Colorado County, has at this term proved before me accounts as sheriff aforesaid, to the amount of three hundred & forty-eight dollars, for which he is entitled to pay out of the Treasury of Texas, all of which I do certify this 17th of May 1838. James W. Robinson, Judge of the District Court.<sup>10</sup>

Stapleton Townsend did not leave Florida earlier than 1837;<sup>11</sup> but some time after that date he followed his brothers to Fayette County, Texas. He later served as a soldier in a military expedition under Gen. Edward Burleson.

State of Texas, County of Fayette, Personally appeared before me, James C. Gaither, a Notary Public, for the County and State aforesaid, Stapleton Townsend who being duly sworn according to Law—Says that he is the identical Stapleton Townsend, who served as a Private in the Expedition Commanded by General Edward Burleson, in the Spring of the Year Eighteen hundred and forty two, raised for the purpose of repelling the Invasion of Texas by General Vascues, and that he served in said Expedition from its Commencement until its close in said year. He makes this declaration for the purpose of obtaining the pay due him for said service, this 20th day of March A. D., 1853. Sworn to and subscribed before me the day and Year above written, James C. Gaither.

Personally appeared before me, James C. Gaither, a Notary Public, for the County and State aforesaid, Moses Townsend and John W. Hayes, who are both known to me as Creditable persons, being duly sworn according to Law, says that Stapleton Townsend served in the Expedition Commanded by General Edward Burleson, as set forth in his affidavit, and that they are disinterested in the above application for paying this 20th day of March A. D. Moses Townsend, John W. X (his mark) Mayes.

An account has been given of the seven Townsend brothers, with the exception of Asa who also migrated to Texas from Flor-

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<sup>9</sup>*Ibid.* Service Record No. 4337.

<sup>10</sup>*Ibid.*, Service Record No. 4039.

<sup>11</sup>*Supra.*, p. 2.

ida. Each of these brothers married and became the father of a number of children. Asa Townsend had two sons, Leonard and Thomas "Tup" Townsend, who served in the Mexican War of 1846.<sup>12</sup>

As previously mentioned, one of the brothers, Light Thomas Townsend died in Florida. His two sons, Joseph Madison and William Wallace Townsend, came to Texas about 1859. They were in Texas when the Civil War began and together with sixteen other first cousins and uncles, a total of eighteen, served in the Confederate Army.<sup>13</sup>

#### *Some Notes on William Wallace Townsend*

These two brothers, Joseph Madison and William Wallace Townsend, enlisted in a company raised by Captain (later General) John W. Whitfield, in Lavaca County, Texas. During the summer of 1861 this company proceeded to Missouri and joined General Sterling Price's forces. They were in several battles in that region, including that of Elk Horn in northern Arkansas. Captain Whitfield was promoted to colonel and commissioned to raise a regiment in Texas. This he did, and it became known as "Whitfield's Legion." During the various reorganizations William Wallace Townsend became a first lieutenant. Price's command was transferred to the east of the Mississippi River early in 1862 and participated in the fighting in northern Mississippi and in Tennessee during the remainder of the year.<sup>14</sup>

Owing to the wound I received in the battle of Iuka on September 19 last, I have been unable sooner to make my report of the part performed by the First Texas Legion, under my command, in that battle. It was in this move that First Lieutenant William Wallace Townsend killed the colonel of the enemy's regiment with a dragoon pistol.

For this act of bravery William Wallace Townsend was promoted to a captaincy.<sup>15</sup>

Later Captain Townsend (William Wallace Townsend will hereafter be referred to as Captain Townsend) was wounded in a battle at Davis' Bridge on the Hatchie River. A "minnie"

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<sup>12</sup>List of Townsends who served in Mexican and Civil War, in personal files of Everett Ewing Townsend.

<sup>13</sup>Personal interview with E. E. Townsend, Sept. 19, 1947.

<sup>14</sup>Personal interview with E. E. Townsend, Sept. 19, 1947.

<sup>15</sup>Gen. Whitfield's Report.

ball struck his left forearm, ranged upward through the elbow, shattering the bones in its passage, and emerged near the shoulder. This same ball killed a sergeant of his command. It was a serious wound, and the army was withdrawing from the area. That night upon approaching a bridge over a river, he was stopped with the explanation that the bridge was reserved for the infantry and the artillery and that no horseman was allowed to cross. Within a few minutes General Price came along with a small cavalry escort. While waiting for space to cross the bridge, one of his men, a Mexican, seeing that Captain Townsend was badly injured, asked the cause of his delay. When told that the guards would not let him cross on horseback alone, the Mexican pulled his horse back in file to make room and said, "Captain, ride in there ahead of me." In this manner he crossed over the river and located a hospital. When the surgeons decided to amputate the arm, Captain Townsend, not being agreeable to the operation, escaped from this hospital. From there he went to a planter's house, where he with many others were kindly tended. The arm was saved. When able to ride, he returned to Texas, on leave for a few months, then reported for duty and was assigned to Texas and Louisiana. Here he saw hard service until the end of the war, at which time he was in command of the post at Shreveport, Louisiana, for several months.

Captain Townsend always credited the Mexican who helped him get across the bridge with saving his life. He had never seen him before; and—the events of life are intriguing—Captain Townsend did see him again twenty years later. At that later time, while traveling in the state of Coahuila, Mexico, Captain Townsend stopped at a big ranch home to make some inquiries. Like a true Mexican, the rancher, Maugricio Rodriguez, sent a *mozo* out to Captain Townsend with the request that he accept the hospitality of his home for the night.

As Captain Townsend entered the house, Rodriguez eyed his guest keenly for a few seconds and then asked, "Where have I seen you?"

Rodriguez then said, "I have it now, I believe. Were you not a captain in the Confederate Army?" Upon being assured of this fact, he said, "You were wounded at Davis' Bridge, in Mississippi, and I am the man who made a place for you to cross the river in General Price's escort." It was a happy re-

union for both. Captain Townsend learned upon this visit that Rodriguez had served during the entire war in the Confederate Army.

The sequel to this story can be written for the year 1916, fifty-four years after the first episode. E. E. Townsend says:<sup>16</sup>

In that year of 1916 while the great Mexican Revolution was going on, my brother Henry with a companion was traveling by automobile over the rough mountain roads of northern Mexico. He was engaged in buying confiscated cattle from the local Revolutionary Government and from those ranches who had been granted the precious privilege by that same authority to dispose of their stock. Night came on in a wild and lonely part of the country. A camp fire was seen some distance ahead and Henry suggested that they turn off to it, rake up some sort of acquaintances and rustle something to kill their gnawing hunger. His companion responded, "I'll bet you ten dollars you can't find anyone you know or ever heard about in this darn country."

Henry said, "I'll take that bet."

They drove up to the fire and found an old man and an old woman, who cordially invited them to share the friendly warmth. While warming up, Henry introduced the subject of the bet. The old man said, "Well, I don't know that I know you, but it is very peculiar sometimes how old friends or acquaintances of the years that have gone do turn up in unexpected places. I remember an incident of the kind that happened many years ago. I was visiting at my brother's ranch when an American drove up. My brother immediately recognized him as a man with whom he had soldiered a long time before in your great Civil War."

Henry said, "Well, I know you. You are Maugricio Rodriguez's brother and that American was my father."

The old man, greatly astonished and pleased, admitted the kinship to Rodriguez and gave details of our father's meeting with him. By this time Henry's companion was digging around in his pockets and, finding, what he sought, passed over a ten dollar bill and said, "You win."

Through the misfortunes of the Revolution, the old couple had been dispossessed of all property and were living in a little brush lean-to, but they liberally shared coffee and *chicharones*, their daily fare, with the travelers.

Henry by his friendship with the reigning powers was enabled to have them restored to at least partial favor and decent living conditions.

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<sup>16</sup>Written by E. E. Townsend, March 8, 1946.

In January, 1864, Captain William Wallace Townsend married Addie Woolsey in Colorado County, Texas. One boy, Addie Web Townsend, was born on June 19, 1866.<sup>17</sup> Web Townsend (as this child was called) was the only son by this marriage.<sup>18</sup>

After the close of the Civil War the Townsend clan did not become reconciled to the equal social status which the "Dam Yankees" and the former "Nigger" slaves tried to force upon them. Captain Townsend and his brother Joseph, in company with others, went into Mexico, entering at Matamoros April 8, 1867.<sup>19</sup> In June of the same year Captain Townsend lost his wife and an infant daughter at Tampico, Mexico. One child survived, a boy named Web. Grief stricken and overwhelmed with the thought of bringing the child up under the existing conditions in that alien land, he decided to come back to Texas. His brother Joseph returned with him. They had a light wagon, and Captain Townsend had a good saddle horse on which he rode almost the entire distance of one thousand miles with boy on the pillow in front of him on the saddle.<sup>20</sup> The Mexican women met on this long and arduous journey most effectively destroyed any prejudice that may have been in Captain Townsend's heart against that race. Many times afterwards he would tell that, upon arrival at a ranch when the women sighted the baby, they would immediately take charge, suckle and bathe the youngster, put him in the best bed, and add every other available comfort. The hospitality of the homes was offered for days, in order that the boy might rest and have proper attention.

Joseph Madison Townsend remained in Texas only a short time. Not satisfied with the existing conditions, he returned to Mexico. Captain Townsend lost track of his brother in Mexico, because either of his death or the fault of the mails.

On the 22nd of November, 1870, Captain Townsend married Margaret Jimmerson Phillips. This lady was the widow of the late N. J. Phillips of Georgia, and her maiden name was Long. By this earlier marriage there was one child, a daughter, Mary Henry Phillips, born March 19, 1865. Margaret Jimmerson Long was born in Georgia, November 11, 1841.<sup>21</sup> Her

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<sup>17</sup>Family Bible in the personal files of E. E. Townsend.

<sup>18</sup>*Infra.*, p. 15.

<sup>19</sup>Passport, in personal files of E. E. Townsend.

<sup>20</sup>Notebook, in personal files of Everett E. Townsend.

<sup>21</sup>Family Bible in the personal files of E. E. Townsend.

mother's father was John Townsend of Virginia.<sup>22</sup> John Townsend had settled in Lloyd County, Georgia, before the moccasin tracks of the Cherokees had disappeared from the red hills of the region. He reared a large family at Cave Springs.

The period following the Civil War was a difficult time in which to be born in the State of Texas. This was an era of cornbread and poverty, of jean cloth and calico, or of nothing to many who had theretofore lived in a state of plenty. The bitterness of lost hopes, murderous outrages, and the evil days of Reconstruction filled the land with sorrows and disappointments. Strife and outlawry ruled everywhere. The ownership of property was not respected except when it was held by the right of force. Even then it was not always safe, for thieves and rascals sometimes dominated whole counties.

Without consulting Everett Ewing Townsend, his parents, Captain William Wallace Townsend and Margaret Jimmerson Townsend,<sup>23</sup> chose this time for him to appear.

#### *Early Life in Colorado County*

The early years of E. E. Townsend's life were spent in Colorado County, Texas. There his father, though maimed for life from the wound suffered during the Civil War, settled down with his wife to rear a family. Six children were born to Captain and Mrs. Townsend. After the family was complete, each had seven children, but when all were counted they mustered eight.

The members of this family according to age were Mary Henry Phillips, Addie Web, Everett Ewing, William Henry, Annie Leah, Joe Belford, Olive Emma, and Maggie Long Townsend.<sup>24</sup>

Captain William Wallace Townsend began raising cattle in a small way. He also found employment with some of the most extensive cattle raisers. At one time he was associated with R. E. (Bob) Stafford. They were full partners in the IRE brand, which consisted of several thousand head of cattle. During the winters and early spring Captain Townsend ran an outfit of twelve to fifteen men "putting up" or gathering herds

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<sup>22</sup>The Townsend family likes to claim that all the Townsends are related, but there is no trace of any relationship to John Townsend.

<sup>23</sup>Margaret Jimmerson Townsend died in San Antonio, Texas, Jan. 4, 1924.

<sup>24</sup>*Op. cit.*, p. 14.

of cattle, mostly steers, to be turned over to the cattle crews to be driven north as early as the weather permitted. When the herds began hitting the trail, Captain Townsend was assigned the duty as representative of numerous brands ranging over a large scope of the ranch country, to intercept and "cut" the outgoing herds. The "cutting" of a herd meant the careful inspection of all animals in it for "stray brands," those which the drivers had no authority to handle and which should not be driven out of the country without proper authorization. If the owner of a herd was thought to be honest, he was allowed to drive all strays found in his herd and to dispose of them with his own at the end of the trail, with the expectation that he would render a true accounting to the owners upon his return to Texas. In such instances the "cutter" tallied the strays and reported them to the different owners, an act which constituted a check on the driver and probably helped to keep him honest. If the driver was of doubtful character, the strays were cut from his herd and driven back towards home or turned over to some driver who had a reputation for honesty.

At that time the State was overrun with the most desperate, the most lawless, and the most resourceful hordes of outlaws that ever infested a civilized country. As cattle were all that represented money at this time, they were considered legitimate prey by every uncaught scoundrel who could drive them off. It required a man of nerve and tact to follow successfully the business of cutting herds. He was a specialist in brands and in the knowledge and art of handling cattle. He had to act alone, as there were no traffic cops or highway police to back him up. Many a trail herder would steal or gather up every stray to be found and endeavor to slip out of the country.

Captain Townsend had many experiences with those fellows. Sometimes he would follow a herd for days up the trail before overtaking it. His friends and employers said that having once found the herd, he never failed to cut it.

Then there were the cow thieves that stole entire herds and drove them up the trail. Some contented themselves with brand-burning and pulling mavericks before they were ripe. The horse thieves, however, were in another class and were hated like poison. A person could overlook and sometimes forgive a cow thief, but when a bunch of favorite saddle horses were taken, there was no saving of grace in sight for the sneak-

ing transgressors. That was the irremediable crime. It was the lowest and meanest in the book of "don'ts." Cattle were property; horses were friends and companions. There were many of these horse thieves in the country, and some of them organized into bands with extensive connections in other countries and even into other states. The stolen horses were passed on from hand to hand until they arrived at a distant destination where disposal could be made with less danger of apprehension. The gangs were reputed to have codes for the mutual identification of members not otherwise known to each other, such as passwords, signs, and signals. Even late in life, whenever E. E. Townsend saw a drugstore cowboy strutting about town with his trouser legs draped about the top parts of his bootlegs, he was reminded of a horse thief. This was one of the signs used as a signal by the horse thieves. In those days all real cowboys, when working, were both trouser legs carefully tucked within the bootlegs. If the cowboy was dressed up, he wore both trouser legs outside of the boot-top, covering the heel and instep.

Whenever a stranger came into a community wearing his boots and pants leg in any other manner, he was immediately classed as a horse thief. The manner in which he adjusted the trouser legs indicated the one of several bands to which he might belong.

Captain Townsend's business, as well as his constitutional hatred for all criminals, made him a natural enemy of the lawless elements that swarmed about. His life was constantly in danger, and he was ever on the alert against expected assassination. Every member of the family shared in the privilege of responsibility of protecting him from such fate, by noting every suspicious individual or circumstances that came within their sphere of action. His duties took him over an area of several hundred miles in extent, and he was absent from home much of the time. Mrs. Townsend was brave and rather free from worry, but she was ever anxious about his safety, whether he was at home or off on one of his many trips.

*Young E. E. Townsend Has Early Taste of Border Life*

One incident that may throw a little light on the trend of the times occurred when E. E. Townsend was about ten years old. It was near tragedy and the first time he had ever smelled

gun-powder when it smoked in the wrong direction. The night was very dark, and E. E. Townsend was sleeping on the front porch. The mother and the other children were in their regular sleeping rooms. Captain Townsend was still up, writing at his desk. Something awakened young Townsend, and there was a trample of horses' feet moving slowly as they approached the house. It was so dark that the horses were not visible. There were always loose horses about the ranch, but the nature of the Townsends' lives had trained them to be wary of every peculiar or strange circumstance, and somehow E. E. Townsend sensed that those horses carried riders. They stopped about fifty yards from the house. He was about to call his father when the night air was suddenly ruptured by spurts of fire coming in the direction of the house with the detonation of gunfire.

It seemed to the boy that his father go into action with one single movement. He extinguished the light, called to Mother Townsend for all to lie still, and fired his first pistol shot from just above young E. E.'s head. He had forgotten that his son was on the porch; and when he discovered him there, he repeated his order that he too should lie quietly. Captain Townsend ten bounded off the porch into the front yard, to draw the fire of the villains away from the house. His six-shooter spoke volumes within the space of seconds, although the time seemed much longer to the other members of the family. That was one time that E. E. Townsend obeyed his father, being afraid to move. At the captain's fourth or fifth shot the assailants ceased firing and fled. The clatter of the horses' feet indicated that quirts and spurs were being used, quite different from the sounds made as they sneaked up to the house.

E. E. Townsend had his first riding experience, with a pony named Gotch, at the tender age of three or four. This pony was so named from the word "gacho," which meant that he had a curvated or turned down ear, caused by the bursting of the feed bag of a greedy Texas tick. Gotch must have been an old pony, as he did not buck; but occasionally, by some unexpected maneuver of the old rascal, young Townsend would find himself on the ground; sometimes the limb of a nearby tree would seemingly reach out and brush him from the saddle. Gnats, flies, and mosquitoes were numerous and always hungry. When assaults by these became unbearable to an animal,

it simply ran among the trees and low hanging brush and raked them from its body. Gotch probably classed young E. E. Townsend as one of these pests. When the horse became tired of the youngster's antics, he served him in the same way. The faithful old pony never deserted the youngster but always waited patiently until his breath had recovered, then obediently sidled up to a log or bank and almost helped him into the saddle.

An incident occurred when E. E. Townsend was about six or seven years of age. This incident is of no great importance but is told to indicate the temper of the times. Late one Sunday afternoon, in the company of several other boys of his own age, E. E. Townsend was coming from the home of a nearby neighbor to his own home. When out of sight and hearing of either home, these small boys were met by a group of Negro boys. The Negro boys looked like men to the youngsters, as they were about fourteen and sixteen years old. The youngsters were afraid of the Negroes and likely showed their fear by their behavior; whereupon the Negroes began with wordy abuses and finally beat and kicked the younger children as they ran for home. It was fortunate for them that none of the white folks was at home. However, the alarm was given and a crowd assembled, but the Negroes had disappeared in the darkening night. The next day every one of them was caught and the father or other responsible male relative was made to lay each over a barrel and apply plenty of rawhide juice.

### *Prairie Life in Wharton County*

For several years the Townsend family lived at Rancho Grande, having moved there in 1881, on the west bank of the Colorado River, twelve miles above the town of Wharton.<sup>25</sup> Their house was on the edge of the prairie, which stretched away southward to the Gulf for sixty miles without a break in its even expanse. There was only one house, the ranch house of Shanghai Pierce, between Townsend's and the coast line. The westward view was almost as extensive and unoccupied to its direction as that towards the south. The low rolling swells were covered with stirrup-high grasses, rich and luscious in their abundance. In the depressions between the hardly perceptible ridges were lakes, great and small, fresh water filled by regular rains.

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<sup>25</sup>Personal interview with Everett Ewing Townsend, September 22, 1947.

The Staffords, R. E. and Johnie, were extensive cattle raisers. It was said that over a period of considerable time they branded twenty-five thousand calves each year. E. E. Townsend's first job was working for them in 1883 when they contracted and sold 14,000 head of cattle to the Dull brothers.<sup>26</sup> These Dull brothers were Pennsylvania iron and steel men.

Young E. E. Townsend did not know what information the contract between the stockmen and the buyers contained as to the type of cattle that were to be delivered. He was certain from what took place later that the provisions of the contract were not followed. Several outfits were put to work gathering up every old cow, every scalawag (homely, common looking, and poorly bred cattle), and every dogie calf that could be found. They were delivered on the contract. Mr. Stafford put E. E. to helping about the pens where the cattle were placed after being counted to see that no other cattle got in with them.

The previous spring had been a cold one, and there were quite a number of motherless calves. These were put with a dry cow or a heifer and called a cow and calf. On one occasion E. E. Townsend and a somewhat elder boy were working between a herd and the cut. A rider and one of Dull's men were cutting cows and calves. These two men drove out a little heifer and a dogie as the two boys dashed up to drive them on to the cut. The poor little frightened calf stumped its toe and fell. The older boy laughed and said, "Did you see that damn little dogie fall?"

The Dull man heard and called to the other rider to have the calf driven the other way saying, "We are not buying dogies on this contract."

The boss lost no time in putting the two boys behind the herd where they belonged. The older boy, Ivy McCloud, said, "He shouldn't kick about the one damn little dogie. He has already taken twenty-five or thirty of them today."<sup>27</sup>

Every spring the big herds from down the coast, headed for Kansas, passed by Townsend's ranch house. These herds of longhorns were of all colors. They were ringstreaked, speckled, spotted, and painted in nearly all the colors of the rainbow. E. E. Townsend recalled his father's telling him of several of these steers that became famous going up and down the

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<sup>26</sup>*Ibid.*

<sup>27</sup>*Ibid.*, September 24, 1947.

trail. After the herd reached its destination in Kansas or points beyond, steers would leave the herd and drift back to southern Texas. Those responding to the home urge always returned in the fall, after having been driven north the preceding spring, thus necessitating a round trip of two to four thousand miles within a period of six or eight months, depending upon how far they had been driven. Many times they may have been lost en route and had no great distance to travel in order to find the old home grounds.

In one case a steer was known to have made four round trips up the trail. It was a *ladino* (an outlaw among all outlaws). He was well known for his mean disposition and was so peculiarly colored and branded that no mistake could be made in his identification. The first time he returned, Captain Townsend questioned some of the cowboys who had trailed with the particular herd in which the steer had traveled up the trail. The cowboys assured Captain Townsend that the old scalawag had been delivered with the herd. He had been one of the lead steers up the trail that spring. The following spring, this steer was put in another herd, and Captain Townsend particularly requested some of the boys to make careful note of the old steer's end. Upon their return they reported again that the *ladino* steer had led the herd up the trail and had been delivered far beyond Kansas. Late that fall he was again found on the home range.

Twice more he was sent on the long drive and tallied out to the buyer of the herd. Each time he came back. The fifth time something happened to the steer's return ticket, and he failed to show up on the home range again.

#### *Young Townsend's Education*

Before coming to Rancho Grande, E. E. Townsend had attended two short sessions of school of about three or four months each. The nearest school to the new home was at Wharton, twelve miles away and beyond the river; the school, therefore, was impossible to reach much of the time, as there were no bridges to cross. In spite of the stress of all her other duties, Mrs. Townsend managed somehow to prod her younger children to a desultory interest in books. In time the eldest brother and one sister, Mollie, were sent away to school. Mollie finally returned with a teacher's certificate and attempted to innocu-

late her younger brothers and sisters with the virus of learning. E. E. Townsend wanted to be a cowboy and go up the trail. Books would be of no use to a fellow with that kind of job. Every night and morning he had to get up ten to fifteen cows and milk them, as well as feed and attend to several horses. Hence it was not hard for him to find an excuse for being late or absent from his lessons. In the fall of 1881, a fence was being built to enclose the ranch, which consisted of about three thousand acres.<sup>28</sup> That was the first barbed wire that E. E. Townsend had seen,, and it interested him more than books did.

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<sup>28</sup>*Ibid.*, September 25, 1947.

## CHAPTER II

### Young Manhood on the Border

#### *Life and Ranching at Eagle Pass*

Captain Townsend moved his family to Eagle Pass, Texas, where the children would have much better opportunity to attend school. They arrived September 3, 1884.<sup>1</sup> This was short lived, as the father, who had served four long, hard years in the Confederate Army, was completely incapacitated in health by a long spell of illness. It was at this time that E. E. Townsend, at the age of thirteen, and his older half brother, Web, had to go to work to help support the family, thus putting an end to the boys' schooling except for the school of hard knocks.

E. E. Townsend's first job at this time was with a dairyman at twenty-five dollars per month, for eighteen hours of work every day, a job that called for him to be out of bed every morning at one a. m. to help milk about one hundred wild, Texas cows. This work was often done in the mud and rain or sleet and was made harder by the fact that most of these wild "critters" had to be tied, head and feet, before anyone could milk them. Herding the cows during a portion of the day while they grazed and rested was a tedious job. They were then driven back to the farm, where the hired hands worked until dark milking them. After Townsend had worked two months at this job, the dairyman went out of business. It was a most gratifying experience for E. E. Townsend to lose that job.

Following this experience, there was a job for E. E. with a rancher who paid him nine dollars a month. Trying to get a boost in wages to ten dollars was just like pulling teeth. That other dollar was very much needed at home, but the rancher also needed it, as this was during the lean years of the eighties.

E. E. Townsend's being a youngster at that time didn't help matters any. It seemed that all of the rough and tedious tasks were always pushed on to him and that he always caught the short end of everything.

In those days of the free ranges in the brush country of South Texas, the cattle men had to work a great deal at night

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<sup>1</sup>Personal interview with E. E. Townsend, September 27, 1947.

in order to catch the wild cattle which left the thickets to graze on the open glades. This meant many long hours, missed meals, loss of sleep, and hardships of every kind.

The custom of the times was for the horse wrangler to get up from one to four o'clock in the morning to round up the remuda, depending upon the distance to be covered that day. By the time the horses were in the corral, the men were through with breakfast and were mounted. Sometimes they remounted their horses two or three times if they were unlucky enough to have one that wouldn't settle until he had thrown his rider several times before getting warmed up for the day's work. After the kinks were out of the *bronchos*, a ride of from five to fifteen miles to the place of the first run was undertaken. Here the crew waited a half hour or so for daylight before starting the day's work. At the first streak of daylight they would make a drive, followed by successive drives, until the territory was worked as was planned for the day.

These drives would always bring out the best or worst in men and horses, as it took guts and good judgment for them to keep their places in the drives. All that was needed for a trained horse was the sound of cattle, as the rider seldom saw them in those dense thickets. A horse that was held in by the rider behaved like a high-strung, racing thoroughbred at the start of a race. Then when let go, he went like a battering ram through or over everything in front of him. It was no concern of his whether the rider stayed on or not. That was left up to the man, as the horse was going to catch those cattle or else knock down all of the brush trying. The man always had the better of the deal when mounted on a trained horse, as he could then figure out what the horse was going to do and ride accordingly. The movements of an untrained horse or a broncho could never be judged, a fact which often led to a brutal tragedy for either man or horse and sometimes both.

The morning's work was usually finished by eleven or twelve o'clock. That is, the riders were through beating the brush and ready to drive the cattle to the ranch or camp grounds. Their arrival was never later than four o'clock, depending on the terrain over which they had to drive the cattle. At this time the crew would eat their first meal since breakfast. They were meals all right, for they sustained life, but they had little variety. To break the monotony, the cook would serve them

as follows: For breakfast he served coffee, bread, bacon, and beans; dinner was comprised of bread, bacon, beans, and coffee; and for supper there was bacon, beans, bread, and coffee. The bread was made from corn meal, and a lean streak in the whole side of bacon could rarely be found.

E. E. Townsend worked for that outfit for three years for twenty-five dollars a month. He had ridden many miles up and down the Rio Grande and back to the Nueces River while still in his teens, getting a good deal of experience both good and bad.

#### *An Experience in Mexico*

The railroads were paying very good wages at that time; and knowing that it couldn't be any harder than what he had been doing, he decided to go to work where a fellow could get along with less expense than in the States.

He drifted down into Mexico, where a master mechanic put him on as a student fireman. There was to be no pay check until the time when he could qualify and pass an examination required of all firemen. Acting as a fireman's helper to the regular fireman, he made several runs up and down the line doing all of the heavy work, the training being the only compensation that he received.

Finally the time came for him to make a qualifying run. This was made with an engineer who was a great brute of a man, with a weight in the neighborhood of three hundred pounds. On several occasions with little perturbation he had severely beaten some tough hombres. Late in the afternoon the train pulled into the yards of a little station. The tender was spotted to take on water, and the engineer went down to the station to pick up his orders.

After the tank of the tender was filled with water, the moveable spout was returned to the upright position on the stationary tank. Townsend had failed to turn off the valve, and a tremendous volume of water came out of the spout, spilling on the ground beside the tender. A loud, bellowing roar and a lot of cursing came to E. E. Townsend's ears. Glancing down, his eyes fell upon the engineer, who had been struck by the full force of the water, which knocked him into the ditch beside the track.

As he picked himself up out of the mud and water, he was

foaming like a mad man. Realizing that quick action was all that would save him from a terrific beating, E. E. Townsend quickly slid down the coal bunker to the gangway between the tender and the cab. As the engineer was climbing up the steps, still bellowing like a bull, he glanced up with his eyes meeting the steady gaze of a forty-five Colt. Stepping back to the ground, the engineer asked, "Did you turn on that water?"

Having been assured in the affirmative, he replied, "Oh! I thought it was that damn fireman. Put up that gun and let's pull out of here."

Shortly after the experience with the engineer, E. E. Townsend's thoughts turned back to thoughts of what was in store for him if he continued associating with such men. He thought of what a disreputable character he might become if he remained in that environment. This meditation drove him away from the higher wages across the border and the Rio Grande to the Texas ranches, where he remained until 1891.<sup>2</sup>

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<sup>2</sup>*Ibid.*, September 29, 1947.

## CHAPTER III

# Texas Ranger

### *Becoming a Ranger*

A long-sought-for opportunity came to E. E. Townsend in 1891.<sup>1</sup> At this time he enlisted in Company E., Frontier Battalion of the Texas Rangers. Since he was only nineteen years old, the Ranger Captain suggested that a couple of years should be added to E. E. Townsend's age, giving it as twenty-one. There was no law governing the question, as the giving of one's age was a mere formality. Still the Captain preferred the enlistment application to show the legal age of manhood. There were fourteen men in this outfit. Two earlier members were T. P. Dolan, who enlisted June 26, 1891, and Jeff Blalock, July 17, 1891. The new members were Louis Pauli, S. E. Lane, Lee S. Tucker, E. E. Townsend, I. A. Harris, R. L. Townsley, Rigdon Terrell, D. S. Roberson, and Luke Dowe. These men enlisted September 1, 1891.<sup>2</sup> Of this group E. E. Townsend was the youngest.

A ranger private's pay, which was thirty dollars per month, was paid to him in quarterly payments. This gave him four pay days per year, at which time a voucher of ninety dollars was received. Often the State Treasury was empty, so that for a poor ranger to get any money he had to accept a ten per cent discount from a banker or merchant. This money was generally needed, as each ranger had to furnish his own equipment.

A value was placed on the horse when he was accepted for service. If the horse was lost or killed in actual service, the ranger would probably receive one of the minus-ten-per-cent vouchers for him.

The State furnished food for both man and beast. In each case the food was good and abundant when available. Very often on long scouting trips both men and horses went hungry for days at a time. The State also furnished ammunition; that is, one cartridge per man per day.

<sup>1</sup>*Frontier Battalion Papers*, Archives, Texas State Library.

<sup>2</sup>*Ibid.*

Being green, Townsend had much to learn about the ranger service. However, he was fairly well equipped with many of the arts and requirements needed in the making of a ranger. As he had worked on Texas cattle ranches, he had become a fair rider and had learned the nature of horses and cattle. The brush country of South Texas had made him a good woodsman, and he could trail anything that left any sign behind. There were few that could teach him new tricks with a six-shooter or Winchester.

Headquarters the first year was the town of Alice, with the greater part of the work between the Nueces and the Rio Grande rivers. The hardest and most dangerous work was in the chaparrals down toward the Rio Grande. Here there were vast stretches of brush and sand which were largely owned and populated by Mexicans.

#### *Bootleggers and Booze from Below the Border*

The rangers had to deal with all kinds of criminals. There were murderers, robbers, cattle rustlers, horse thieves, revolutionists, and *mescaleros* (bootleggers). The latter brought their booze across the border on pack mules. Each packsaddle was laden with eight or ten gallons of liquor, which was sold in the little towns as far as one hundred miles north of the Rio Grande.

The *mescaleros* were truly bad men and often traveled in gangs of half a dozen or more. These gangs were captained by the worst of the lot, for they were always ready at the drop of a hat to fight the rangers or other peace officers. In fact, they often sought a fight, never trying to avoid trouble.

#### *Revolutionist Catrino Garza*

There were some four-hundred revolutions led by one Catrino Garza, who made his headquarters on the Texas side of the Rio Grande. This tough *hombre* could organize and arm a band in Texas. He would then slip down south of the border with his band for the purpose of starting a revolution against Porfirio Diaz, then President of Mexico.<sup>3</sup>

The revolutionists crossed the border into Mexico many times but were always driven back to Texas, where they would

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<sup>3</sup>Porfirio Diaz ruled Mexico from 1876 until his death in 1910. Lesley Burd Simpson, *Many Mexicos*. G. P. Putnam's Sons, New York, 1941, pp. 282-288.

break up into small bands and scatter over the country far and near to buy equipment to keep up their organization for another attempt on Old Mexico. Garza and his adherents, who appeared to include every Mexican in Southwest Texas, proclaimed their good will towards all American peace officers and maintained that under no circumstances would they fight them. Naturally neither state nor federal government could permit a bunch of bandits to invade a neighboring, friendly country from our soil to start revolt.

An effort on the part of the rangers to prevent such action soon led to fighting. This finally became a guerilla war between the rangers and the United States troops on one side against the revolutionists—a guerilla war that lasted more than a year before the band of outlaws was broken up and scattered. All of the advantages in the struggle were held by the bandits, as the country was thickly settled by Mexicans. There were great districts covered with dense brush and chaparral so thick and impenetrable that only trained men and horses could make progress through these thickets. The most adept riders were apt to become lost and wander afar in this brush. Many were the times when one could ride for days without seeing anyone but Mexicans.

The rangers couldn't make a move without the enemy's knowing about it almost before it was made. It seemed that the bandits had a friend behind every bush who quickly passed on the information to the drifting bands of hunted outlaws. All-night rides for the purpose of surprising and capturing or destroying the different bands were of frequent occurrence, but in nearly every raid, the bandits had scattered before the arrival of the rangers. Twenty-four hours in the saddle was not unusual. It was ride and starve and ride again, always keyed up for a fight, each man wishing for an opportunity to destroy those slippery rascals whose stealing and robbing never gave anyone an opportunity to rest.

One of the most vicious and notorious of the *mescaleros* was Catrino Garza<sup>4</sup> who after graduating from the University of Mexico took a commission in the army. This he held until one of the revolutions made him realize that life was healthier north of the border. In Laredo, San Antonio, and Rio Grande City on different occasions he published a Mexican newspaper until

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<sup>4</sup>*Supra.*, p. 37.

he stirred up an attempted revolution against his fatherland. This later developed into bootlegging and banditry.<sup>5</sup>

The great desire of the rangers was to capture or kill Garza, believing when this was done, the outlaw band would break up. The members would then drift down south of the border beyond the Rio Grande or disappear into the chaparral. With this object in mind they set out to hunt down a less important man or two whom they knew to have Garza's confidences and who knew his actions and usually his whereabouts.

After many nights of hard riding they caught one of these men one morning about daylight. At first he would give them no information. Finally they persuaded him by threatening to hang him if he did not tell what they wanted to know. They told him that only as a last resort, as they had no intention of carrying the threat through. One of the rangers put a lariat around the man's neck while a second tossed the end of the rope over a limb of a tree. This worked, for when the end of the rope was drawn tight, the Mexican began to talk. He did not know the exact whereabouts of Garza—knew only that he was somewhere down near the Rio Grande. Within the next few days he would be expected to come north via the Brownsville and Alice stage road. He was to be disguised as a common vaquero and be with several men driving a remuda of horses.

The captain then ordered Townsend to take Pablino Coy and L. A. Pauli<sup>6</sup> and strike the road at or near the Santa Rosa Ranch and there await Garza's coming, or if further information of where he might be found should be received, they were to be governed by the exigencies of the circumstances and if necessary to follow him to the jumping-off place.

The two rangers arrived at the Santa Rosa Ranch early one afternoon. Much in need of rest, they put in some good hours sleeping until early the next morning.

There was a great drouth that year, and the ranch had about forty Mexicans working in two gangs skinning the cattle that were dying by the hundreds from lack of food. Seemingly the rangers showed little interest in the skinning gangs, but Pablino and Coy agreed with Townsend that the majority of them were revolutionists and bandits earning a little money for supplies while awaiting the time to cross the border for another battle.

The ranch house was near the top of a long slope and

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<sup>5</sup>Helen White Keller, *Sul Ross Skyline*, June 28, 1939.

<sup>6</sup>*Supra.*, p. 34.

about a quarter of a mile from the road which came out of a strip of heavy live oak timber about half of a mile south of the ranch. The road wound around through some patches of timber. While partly hidden by the trees, the rangers had a very good view of the road for some distance, both north and south of the ranch.

Coy and Pauli were on the front porch loafing and smoking. At the same time Townsend was out in the yard currying down his horse when one of the men said, "Yonder comes some one up the road." Townsend looked and made out two men riding one horse. They were the first persons he had seen coming up from the Rio Grande since he had struck the road early the afternoon before.

Coy suggested that they stop the men. Townsend said, "What for?" "They are not the men we want; besides, if they are questioned, they may send word back to Garza that we are waiting for him."

Coy then replied, "Pauli and I will walk down to the road and ask them a few questions in such a manner that they will not suspect who we are, let alone become suspicious. I am tired of loafing and wanted to get our men.

As Townsend was rested and restless and wanted action, against his better judgment he told them to go, thinking little of how quickly action would come. They concealed their six-shooters in their skirts and pulled out towards the road, and Townsend kept on at his job, glancing occasionally in their direction.

There were two gates on the main road which the mounted men had to open and pass through. As the riders neared the first gate, they appeared to be in a hurry, but the boys were near there and were approaching the road at the point where it swung north from the gates at an angle of forty-five degrees. Townsend then saw that they would have no trouble in intercepting the riders, who by that time could be distinguished as Mexicans. Going on with his work, he forgot the riders and the rangers for several minutes. Suddenly there were some loud shouts coming from the direction of the road. Looking up, he saw the two rangers coming on a dead run from among a little grove of trees bordering the road. Quickly he bridled their horses, led them to where the saddles were lying, and nearly had his horse saddled when the boys arrived. While doing some fast riding after Townsend had hastily saddled the horses and snatched their guns, Coy told him that they had had some trouble in persuading the two Mexicans to stop; after they did, the two rangers had walked up within ten or fifteen feet of them. However, there was a wire fence between them and the Mexicans.

The older Mexican, riding in front, took the lead in talking but gave no satisfactory answers to their questions.

Coy finally told him, "We are rangers and you must answer our questions."

About that time Coy decided to go through the fence, in order to get nearer to them. While in the stooping position, he demanded the Mexicans name and as he raised up after passing through the fence, he looked up into the muzzle of a Winchester held by the Mexican about four feet from his face.

The hombre replied, "Mi nombre, Juan Cantu. Que ti debbe?" (My name is Juan Cantu. What do I owe you?)

Pauli drew his pistol, but Coy caught sight of it out of the corner of his eye and said, "Dont start anything here, or this fellow will blow me to hell."

The Mexican then cursed them and ordered them to go back. Coy tried to reason with him, but it was impossible. They then did a quick about-face and headed for the ranch house, as the Mexican told Coy that he would kill him if they didn't go. Coy knew that the Mexican would carry out this threat, putting it into execution very quickly.

The three rangers were in the saddle riding and riding fast before Townsend had heard all of the details just related. They had to ride back a quarter of a mile in the opposite direction from which the Mexicans were going in order to pass through the gate. This gave the Mexicans a mile or more of a head start on them; nevertheless, they were soon hot on their trail. The Mexicans kept to the road, which led out across the sand hills and prairies to the north. Townsend and his companions had to cross a lake which was about two hundred yards wide, ranging from two to three feet deep. This lake was about three miles from the ranch. Just beyond this pond they saw the Mexicans going over a ridge as fast as their little pony would carry them.

When Coy and Townsend, in the lead, topped the hill, they saw the Mexicans riding into another band of about twenty Mexicans approximately one hundred and fifty yards down the slope. The rangers' first thought was that this group was composed of bandits. On their well winded horses they knew that their only salvation was in a bold front, and without faltering, they jerked their carbines out of their scabbards and rode down on the band of Mexicans. The next hundred yards that they rode seemed as if it were a mile as so many serious thoughts, which would take pages to tell, went through their minds. When they had come within fifty yards of the bandits, Cantu stopped his horse, leaping to the ground and knock-

ing his companion with him. He then squatted on the opposite side of the horse's forelegs and began firing at the rangers. The other Mexicans at the same time scattered over the prairie like a covey of frightened quail. At that moment a great load was lifted from Townsend's mind, for the band of Mexicans were skinners, not wanting any part in the battle; so they would have to fight only two men instead of twenty. The rangers dismounted and advanced on foot as Cantu started firing at them with his carbine. Coy was about five feet to Townsend's left, and as the fourth shot was fired at them, the bullet kicked up a little dust in front of Coy, who at the same instant stumbled on a clod and fell, grunting loudly as he hit the ground. Townsend thought that Coy had been killed, since a bullet fired by a dying man was as fatal as any other and Cantu had been hit several times. When firing at him, they had seen little puffs of dust rise from his clothing. At this time Townsend could almost see the rifles in the outlaw's gun barrel, as he was only about twenty paces from him. He then resolved on a hasty shot at his face. This went true, ending the fight, for the other fellow was running on foot across the prairie. After trying without success to halt him, Townsend outran him and forced him to return. When they came near the dead man, the Mexican refused to advance of his own will; so with a well placed kick in the seat of the pants, Townsend managed to get him to the horses. At that time, the scattered Mexicans were riding back toward the rangers who still were in doubt as to what action those half-bandit skinners might take. So they wanted to be near their horses to be prepared for any emergency that might arise. About this time Pauli came up, and his companions were very glad to see him. Townsend and Coy had the better mounts and had left him behind soon after the chase began. The three men talked to the Mexicans and, learning who their foreman was, ordered him and two others to remain near the body until they could return to the ranch to bring out the manager, a Mr. Hodges, and the other Americans there; in the ride, the prisoner, who appeared to be a boy of about seventeen or eighteen years of age, rode on the horse with Townsend, as the little pony he and Cantu had been riding was all in. When they arrived at the ranch, they got the Americans and immediately returned to the scene of the shooting. Here they found everything as they had left it. The hands of the dead man still held his Winchester. He had fired four or five times, and the lever of the gun was almost closed for another shot, which might have been fatal to Coy or Townsend. Cantu had been hit five times. Since he was crouched as he was with his left side to the

two rangers, one bullet had passed through both calves of the legs, one through each thigh, and two through his body. The last fatal shot struck his lower lip as it penetrated his head.

After the Americans had looked the situation over, Mr. Hodges ordered the Mexicans to bury the body where it had fallen. This happened in Cameron County, but Brownsville, the county seat, was one hundred miles to the south. Townsend knew the captain would be looking for them in Alice, fifty-five miles north in Nueces County.<sup>7</sup>

As the rangers rode back to the ranch the second time, Townsend told Coy and Pauli that they would go to Alice first and report to their captain, leaving it up to him to decide whether any legal action should be taken. If so, they could then go to Brownsville.

When they returned to the ranch and were eating breakfast, the cook, an American with whom they had left the prisoner when they returned to the scene of the battle, told them that their prisoner was a girl.

Juan Cantu had stolen her from her home near Brownsville two nights previously and they were, at the time of the shooting, headed for the interior of Texas. When Townsend talked to her she confirmed the story and gave her name as Guadalupe Garcia. She also added that Juan was wanted for stealing cattle and had a few days before disarmed a deputy sheriff who had been sent to arrest him.

This complicated the situation a great deal more, as Mr. Hodges could not keep her there on the ranch until a way could be found to send her home. There was not a single woman on the ranch, and not a man could be spared to take her home.

As she had already ridden over one hundred miles double on the little pony, Townsend asked her whether she could endure to ride fifty-five more that way. She was glad to ride that way, as she was anxious to leave the ranch near the scene of the killing.

The rangers and their charge set out about 11 a.m., after having rested and fed their horses. Early in the afternoon a slow drizzle of cold rain began falling and hampered their travel. The trip was hard on them, especially the girl and Townsend's poor horse, which was the only one fit to carry double. They reached camp about 1 a.m. Guadalupe had been a brave little thing and had held up like a man. Naturally all of the rangers felt very sorry for her and did what little they could to relieve her suffering. Townsend deeply regretted having kicked her while

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<sup>7</sup>Jim Wells County was created from Nueces County in 1911, organized 1912. *Texas Almanac*, 1947-48, p. 486.

laboring under high excitement and supposing her to be a man. She received the best of food and care and the best bed in the ranger camp that night.

A few days later she was taken home by Sheriff Brown of Cameron County, who was on his way to Brownsville. Enroute the sheriff accidentally shot and killed himself.

### *Rangers and Soldiers Chasing Bad Men*

Ranger E. E. Townsend accompanied Lt. Walter G. Short, who later became a general and was made commanding officer of the cavalry division stationed at Ft. Bliss, at El Paso, Texas.<sup>8</sup> Three other rangers and E. E. Townsend had ridden into Pena early one morning. They were out of supplies, and there were none to be had at this town. Lt. Short had likewise ridden in with his troops that morning and also had no supplies for either man or horse. They were comparing notes on information each had obtained concerning the bandits when a rider came galloping in and reported that Manga de Agua (Shower of Rain), one of the notorious leaders of the Garzaiter, and fifteen men had just robbed a ranch some eight or ten miles away. Although they were hungry and there was no food in sight, the opportunity of getting Manga de Agua and his gang looked so good that all were willing to take the chance and starve for a week if necessary. They were hot on his trail long before noon and followed the bandit's horses' tracks almost as quickly as they made them all afternoon, but not quite catching up. Taking up the bandits' trail again at daylight the next morning, the lawmen tracked them all day, but just about nightfall the tracks were rained out. There had been times throughout the day when the lawmen thought that they would very certainly overtake the outlaws. If they had overtaken them, there would likely have been a nasty fight, as Lt. Short had to leave behind on the trail two of his men in the chase. All of the bandits had reputations as great fighters.

The rain had blotted out the trail, and it was becoming too dark to follow the tracks. The men decided to make camp for the night. With only a slicker for a cover, they were in for a cold night, sleeping on a cold, frosty ground. After awhile there came a faint bleating from a distant goat. Being hungry and having gone without food for a couple of days, they thought

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<sup>8</sup>Monthly return of Captain J. S. McNeil, Co. E. Frontier Battalion, State of Texas, February 29, 1892.

even goat meat would be a big treat. After prowling around in the brush for awhile, E. E. Townsend finally stumbled upon a well-hidden little brush shack. The occupants were an old Mexican couple who possessed a small flock of goats. After a lot of persuasion the old man finally agreed to let him have an old billy goat and a pot in which to boil it. While the Mexican was killing the old billy, E. E. Townsend became engaged in a conversation with the kind-hearted old woman. She agreed to make the old man kill a young kid and cook it along with some tortillas for the rangers.

After the kid was killed and the old lady was starting on her job, the old man and E. E. Townsend took the billy goat and the pot over to the soldiers. The soldiers really went after the old goat, having been without food for so long. E. E. Townsend told the rangers about the kid which was being prepared, and it took very little persuasion to get Lt. Short to join their feast. The next morning when the bandits could be trailed no farther, Lt. Short headed for his post many miles away, and the rangers turned toward their camp, which was a hard day's ride ahead of them.

#### *Rangers Stopped by the Rio Grande*

One day shortly before noon, word was received that five *mescaleros* had come into a little town named Realitos, with a population of several hundred Mexicans and six or seven Anglos. After spending the night in this town, the *mescaleros* on the following morning in broad daylight rode into the plaza and began firing their guns and calling for the officers to come out and fight.

The only officer there at the time was a deputy sheriff named Rutledge Evans. He was a man without fear, though the other Anglos were afraid to assist Evans, even going so far as to hide their guns in order to keep from service as a posseman. After appealing in vain, Evans and his brother, Frank, went right down into the heart of the Mexican town and fought the outlaws, driving them away after a gun battle which wounded two bandits and killed two of their horses. The Evans brothers escaped injury, even though the *mescaleros* had kept up a heavy rifle fire before they retreated.

Immediately after receiving word of the gun fight, the ranger captain ordered the horses to be brought in from where

they were grazing. Every available man was ordered to saddle up and ride. Two jack mules were quickly loaded with food and grain along with other needed supplies. The State did not furnish mules for the purpose of carrying bed rolls for the rangers. Thinking too much of their horses to burden them with additional weight, they went without bed rolls, preferring to suffer the inclemency of the weather and a bed on the bare ground rather than to burden their best friends. Each ranger had a saddle blanket and sometimes a slicker. In very short order the rangers were on their way, sending up a large cloud of dust from the trail.

After a forty-mile ride they arrived at Realitos just as the sun was going down. Stopping long enough to get the details of the incident, secure some information as to the direction the *mescaleros* had taken, cook and eat their supper, they then rode in the direction taken by the outlaws. As the night was dark, they could not follow the trail but knew the general direction that the *mescaleros* would follow. The rangers rode steadily until three in the morning, when they stopped to feed their horses grain and then stake them out to graze. A guard kept watch while the rest of the men turned into their slickers to get a little sleep. They were up before daybreak, ate a light breakfast, and at daybreak were on the trail of the *mescaleros*, who had traded for fresh mounts and were joined by enough friends to out-number the rangers greatly.

There was a long chase that day following those faint tracks through brush-covered hills, across sand, and over hard ground. The rangers rode up to the north bank of the Rio Grande just in time to gaze across the muddy pools and see the last of the guerilla fugitives ride out of the water into the friendly shelter of the *chaparral* on the south bank in Old Mexico. One of the boys expressed the feelings of all when he said, "You damn little old river, you sure have played hell with my pleasure."

#### *Rangers Fight Mescaleros*

After returning to Realitos, the rangers rested a day or so before all of the men except Willie Daugherty and E. E. Townsend were ordered back to headquarters. They were instructed upon their stay in town to protect the citizens from outlaws and to help Mr. Evans in his official business. The few Anglos were very much excited and fearful of further outrages. Ran-

gers Daugherty and Townsend made arrangements to stay in the home of Judge Gullett, the justice of the peace, who lived on the outskirts of town.

After they had turned in that night and the other boys had returned to camp, Daugherty and Townsend were hardly asleep when Mr. Evans called them. They got up and dressed in short order and found outside the house the deputy and a Mexican who claimed to be a ranchman living a few miles from town. The Mexican rancher told them that the night before two *mescaleros*, Pantaleon Chafa, a leader, and Santiago Vela had ridden up to his ranch and forced themselves upon his hospitality and abused and threatened both him and his family. That same day they had ordered him to ride into town and to report as to whether the rangers had left, declaring that they were coming to town to kill Evans. He did come to town as ordered, and saw the rangers leave, noticing that two remained.

He then went back to his ranch and reported that the rangers had left town, but they kept him a prisoner the rest of the day. Shortly after dark they made him go to bed and told him to stay there until they came back for him. They were going to kill Evans and would return in a few hours. He said, "They are *hombres muy bravos*." He was afraid that as soon as they arrived in town that they would hear from their friends that all of the rangers had not left town. They would not make much of an effort to kill Evans, but would return to the ranch and murder him for having given false information.

He suggested that the rangers saddle up and cut across a pasture and meet the *mescaleros* as they came out of town; otherwise they would escape. Daugherty and Townsend started to put this plan into execution. While they were saddling their horses, suddenly there came a sound of yelling followed by the firing of guns from down town. The Mexican urged them to hurry, but this urging was altogether unnecessary, for they were then doing their best. He led them at a gallop through the brush and over a fence or two, reaching the road in time to meet the *mescaleros*.

It was certainly smokey for a few minutes, as firing was rapid from both sides. There couldn't have been fifteen feet between the rangers and the outlaws during the battle, as the guns seemed to blaze right in the men's faces. When the skirmish was over, both of the *mescaleros* were dead, and one horse

was badly wounded. Chafa was sprawled on the ground lying on his Winchester from which all of the shells had been fired, and the lever was about half open for another thrust. The other man, Santiago Vela, had an empty six-shooter in his hand. Each of the victims had been hit seven or eight times.

The Mexican rancher was very happy over the results. He then told that Chafa and his gang had been making headquarters of his home during each of their contraband trips for the past several years. They never failed to abuse both him and his family on every possible occasion.

### *Rangers Look the Devil in the Eye*

Often were the times that the rangers came in violent contact with all kinds of toughs, Anglos as well as certain Mexicans. In those days, famed for personal liberty, there was seldom a public gathering, a celebration, or a holiday that all of the bad men, as well as some of the good ones, didn't come to town and go on a big drunk. Such celebrations frequently ended in fights. Very often there was a killing or two. The rangers as a rule did not interfere with the drunks or the fighting unless the latter bordered on bloodshed.

Once, when E. E. Townsend's outfit was camped near the little town of Alice, a celebration had been in progress a few days. The town was full of drunks; a number of knock-down and drag-out fights happened, and all Anglo women and children remained indoors. One morning quite early several of the leading citizens came to camp and asked the ranger captain to clean up the town. They told of the big brawl the night before which everyone in the vicinity had heard; noise from the shooting and yells were heard far into the night. The captain called the sergeant, D. S. Roberson, a tall, quiet, long-service ranger, and told him to take some help and arrest every man who seemed to be making any disturbance. Roberson was a man of few words. These few words were spoken very low, and if danger hung about, the voice dropped to almost a whisper, faintly clear without a quiver. Turning away to obey the order, he passed near the other men and said, "Come on, Townsend."

The two rangers saddled up to ride into town, as the camp was about a mile from town. E. E. knew that they had a big order to fill to arrest that bunch in town. As they rode away

from camp, he kept looking back. The sergeant asked, "What do you see?"

"Nothing," replied E. E. Townsend, "I was just looking back hoping that you had asked some of those other lazy galoos to come along." Looking back toward the sergeant, he got a glimpse of a dry grin and clear blue eyes. He then knew that Roberson was going to arrest those bad men and would depend upon him to back the sergeant up to the limit.

They rode into town, dropped their reins by the hitching rock, and walked into the nearest saloon. There was nothing there except the aftermath of an all-night's brawl. There were broken glasses, broken bottles, and a couple of drunks, lying in their own or someone else's vomit. The stench from the stale beer, rotten whiskey, and filth was so thick that it could be stirred with a spoon. When they opened the door of the next place, there were four men known to be cold-blooded, desperate, quick-handed, deadly gunmen. These men would never willingly submit to arrest. They were standing between the rangers at the door and the bar. The leader nearest to the door was preparing to roll a cigarette, holding the paper in his left hand with the sack of tobacco in his right. The sergeant stepped up to him and in that penetrating whisper which was sure to pierce every crack of that big room said, "You boys will have to give up your guns."

The answer came quick and clear, "Like hell we will, not to you two."

Not a gun had been drawn. When those words were spoken, E. E. Townsend sensed that every muscle grew tense in that room. The outlaw leader, sack in hand, sought his favorite position for a quick draw and a death shot. These two brave men stood facing each other eye to eye and almost foot to foot. The desperado cupped the brown paper in his left hand, pouring the tobacco. Then he dropped the sack to the floor.

He knew that a move to replace it in his jacket pocket would probably be misunderstood for a signal and the Colts would commence spitting fire before he was ready. It seemed to Townsend that the four pairs of eyes bored him through. In those few tense moments there was no difficulty in seeing every move or change of expression made by each of the outlaws and the sergeant, who was a few feet to his left. The two toughs were standing some few feet to the left in front of Townsend,

and a quick glance showed that they were all men of violent action who would not readily admit their defeat. Townsend realized that when the crisis came he would be their meat or they his.

The whole room seemed charged with some burdensome force held back by the steady nerves of that cool-headed sergeant. The grim silence of those deadly moments came down with a tremendous pressure on the men's consciousness and literally screamed for action—noise or anything that would break that overpowering stillness. Townsend didn't know how much longer he could stand the silence without cracking.

Suddenly the sergeant's shrill whisper came forth breaking the silence, "Give them up boys, or hell will be to pay. We have to take them."

The leader looked him fearlessly straight in the eye for half a second. Then came a slight quivering of fear in those bold eyes of that bad man. It was then that the rangers knew they they had won, for he soon said, "Damn you, take them." And to his friends, "Put up your hands, boys."

The two rangers took up quite a collection of guns that morning, filled the little jail with bad hombres, and then turned the key over to the deputy sheriff. Their duties were finished; so they rode out of town. On the way back to camp, Townsend remarked to the sergeant, "You came darn near getting us killed."

He grinned as he replied, "Oh, no, those fellows are bad all right, but when rightfully persuaded, most bad men generally act fairly decent."

Townsend's feelings were fittingly expressed by a young ranger whom he later knew who had just passed through a similar experience. He said, "It's no fun to stand up and look both God and the devil in the eye, even if you are working for the great State of Texas, for thirty dollars a month, horse feed, and ammunition."<sup>9</sup>

It was E. E. Townsend's first experience in playing the name, Texas ranger, against a whole loaded deck. To him it was a very trying experience, as if everything was stacked against him in the first deal. This was a rough initiation for an inexperienced boy, but it was successful.

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<sup>9</sup>Personal interview with E. E. Townsend, December 3, 1947.

*Townsend Leaves Ranger Service*

After Townsend had spent eighteen months in the Ranger service, the State Adjutant General asked for the resignation of Ranger Captain Jesse McNeil. These two men had clashing personalities and did not agree on any single point. As they could not see eye to eye in any respect, this situation led to many arguments and disagreements until the resignation of Captain McNeil from the Ranger Service. The men in the company serving under Captain McNeil were so loyal to him and thought so well of him that they all asked for and received honorable discharges the day of his resignation.

## CHAPTER IV

### Customs Service

After leaving the ranger service, E. E. Townsend was due to put in his time working for Uncle Sam, as a position came to him in the customs service. This position appealed to him, as it would give him a chance to work along the Mexican border where there was an opportunity to spread good will and a friendly feeling between the two countries.

In 1894 Townsend went to Presidio, Texas, down on the border in the county by the same name.<sup>1</sup> After he spent a short time there, a former ranger by the name of John Bannister came down and introduced himself as a Treasury Officer in the Custom's Department. He asked Townsend how he was getting along in the service and how much luck came his way in catching smugglers.

"Very little," was Townsend's reply, as he had been there but a short time and had not become well enough acquainted with the people to get any information from them.

To this Bannister said, "My job depends on my doing something; it's not like yours with a regular station, and if I don't get results, this position won't be mine very long. Will you get out on the desert and help me to see whether we can do something?" Townsend assured him that he would accompany him on the trip and declared that Bannister was the very fellow that he was looking for. Since Townsend had been on his new assignment such a short time, possibly he had been a little timid about the task of catching smugglers.

To this Bannister replied, "What can we do to find some fellow smuggling liquor, cattle, horses, or anything else?"

Townsend's suggestion was that they go up on a certain trail near the mining town of Shafter, which was the center of the beaten path up from the river, and from here this path branched out in all directions paths over a large territory. They could stay there all night and halt everyone that came along and likely find some smugglers. Bannister accepted Townsend's suggestion, and, together, they started on the journey,

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<sup>1</sup>Personal interview with E. E. Townsend, Oct. 15, 1947.

arriving in Shafter shortly after dark. After spending the night there without anything happening, they decided to spend a couple of more nights in that secluded spot.

During this time Townsend told his companion about several dangerous and desperate prisoners, one of whom had a death sentence, had escaped from Austin, and had crossed the river some forty miles above Presidio.

The third night after their arrival at this hiding place along the trail, which was at the foot of a hill enabling the two men to skyline anyone coming down toward them, Bannister heard a gun shot and told of the incident upon Townsend's return from staking out the horses.

They spread their blankets on the ground ten or fifteen yards from the trail, and waited patiently to see what might happen. After a while the sound of horses' hoofs striking the ground was heard coming in their direction and leading up from the Rio Grande. They took separate positions on each side of the trail, and it was agreed that Townsend was to halt the oncoming horsemen, for he knew Spanish and the men on horses in all probability spoke Spanish.

Townsend and Bannister had judged that there were at least two horsemen coming up the trail, but as they approached the waiting men, it was not clear as to what the riders were talking about. Unknown was the fact that one of the riders was an American speaking Spanish, but Townsend, upon hearing them talking suspected the riders might be escaped convicts. He knew of no one else that would be coming up from the river along this trail. There was no opportunity for him to tell Bannister what he suspected; so he squatted on the ground about three feet from the trail and waited.

When the riders topped the hill, they were about twenty feet from the waiting lawmen. There were only two men on horseback. One of them, on a large horse, was on Townsend's side of the trail, and he judged him to be American. He then made up his mind to halt them—speaking to them in English, and when the horsemen rode between the waiting pair, Townsend arose, punched the man in the ribs with his carbine, and at the same time told them two to halt.

Before saying a word, the rider showed a six-shooter, showing it into Townsend's face and asking, "Who are you?"

Townsend quickly replied, "We are officers, and I'm Townsend; who are you?"

"I'm Dan Knight, sheriff of this county," he replied. "I'm glad to know who you are." They had not previously met.

All were frightened at how close to tragedy they had come. Had the men been halted in Spanish, there would have been an exchange of bullets, as the sheriff was expecting to be waylaid. Only a short time before he had fired at a shadow which he suspected to be a man.

Bannister decided that he didn't want any more smugglers that day. As the night was getting chilly, they built a fire and made some coffee. The Mexican who was with the sheriff was so scared that he could neither sit nor stand near the fire. After they had all laughed about the incident, Knight proceeded on his way.

Bannister and Townsend built a big fire and talked and didn't look for any more smugglers that night. Along about three o'clock, Bannister said that he was going to Shafter and wanted his companion to accompany him, but that was impossible, as Townsend had to return to Presidio.

Townsend's nerves hadn't been tried enough for that night. As he was riding down the trail, his pony which always pointed his ears when he saw or smelled anything unusual, started pointing ahead. Suddenly he paused and looked toward a certain spot of ground. This spot about five feet ahead, to the left of the trail, and there turned out to be a man lying there.

Townsend, with his Winchester across the saddle, looked down at the man and asked, "Who are you?" in Spanish.

After the man had given his name, Townsend asked what he was doing there.

"I'm resting," he said.

"Where are you from, and where are you going?" were the next questions.

"From Shafter, and I'm going to Presidio," was his reply.

By this time Townsend saw that he was an old *peon*. Telling him, "*Adios, gracias, amigos,*" he rode on.

That had been a hectic night, for he had almost shot the sheriff and then had ridden up on that old Mexican along the trail in the dark.

In those days officers stopped people a great deal at night, thinking they were suspects or escaped convicts. They always expected to be ambushed at any time.

E. E. Townsend's first view of the Chisos Mountains and the region now comprising the Big Bend National Park was on August 31, 1894.<sup>2</sup> For several months he had scouted over the entire portion of the big bend lying in Presidio County but had never seen the lower curves that hang bag-like, deep down into Mexico. With Bufe Cline, deputy U. S. marshal, on the trail of some mules that had been stolen in Mexico and smuggled to the Texas side of the Rio Grande, he once suddenly came to the southeastern edge of Bandera Mesa, which for many miles forms the mighty western hall of Green Valley and stands more than 1,000 feet above that misnamed basin. It was a vision of such magnitude and grandeur that would have stirred the sluggish soul of a Gila monster. It was so awe-inspiring that it deeply touched the soul of this seasoned and well-trained servant of the Texas Rangers. It reached in so deeply that it made him see God as he had never seen Him before, and so overpoweringly impressed him that he made a note of its awesomeness in his scout book.<sup>3</sup> This was to give him the idea of creating a national park to bring about better relations with our neighbors down "South of the Border."

While he was stationed on the Mexican border at Presidio, Texas, as a mounted inspector, these duties carried Townsend over a wide range, often taking him over to Marathon, in the eastern part of Brewster County. On February 18, 1895, while on one of these routine scouting trips, he was caught in a severe West Texas blizzard about two miles south of Marathon, where the road was ended abruptly by a barbed wire fence. Of this experience, Mr. Townsend stated:<sup>4</sup>

"As I approached the gate, I saw two ladies in a buggy coming from the opposite direction, and the horse they were driving was badly frightened and was rearing and plunging about as they tried to make it pass some large object that lay near the gate beside the road. Reaching the gate first I opened it and met the ladies, took charge of the unruly horse, and escorted them through the gate. One of the ladies I had already met, Mrs. Charles Thompson; the

<sup>2</sup>Scout book, Personal files of E. E. Townsend.

<sup>3</sup>Jeff D. Ray, "Father of the Big Bend Park is Man of High Character," *Fort Worth Star Telegram*, August 27, 1944.

<sup>4</sup>Dr. Clifford B. Casey, *Frontier Times*, Vol. 17, No. 12, Sept. 1940.

other, to whom I was introduced, was Miss Jones—Allie. She was as pretty as a peach and manifested the same courage in handling that unruly horse that she had ever shown when called to test, and I guess that I fell for her right then.”

This was undoubtedly true, for the next eight months or so the customs service was seemingly neglected, or else there were an unusual number of cases in that general direction of Marathon, Texas, and the Circle-Dot Ranch which called for the personal attention of Mounted Inspector E. E. Townsend. The result of the rather frequent scouting trips to the vicinity of Old Fort Pena Colorado was a wedding ceremony performed at Valentine, Texas on November 1, 1895, in which E. E. Townsend and Miss Alice Jones were united in wedlock. After the ceremony they made their honeymoon trip by stagecoach to Presidio, Texas.

Here along the Rio Grande the couple made their first home in a two-room, adobe house with dirt floors. There were about twenty-five hundred people in the village, and the Townsends were the only Anglo-Americans in the community. Frequently duties of the customs service required that E. E. Townsend be sent out on scouting trips which lasted as long as three or more weeks. On these occasions “Miss Allie,” the only English-speaking woman in the community, would remain at home to have everything spick-and-span when her husband returned from the scouting trip. Even when there was an opportunity for her to go to Shafter or Marfa, Texas, during the absence of Townsend, she would remain at her post of duty—the little house. This, however, was not always the case, as often during the first year, the young bride saddled her horse and accompanied the inspector husband on the scouting trips. On these trips they would ride all day, and often, at night, they would camp out on the open range. In this first year Mrs. Townsend rode on horseback more than a thousand miles alongside her husband on scouting trips.

November 11th has long been a special day in the Townsend home. E. E. Townsend’s mother was born November 11, 1874, and then their first and only child, Margaret, was born November 11, 1896.

In August of 1895, E. E. Townsend was stationed at the San Carlos Coal Mine on the Rio Grande, which is about twenty-five or thirty miles from Valentine. Once, while enroute to Valentine on a business trip, he spent the three days and nights riding a train up and down the track of the Southern Pacific Railroad. His business interests caused him to stop numerous

times before he finally reached Valentine the fourth day. He was a very tired man, having gone without sleep for nearly four days, and, upon arriving, he went to the back room of a large store, where he made his bed and went to bed early.

It was shortly after eight o'clock, and he hadn't been asleep very long when something awakened him. There was a lighted lamp sitting on the floor by the head of the bed, and over him was standing a fellow wearing a handkerchief over his face, with holes for his eyesight. He had Townsend's two six-shooters and Winchester in his possession, and his back was toward the door that led into the store.

He said to Townsend, "Get up and come into the store."

Townsend, being only half awake and thinking that the ruffian was one of his friends playing a joke, told him to go away and leave him alone as he was sleepy. The man commanded him again to get up and go into the other room.

Townsend growled, "Go to hell and leave me alone. I'm sleepy."

This fellow punched E. E. Townsend with his Winchester and replied, "You damn son-of-a-bitch, get up and come in here."

Realizing then that the intruder was no friend of his and that he meant business, Townsend obeyed him. Going into the store, he saw that the bandit had the merchant and another man with their hands up. As he was nearing the other victims, Townsend began to size up this fellow, since never before had anyone gotten the drop on him in such a manner—besides, he had never let anyone get away with talking to him in such a manner.

The bandit then punched at Townsend with his gun telling him to move over with the other victims. Townsend estimated the big badman to weigh about two hundred pounds; but his partner, who cursed with every breath he drew, and looked dangerous enough with a six-shooter in each hand, was smaller. They robbed the merchant of three hundred and twenty-five dollars, and made the merchant put a large amount of candy into a flour sack. Someone came and knocked on the front door, which caused the bandits to become alarmed, and they told their victims to get out the back door and open the gate to the corral. At their request Mr. Edgar, one of the men being

held up, opened the gate for them; and as they went out the door, E. E. Townsend stepped to one side, and both bandits passed within two feet of him. There were some fellows out there waiting for them.

A young clerk that slept in the room where Townsend was staying peeped into the store after hearing a noise and ran and gave the alarm. Everyone in town rushed out there, and when the two bad men went out the gate, the shooting started. The big fellow, according to the signs viewed the next morning, evidently stubbed his toe on a bunch of grass and fell to both knees, firing two shots from his Winchester and killing one of the citizens. Both robbers got away unhurt.

It turned out that this big man was Black Jack Ketchum, and this was the first of a number of robberies that he staged, for which he became well-known.

During the next five years Ketchum held up and robbed many trains, especially the Southern Pacific, throughout Texas, New Mexico, and Arizona. He had at various times as many as five or six men with him, and many times he operated alone in his holdups. During the later years of his reign he was feared by his own men as though he were a rattlesnake. At times he would kill members of his own gang for disobeying him.

On two different occasions with his gang, he held up the Fort Worth and Denver train on a hill in northern New Mexico; the third time he attempted the daring robbery alone. The same conductor that had been on the train during the two previous holdups was on this train. Being humiliated by the same bandit was more than the conductor could stand for a third time; so he blasted away at Black Jack Ketchum with a shotgun loaded with buckshot. The conductor's aim was good, and he hit the bandit in the right arm near the shoulder. This immediately put Black Jack out of commission and the train continued on its journey.

The next morning the officers of the law trailed the bandit from the scene of the crime and soon overtook him, as he hadn't traveled far. He surrendered without a struggle. He was taken to a doctor, who found it necessary to amputate the wounded arm.

In 1900 he was tried in Clayton, New Mexico, where he was sentenced to be hanged by the neck until dead. When Black Jack, who was very heavy, dropped through the trap door of

the hanging platform, the rope snapped his head completely off.<sup>5</sup>

E. E. Townsend's appointment to the Customs service came during the second administration of President Cleveland, who stuck to the motto, "To the victor belongs the spoils."

Later a proclamation placed the customs service men under civil service standing. When McKinley was elected to the presidency, a Republic Collector of Customs was appointed. This new appointee seemed to have an affection for Negroes, as several were appointed and placed at sub-points of entry.

Some time after his appointment he learned E. E. Townsend's reaction to Negroes. Wanting to have all Democrats fired, he ordered E. E. Townsend to go to a port of entry where a Negro was deputy. According to rules and regulations that would place him under the Negro's authority.

Townsend's first wife was alive at the time, although she was an invalid, and they had a sick baby at home. When he told her what had happened, she said that they would starve to death before she would let him work under a Negro.

Having already told the Collector of Customs that he would not under any circumstances work under any Negro, he immediately resigned, although he was drawing \$115.00 per month, which was an excellent salary at that time. For a while he took a job on a cattle ranch for \$30.00 a month and lived with his family in a tent.

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<sup>5</sup>Personal interview with E. E. Townsend, Oct. 17, 1947.

## CHAPTER V

### The Elsinore Cattle Company

After living in a tent for a year with his wife and baby daughter and working as an ordinary cow-hand, Townsend was offered the position as manager of the Elsinore Cattle Company. Mr. J. S. Lockwood, president of the Lockwood National Bank, San Antonio, Texas, organized the Elsinore Cattle Company in 1898.<sup>1</sup> Mr. Lockwood had owned for a number of years approximately 105,000 acres of patented land in western Pecos County. This land was composed of alternate sections intermingled with State School land.

Two of Mr. Lockwood's friends, Ed R. Ladlow of New York City, a "big leather dealer," and J. Q. Whitney, a banker of New Orleans, went in with him. The capital stock was fixed at \$100,000.00, and each of the three men subscribed for a one-third of the stock. They then leased the state school land for a period of ten years, the extreme limit allowed under the law, at three cents per acre. This additional land made a ranch of 200,000 acres.<sup>2</sup>

The Elsinore Cattle Company employed Joe Moss, a surveyor, to locate some sites on the unfenced range for wells to be drilled on their patented land. Sites were also surveyed for rainwater tanks. Compensation for Moss was to be paid by use of the range for several hundred cattle which he owned and for a camping ground at the first well in which water was found. Several wells were drilled to the depth of six or seven hundred feet. Only two of these wells had water in them. One of these wells, located in Section 13, Block D, near the northwest of the Sierra Madera Mountains, was about seven hundred feet deep and was at the northeast corner of the pasture. Later the ranch headquarters were located at this spot. Three large tanks were built by Moss, called by numbers one, two, and three.

#### *Ranch Manager*

E. E. Townend accepted the position as manager of the

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<sup>1</sup>Personal interview with E. E. Townsend, Oct. 23, 1947.

<sup>2</sup>Glen Burgess and Max Bentley; "Father of the Big Bend Project," *West Texas Today*, September, 1947. p. 13.

Elsinore Cattle Company and took charge on the 4th day of July, 1900.<sup>3</sup> Upon his arrival at the ranch, the Company did not own an animal or wheeled vehicle of any kind. There was a twenty-five foot Eclipse windmill and a round dirt tank at the place that was selected to be headquarters. Water leaked out of this tank almost as quickly as it was pumped in. The three rain-water tanks were dry, but about two or three miles east of the water-well there were two natural water holes that held considerable water. E. E. Townsend saw that he must immediately make a number of improvements.<sup>4</sup>

A ranch house, fencing, and a water supply must be provided. The new manager studied engineering at night until he was qualified to run surveys and calculate the cost and capacity of earthen dams—or “dirt tanks” in ranch parlance. The original capital of the company was mostly represented by land. In 1905 the E. L. Ranch, improved and stocked was sold for \$250,000. The new owners put up \$10,000 in cash operating expenses and kept Mr. Townsend as manager. With this small “kitty” he made the ranch pay its way, acquired three-fourths of the alternate sections in its borders, improved the quality of its stock, and after sixteen years in charge, left the owners with 12,000 good cattle and an improved ranch easily worth more than \$1,000,000.

During the sixteen years as manager of the E. L. Ranch, E. E. Townsend bought and sold 40,000 head of cattle.<sup>5</sup> Besides knowing the number of cattle bought and sold, he kept records of the hired hands on the ranch, the date that they were hired, and the amount of wages received. The horses were listed under their color by names. Materials used on the ranch were also accounted for<sup>6</sup> By this method of accurate bookkeeping, he was a successful rancher.

### *Ranch Acquaintances*

In 1906 or 1907 Mr. Townsend made the acquaintance of a young man by the name of James “Gill” Gilliespie. The young man was from Colorado County, and Townsend had known his prominent parents in former years. Gill soon became the problem child of the Alpine and Marathon sections. He took

<sup>3</sup>Notebook in personal files of E. E. Townsend.

<sup>4</sup>T. C. Richardson, “Ranger, River Guard, Ranchman,” *Farm and Ranch*, Jan. 15, 1937, Dallas, Texas, p. 2.

<sup>5</sup>Letter to Herbert Maier, Dec. 5, 1935, Carbon in file of E. E. Townsend.

<sup>6</sup>Record book, *op. cit.*

advantage of Townsend's friendship by throwing off his work on other cowboys of the E. L. Ranch. He became the center of the lawless element, drinking and shooting up the town. He became a killer, and the flimsy jails of the day could not confine him. Finally he turned on the man who had given him succor during his first days in the West.

Not all of Townsend's proteges ran aground. On one occasion Townsend was notified by the Alpine banker that one of his cowhands, Oscar Nance, was seeking the Townsend signature for a note. Oscar wanted to borrow money on two thousand head of sheep. Thus fortified with prior knowledge of Oscar's mission, Townsend was well prepared for his cowhand, noted for his friendly pranks on the ranch. Oscar was invited to spend the night, and the invitation was welcomed after the long, hard ride to the ranch.

Oscar was taken aback when Townsend immediately began ridiculing sheep men. After supper he started on sheep again, ridiculing sheep men until bed time. The next morning it was the same thing over again. After breakfast Mr. Townsend went to the corral and found his guest with foot in stirrup ready to mount with his mission incomplete. Mr. Townsend reached for the note bulging in Oscar's pocket and signed it!

The isolation and trials of the early West called for rugged individualism. The wise and the strong survived; the weak and the foolish withered—Oscar succeeded as a sheep rancher; Gill was killed in a brawl in New Mexico.

## CHAPTER VI

### Sheriff of Brewster County

After leaving the E. L. Ranch in 1916, E. E. Townsend's proceeds were invested in a 12,000 acre ranch of his own near Alpine, Texas. After operating this ranch for ten years, he sold the cattle and leased the place in 1926.<sup>1</sup>

Townsend assumed the office of sheriff of Brewster County, November 11, 1918. He had been elected by a majority of more than two to one on the promise that he would do his best to enforce the laws, especially regarding the public gambling that was flaunted in the faces of the pedestrians who walked the streets. More than once he had heard ladies say that they had had to walk around "crap" games that were being played on the sidewalks of Main Street. He knew this was only too true because he had gone through the same experience several times before taking office.

#### *Chasing Desperadoes*

During the last days of December, 1918, Mr. and Mrs. Ed Davidson missed their car, which had been stolen from their garage. Townsend had heard of three strangers in the vicinity of Marathon; so Mr. Davidson and he started out in pursuit in a Ford. They followed the three men to the Sanderson country, where they seemed to be wandering around as though they were lost. Finally, on the night of December 31, they heard that the men whom they were pursuing were near Sheffield. They proceeded to Sheffield and registered for a room to await daybreak. The weather was so cold that the water in the wash basin in their room was frozen solid.

After locating the deputy sheriff, they told him whom they wanted. The deputy sheriff told them that the parties wanted had been in town the night before. By that time the thieves were eighteen or twenty miles down the road, with a flat tire, as it later developed. Townsend then came to the conclusion that the hunted fellows were deserters who carried automatic forty-fives, and thus he felt that the fellows being sought might be armed. He asked the deputy to go with them, as he wanted

<sup>1</sup>Personal interview with E. E. Townsend, Oct. 25, 1947.

a representative from Pecos County with him. These men had evidently given the deputy a good scare the night before, as they had stolen the oil from his car.

"Come with us and I will bring you back," Townsend told him.

"I've got my cows to milk," was his reply.

"Hurry up and we will wait for you," Townsend said.

"My wife is sick and I just can't go with you," he argued.

"Well, I can't do anything for your wife," Townsend told him and walked away.

The three men being sought were sighted on the flat below them as Townsend and Davidson drove over the top of a hill. Davidson was driving at the time. All three of the fugitives were beside the car as the sheriff and his companion approached them.

"Slow down to ten miles an hour, and don't look toward them. Then when I tell you to stop, you come and help me," Townsend told Davidson. Two of the men were within six or eight feet of each other while the third man was about twenty feet away. The car was recognized as Davidson's. When the appropriate place was reached, Townsend told Davidson to stop the car; he jumped out with his sawed off shotgun pointing at the culprits and said, "Fall in, you sons of bitches." When he said, "Fall in," they ran and fell in, facing him. "About face," was his next command, and they obeyed, and he had them.

Townsend took them into Ft. Stockton in the extremely cold weather. There Davidson had to get some tires and go back sixty miles to get his car, and Townsend brought the prisoners on into Alpine. One was handcuffed in the front and the others on the back of the little roadster. About ten miles from town the fellow beside Townsend asked how far it was to town.

After receiving a reply, he asked, "Does the jail have a fire in it?"

"Yes," he was told.

"I've never been in jail, but I hope we hurry and get there," he told Townsend.

Another time Townsend caught two Negroes with several gallons of whiskey early in the morning. One of these men

was a colored man who worked for Clarence Hord, who was a former sheriff of the county and had liquor on his premises. Townsend knew that some white men were behind the bringing in of this booze, and he wanted to find out who they were. One Negro was put in one wing of the jail and the other in the opposite wing of the jail. They had no opportunity to talk to anyone, but word got around that they had been caught with the whiskey. A short time later, Brian Montague, a young lawyer who had recently come to Alpine and hung out his shingle, came to the sheriff's office and asked to talk with one of these prisoners. Townsend told him that he could not, as the Negro hadn't hired him.

Montague was a rather sympathetic fellow and always felt sorry for anyone in trouble. Moreover, he was after all the fees that he could get; so he took all of the cases that came along. Later Townsend and Montague grew fond of each other by mutual friendship, and Townsend felt that Monty was one of the finest and most polite fellows that he had ever met.

At this initial meeting, however, Montague insisted that he did represent the Negro and wanted to talk to him. Still Townsend wouldn't let him see the prisoner. Montague left and in half an hour was back and cited certain articles in the criminal code.

Townsend told him, "It makes no difference to me; you can't talk to the Negro." It was quite obvious that Townsend did not intend to change his mind. Without any further comment, the young lawyer left, but only for a short time.

Montague came back the third time with some law books under his arm. Townsend told him that he could bring all of the law books in the country but could not talk to the Negroes.

He said, "Mr. Townsend, I have tried many times to get people out of jail, but this is the first time that I ever tried to get into jail." He continued, "Mr. Martin, the county attorney, should read these laws, and if he tells you that I am to go in, will you let me in?"

Townsend assured him that he would in that case.

"Come on in, and we will see," said Mr. Montague.

"You go ahead, and I will come in later," Townsend replied.

Later Townsend went in to talk with Martin, who said that Montague could see the silent but that a witness must be present while they talked.

When Monty came back to the jail, Townsend said, "Let's go up and see that Negro."

When they walked into the cell, Monty walked up to talk to his client. Townsend walked up and stood beside them.

Monty turned to Townsend and said, "I want to talk with this man."

"Go right ahead. He is right there. Say whatever you want to him."

"Oh, I want a confidential talk with him," was Monty's reply.

"Well, you can't do that, as this Negro is one of the worst I have ever seen and you might pass him a knife," Townsend told him.

"I wouldn't do that," Monty said.

"Well, I can't be sure. Besides, I have to take care of him, and with a knife he might kill me or someone else," he told Montague.

"You can trust me," returned Monty.

"I'm not so sure. Besides, that Negro is very bad," Townsend replied.

They debated for fully half an hour without Townsend's giving in. Finally, Montague saw that he wasn't going to be left alone with his asserted client, so he told the Negro to keep his mouth shut, and he left the cell with Townsend.

Monty told Townsend on the way down from the cell, "I never did have as much trouble trying to see a client before in my life."

## CHAPTER VII

### Big Bend Park

One of the most fascinating features of the Big Bend area is the group of mountains known as the Chisos Mountains. These are centrally located with the Rio Grande around on three sides, the west, the south, and the east at distances ranging from fifteen to thirty-five miles. This group covers an area of one hundred square miles and is composed of peaks, rimrocks, broad mesas and deep canyons. The material is mostly volcanic or perhaps more correctly called lavas of different ages. The reflection of the sun's rays on the imposing peaks and mountain walls sets them all aquiver with a brilliant mosaic of colors in the clear, pure air.

Emory Peak reaches an elevation of 7,835 feet and tops all the others in the Chisos, although numbers of peaks and mesas are well above the 7,000 foot mark and approach close to Emory's height. From the higher levels of these fire-burned lava plugs, the view extends over a vast area of scintillating colors strewn in confusion and prodigal profusion on valley floors, hilltops and mountain walls far beyond the United States-Mexican border. The pearly, glistening surface of the little dividing line, the Rio Grande, flows 6,000 feet below and can be traced for seventy-five miles as it winds its way on three sides of the observer. The vision is not stopped by impeding walls but goes on and on, limited only by the failing power of the eye to penetrate greater distances.

The bewitching colors of the rock-ribbed Chisos were externally fixed in the process of ancient firepots boiling over and pushing up the seething contents of internal brew to form three huge piles of now cold lava. Eons of erosion have failed to destroy these silent, towering hills but have left them here for our pleasure and profit, a place for the student who wills to become wise in the knowledge of nature's mysterious workshops, a place for the seeker of pleasant climate, for here he finds twelve months of sunshine and temperatures according to his liking. While the summers were rather hot in the lowlands, one sleeps under covers throughout the year in the Chisos Mountains. The winters are ideal in the valley of the Rio Grande,

at an elevation of 1,800 feet and a latitude of 29 degrees north. In fact, one can choose his own climate at any season of the year by simply moving up or down hill. The great American deserts are so remote that their evil dusts are rarely ever seen. On the contrary, the thin air, daily swept clean by pure and sweet breezes from the far away Mexican Gulf, creates a marvelous clarity of atmosphere, which enables the observer's eyes to pierce far reaches to the extended edges of the world.

### *State Legislature*

On day, late in February, 1933, while E. E. Townsend was in his seat in the Texas House of Representatives (to which he was elected in 1932) during the regular session of the 43rd Legislature, R. M. (Bob) Wagstaff, a fellow member from Abilene, came to him with a magazine in his hand and said,<sup>1</sup>

"Townsend, did you ever read this?" It was an article published by Townend's friend, Dr. Robert T. Hill after his trip through the canyons of the Rio Grande from Presidio to Langtry, more than thirty years before. "Yes," Townsend said, "But it has been so long that I had almost forgotten it."

"Well," pursued Wagstaff, "If these things are true why hasn't this been set apart as a park for public use?"

Townsend assured him that maybe the author's enthusiasm had led him to lay on the colors a little heavy in spots, but that even then it didn't tell all the story. He told Wagstaff that ever since coming there more than forty years ago, he had dreamed of buying the Chisos mountains, fencing them in and keeping them as a game preserve for himself and friends.

Hence Townsend told Bob Wagstaff that the Big Bend country had the mountains and the scenery. Furthermore, he had read the article many years before but would like to look it over again before answering his colleague's first question. Townsend reread the article, and, again, he felt the blood tingle through his veins, aroused by the wonderful tale and descriptive powers of that noble Texan, Dr. Hill, the famous scientist, who did much to reveal to the outside world the miraculous wonders of the Big Bend geological formations.

Townsend returned the magazine and told Bob Wagstaff that the old gentleman might have exaggerated a little, at least

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<sup>1</sup>T. C. Richardson, "Ranger, River Guard, Ranchman," *Farm and Ranch*, January 15, 1937. p. 10.

about the fierceness of the bandits, but that he had not overdone the magnificence of the mountains and canyons. At the same time Townsend submitted some late pictures to substantiate Dr. Hill's article. It was Townsend's belief that the Big Bend should be uncovered to the ninety-nine per cent of Texans who were ignorant of its existence.

It was natural for the legislator, Bob Wagstaff, to think of the possibility of unsold public school land along the canyon. When asked about the possibility Townsend replied, "Doubtless there is, because it's not worth much for commercial purpose, and why should people bother to own it?" This supposition led to the next move. The two legislators had the General Land Office mark a map showing any unsold lands in that region, and agreed that if the land appeared to be of any scenic value, they would prepare a bill to preserve this land for future park purposes.

The two legislators accumulated sufficient data to supplement their enthusiasm before the law-makers. Bob Wagstaff dictated a bill setting aside fifteen sections of land and appropriating the sum of five cents an acre out of the general fund to be paid into the public school fund for the land. He listed E. E. Townsend's name as the author, but Townsend demurred at this and insisted that Wagstaff was a lawyer and a parliamentarian, and could put the bill through; whereas, Townsend was a frontiersman, and the bill and he both would become lost in the mazes of that "madhouse" just as quickly and surely as Bob Wagstaff would lose his way out in "them mountains." Townsend finally got Bob Wagstaff's name down first, and they introduced House Bill 771, March 2, 1933.<sup>2</sup>

Somehow they managed to get the bill through that economically-minded legislature, the only one in the state's history that has ever reduced appropriations below those of its predecessor. Governor Miriam ("Ma") Ferguson approved this bill. Before the discussion was over, some of the local enthusiasts insisted that Townsend include all unsold school land in the Big Bend. Fearing that some of his ranchman friends still claimed lands that might have been temporarily forfeited by non-payment of interest in the prevailing hard times, he refused to take that step without thorough investigation.

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<sup>2</sup>*Loc. cit.*

At the close of the regular legislative session Townsend returned home to make a thorough investigation of the Big Bend area. A special called session brought Townsend to Austin in the fall well-equipped with Big Bend data. He and Bob Wagstaff introduced House Bills 26 and 44 respectively. Both bills enlarged the grants of land and changed the name from "Texas Canyons State Parks" to "Big Bend State Park." The two bills dedicated more than 100,000 acres for park purposes and provided for the payment of one cent per acre to the school fund for its holdings. Townsend's bill, having a low number on the calendar, came up first; Bob Wagstaff, showing his good judgment, sprang a surprise on Townsend and the House by tacking his later bill onto the first bill by Townsend. This came at an opportune and unexpected time in an amendment which carried without serious opposition. The bill was passed by both houses and approved by Governor Ferguson on October 27, 1933.<sup>3</sup>

#### *Developing Big Bend State Park*

Shortly after the park was made a reality by the passing of legislation it now became evident that the park must be developed. A park must have buildings and water.<sup>4</sup>

The Civilian Conservation Corps had just come into being. If a CCC Camp could be had in the area, that would be at least a partial answer to the road and building problem. Early attempts to secure a camp promised immediate success. On May 30, 1933, President Roosevelt approved four camp sites in deep West Texas, one of which was to be in the Big Bend area. But disappointments aplenty were in the offing. Rumor has it that the Army, far from being enchanted by the beauty and grandeur of the Big Bend, thought rather of the loneliness and isolation of the country, and threw every stumbling block available in the way of the camp's realization. About the middle of June, when everyone was looking daily for the arrival of the camp officials, came instead the heart breaking report that the camp had been turned down by the army physicians, who gave their reason: lack of roads.

Disappointed but not despairing, those who were vitally interested in the park, led by E. E. Townend, explored every avenue that might lead to Washington and renew

<sup>3</sup>Dr. Clifford B. Casey, "The Big Bend National Park," West Texas *Historical and Scientific Society*, Vol. XXVIII. No. 2, June 1, 1948, p. 30.

<sup>4</sup>*Ibid.*, p. 32.

hopes for a camp. Their efforts were rewarded by way of information from Washington that it might be possible to secure an Emergency Conservation Work Camp. That was on August 2, 1933, and applications had to be on file with the Texas Rehabilitation Office by August 12th next.

The application was duly filed, and there followed almost two months of anxious waiting during which time every likely wire from Austin to Washington was not only pulled, but yanked. The application ran the gauntlet of all the red tape hazards. It finally landed on the President's desk and everything looked rosy, for the President was known to be favorable. But, as is so often the case, the difficulty cropped up where it was least expected. The application stopped dead on the President's desk. No one seem to know just what happened, but it seems Robert Fechner, Director, Civilian Conservation Corps, who was quite close to the President, advised against the project on the ground that the application was not filed by the proper authorities. With a heavy heart Townsend informed his constituents by letter that "It seems we have lost the camp again."

And indeed it seemed that the last hope was gone. For the next several days an air of gloom was prevalent in Alpine and Marathon and in and around the office of E. E. Townsend in Austin. Then one day the news began circulating—none seemed to know exactly where it came from—that all was not quite lost. There was still one last chance. Mr. D. E. Colp of the Texas State Parks Board had appealed to the Attorney General for an opinion as to who would have the proper authority to file the application for, and to handle, an ECW Camp for Texas. For once a rumor proved to be true. Word was received that the Attorney General had ruled that the Texas Application for ECW Camps was in order and had been instigated by the proper authorities. Smiles and confidence returned, and by November of 1933 Townsend had filed application for three camps in the park area, one at Government Springs, one at Oak Springs, and one at Santa Elena Canyon.

By March 31, 1934, tentative approval of at least one of the camps had been secured, and Colonel R. O. Whittaker, chief engineer of the State Parks Board, was in the Chisos Mountains making preliminary surveys for a suitable camp site. The site at Government Springs had to be ruled out. For one reason or another, the other two sites were turned down. The authorities seemed willing to establish a camp in either Green Gulch or the Basin, if sufficient water could be obtained. Green Gulch leads into the Chisos Mountains from the north. The Basin is a valley in the

mountains, separated from Green Gulch by a high and narrow divide. A camp in Green Gulch would eliminate the building of a road into the Basin. The logical plan then was to find water in Green Gulch. It takes money to dig wells in semi-arid desert country. A few relief workers could be had, but not enough. There had to be some money from somewhere. There was no way to get it except from donations. The people of Alpine gave liberally; the Marathon Service Club made a donation. Enough money was scraped together to start digging. Well after well was sunk in Green Gulch with the same disappointing results: no water. Eventually it became painfully evident that no water was to be had in Green Gulch. In the meantime the meager funds were running short, and the patience of the camp officials was even shorter. If water was not to be found, and that soon, the camp would be located elsewhere.

The weary and discouraged diggers were told by Dr. C. L. Baker, geologist from A & M College, that water was more likely across the divide in the Basin. This meant packing tools across the divide. It also meant building a road up the torturous Green Gulch and over the divide. The money was gone, and there were only two or three relief workers to be had. Jim Casner, president of the Alpine Chamber of Commerce, and E. E. Townsend, who were on the ground supervising the well digging activities, got their heads together.

"Jim," said Townsend, "if you'll go back to Alpine and start working on the Commissioners' Court to build that road, I'll get the water."

Casner agreed and departed for Alpine, cautioning Townsend to send him word the minute water was found. Townsend, with Ira H. Hector, rancher, and W. T. McClure, Vincente Molinar, Nicholas Moreno, and Andros Molinar, relief workers, began the back-breaking task of carrying the tools into the Basin. Mr. Townsend's wife, Mrs. Alice Townsend, aided the enterprise by cooking for the crew. All necessary tools were at the selected spot in the Basin by April 16. On the morning of that day at 8:50 digging was begun.

"Boys," said Townsend, "we've got to have water and quick. If we succeed in making a well of water here, we'll call it 'Agua Pronto.' "

A showing of water was encountered at 1:25 p.m. At 2:45 p.m. 7½ gallons of water were drawn from the well. By night water was coming in so fast that digging had to stop. "Agua Pronto" was a reality; the battle was won. The good news was relayed to Jim Casner, who had evidently been equally successful with the Commissioners'

Court, for within a few days the county workers arrived with their graders and began work on the pioneer road from Green Gulch into the Basis of the Chisos Mountains.

E. E. Townsend kept a log of the well, Agua Pronto, in the lining of his hat, which is now on display in the Sul Ross College Museum.

There was no further excuse for delay of the CCC Camp. The first company arrived in Marathon May 18, 1934, enroute to the Big Bend. The camp was established just below the well mentioned above. It remained there until the road via Green Gulch into the Basin was completed.<sup>5</sup>

People interested in the Big Bend State Park were joyous over the fact that these two big steps had been completed. Legislation had been passed to establish the park. Then progress was made in the development of this park. The next step was a National Park.

### *Big Bend National Park*

Congressional legislation had to be secured in order to establish a National Park. The first step was to arouse the interest of the Texas representatives in Congress, both in the House and in the Senate.

Judge R. B. Slight of Alpine claims the honor of bringing the Big Bend's possibilities to Senator Tom Connally.<sup>6</sup> Senator Connally

was in this area attending some sort of a rally in Jeff Davis County. Judge Slight was introduced to the Senator, and during the course of the ensuing conversation, the Senator mentioned the fact that he would be in Alpine the next day. The judge extracted a promise from the Senator of just fifteen minutes of his time while in Alpine. Judge Slight was on hand when Connally met with a committee of the Alpine Chamber of Commerce the next morning, to remind him of that promised fifteen minutes. Connally registered impatience, but kept his promise, and went with the judge to Sul Ross College. Here the Senator was led into the Sul Ross Museum where his attention was directed to the large, beautiful oil painting of the Big Bend area. Connally's surprise and manifest interest were deeply gratifying to the judge, especially when the Senator publicly promised his support of the National Park idea.

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<sup>5</sup>*Ibid.*

<sup>6</sup>Clifford B. Casey, "The Big Bend National Park," West Texas Historical and Scientific Society, June 1, 1948, p. 36, citing interview with R. B. Slight. Also Dallas Morning News, October 17, 1937.

Just before Townsend left Austin, ending his career as State Representative, Congressman Thomason came through on his way home from Washington. He stopped in Austin and dropped by Townsend's office. Townsend immediately approached him on the idea of a National Park in the Big Bend. Thomason's interest was definitely lukewarm. Townsend invited him to stop by and take a look at the country on the way. Thomason did not want to see it, he said. He didn't have to—he knew what it was like—like all the rest of West Texas. Besides, he was in a hurry, and did not have time. To all Townsend's argument Thomason remained staunchly adamant and left for El Paso frankly declaring that he had no time to waste visiting that God-forsaken Big Bend Country.

Townsend thought differently, and he wrote several influential men in Brewster County, urging them to get in touch with Thomason while he was in El Paso, and insist upon his seeing the proposed park area before he went back to Washington. Thomason was so besieged by letters, phone calls, and telegrams that he finally wrote John Perkens saying: "Tell Townsend for God's sake to call off his dogs, and I'll come and look at your old park."<sup>7</sup>

After E. E. Townsend interested in the National Park Service, induced Congressman R. E. Thomason of El Paso and Senator Tom Connally to put through an act in Congress creating the national park, his next move was to<sup>8</sup>

begin lobbying for a \$500,000 state appropriation to buy the remaining land. By this time Alpine had realized the value and raised \$35,000 for promotional work, enlisted the aid of surrounding towns. E. E. Townsend spent several years of his time without remuneration working for the measure. Dr. H. W. Morelock, former president of Sul Ross State Teachers College at Alpine, and others joined in and began lecturing to Texas schools, educators, luncheon clubs, and civic audiences. Dr. Morelock, alone, traveled 26,000 miles to help wake up Texans who thought their Texas was entirely flat.

On March 1, 1935, identical bills were introduced in both houses of Congress by Senators Sheppard and Connally, and Representative Thomason to establish the Big Bend National Park in Texas, such establishing to become effective when

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<sup>7</sup>Casey, *op cit.*, p. 37.

<sup>8</sup>Richardson, *op cit.*, p. 10.

lands of that area were deeded to the Federal Government. The bills passed both houses, and on June 20, Public Law No. 157 went into effect, authorizing the Secretary of Interior to designate boundaries within an area of approximately 1,500,000 acres in the counties of Brewster and Presidio, and to provide for the final establishment of the park, contingent upon the acquisition of the privately owned lands.<sup>9</sup>

Another milestone was passed when the Big Bend State Park passed into the national parks system September 5, 1943.<sup>10</sup>

It was on that day, in a ceremonial session at Sul Ross State College at Alpine, that Coke R. Stevenson, governor of Texas, presented to M. R. Tillotson, for the State, the deed to the more than 750,000 acres.

At the ceremony transferring the title to the United States, one individual was singled out and called forward, as having had most to do with the Big Bend Park development. That was E. E. Townsend, true west pioneer. From all present Townsend received—and modestly colored under the honor—tribute as the father of the Big Bend Park. The deed of Transfer was a milestone in his own life, a life as exciting, bold, and colorful as the region he has brought to the nation's view.

This honor was well deserving to a man that had spent many years of his life in making one of his dreams come true. In fact, E. E. Townsend spent nine years of his own time paying his own expenses to promote the park idea. This was done, with no thought of reimbursement, to give to the people of Texas, people of other states of the Union, and to the people "South of the Border" a playground which he hopes will bring about and help preserve good will and warm feelings of friendship between the two neighboring countries. Townsend's final dream is the hope of establishing an International Park in the Big Bend.

#### *A Proposed International Park*

More than seven years prior to the actual consummation of the Big Bend National Park Project, a movement had gotten under way for the creation of an international park.<sup>11</sup>

On February 16, 1935, Senator Morriss Sheppard suggested, in a letter to President Franklin D. Roosevelt, that

<sup>9</sup>Casey, *op. cit.*, *Dallas Morning News*, Oct. 17, 1937.

<sup>10</sup>Olen Burgess & Max Bentley, "Father of Big Bend Project," *West Texas Today*, Sept., 1947, p. 13.

<sup>11</sup>Casey, *op. cit.*, Harold L. Ickes, Address, October 16, 1937.

the proposed Big Bend National Park and a corresponding area in northern Mexico be created into an international park. President Roosevelt and Harold Ickes, Secretary of the Interior and Federal Administrator of Public Works, favored the idea. Soon thereafter plans were under way to secure the cooperation of the Republic of Mexico. In the years which followed several meetings were held at which plans were discussed by Commissioners representing the two countries. World War II interrupted the work of the Commission and little progress resulted.

The idea once planted in the thinking of the peoples of the two sister Republics will, in time, bring about the creation of the largest international park in the world. Aid to promote this idea was received April 5, 1938.<sup>12</sup>

The Big Bend International Peace Park project received valuable aid this month in their campaign for the 1,200,000-acre park. In connection with the plan of the Big Bend executive committee to seek funds for purchasing the park through popular subscription, H. R. Smith and his partner, John Mowinckle,<sup>13</sup> financed a survey trip through the park, taking a representative of Mexico, Daniel F. Galicia, chief of the engineers of Mexican Department of Forestry, Game and Fish, and E. E. Townsend, named daddy of the park by Gov. James V. Allred whose veto of a \$750,000 appropriation bill during the last Legislature temporarily halted the park's development.

Mr. Smith and his partner took with them a photographer and movie equipment and photographed high lights of the park area with 2,000 feet of color film. The films are now being developed, and when finished will be turned over to the park executive committee, headed by H. W. Morelock, president of Sul Ross State Teachers College,<sup>14</sup> for use during the campaign.

Fomenting the idea of creating a great international park meant contacting the proper officials of the states of Chihuahua and Coahuila, as well as the national authorities of Mexico City. The territory on the south bank of the river contiguous to our park is scantily populated, and much of it is said to be public land. Like our own area, it is of no great commercial value. Therefore, it appears that there should be little difficulty in convincing the authorities of the advantages that would accrue

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<sup>12</sup>*Dallas Morning News*, April 24, 1938; Sul Ross Skyline, April 27, 1938.

<sup>13</sup>H. R. Smith is a brother of Dr. G. P. Smith of Sul Ross.

<sup>14</sup>*Supra*.

to all by creating a great international park in the backyard of our two great nations.

Undoubtedly such a playground would go far towards bringing the two races much closer together and would tend to solidify more securely the cement of friendship that has been growing between us for some years. The plan should be practicable and feasible and if executed would bring about acquaintances and friendships among individuals of the countries that would never be consummated in any other way. Within this vast playground there would be *una zona libre* (a free zone); upon entering the park, from the north or south, citizens from two Americas could be free from all customs and immigrations regulations so long as they stayed within the park bounds. This would naturally build up a clientele of many thousands each year, bringing additional friends and brewing ties of kindly sentiment that would multiply and become stronger as the future years roll by, among the peoples now almost unknown to each other.

## CHAPTER VIII

### Reminiscences of Border Kindness

E. E. Townsend remembers many amusing stories of border kindness. One has been related in chapter one and there are others worth mentioning as is this chronicle.

A number of years ago Townsend wrote to General Castillon, in Chihuahua, asking him to purchase hunting licenses for Townsend and a couple of friends. The licenses cost fifty *pesos* each and were to be sent to *Hacienda de Castolon*, then paid for at a later date. This *Hacienda* was about one hundred miles northeast of Chihuahua.

The hunting party went down and crossed the Rio Grande at Castolon. After driving a few miles, they met Colonel Giner, whom Townsend had previously met. He said that he was game commissioner for the State of Chihuahua, Mexico, and that he did not want to charge Townsend for hunting licenses. He gave Townsend a letter to all the *Rancheros* in the district in which he wished to hunt. This letter requested that all hospitality possible be given Townsend's party. The game commissioner had driven about two hundred miles over almost roadless country to show this courtesy to a man who had done so much for Mexico and the Mexican people.

There is a bush down along the border called *governaderda* which means female ruler or governor, but Townsend had forgotten the name of the plant. While riding in Coahuila, Mexico with a Mexican friend, they came upon a number of these bushes and Townsend asked his friend its name. His friend gave the name but the wind was blowing making Townsend's hat flop so he couldn't hear the name of the bush. Townsend again asked the name and the man replied, "Ma Ferguson."

Once during revolutionary times Townsend arrived at a little mountain Mexican village about midnight, where a Cavalry regiment was encamped. The safe and proper thing to do was to report to the commandant, but since Townsend was in the country without passport or other authority he somewhat dreaded the interview. Townsend was happy to find that he had met the commandant casually some months pre-

viously, and he insisted that Townsend accept the hospitality of his temporary home. The weather was very cold and Townsend may have pretended more reluctance in accepting than he actually felt. Townsend was given a nice room and a good bed, only to learn the next morning that his host and his wife had vacated this room and had slept on the dirt floor with only a few spare blankets, in an adjoining room.

On another occasion, in the latter years of the great Revolution, Townsend was traveling far south of the Rio Grande with a Texan, Mr. Buck, whose cattle had been stolen, and four Mexican officials. There were no towns in that region, and supplies were scant, so they carried an extra barrel of gasoline as they drove from ranch to ranch in their truck. When approaching the ranches which were under suspicion of harboring the stolen stock they would secure horses from other rancheros and search the suspected ranges.

They had about given up the quest as hopeless and were ready to turn their wheels homeward when they drove up to a large *hacienda* after dark and on a cold night. They were hospitably received and entertained, and after a late supper they held a discussion on future procedure. Their host advised them about roads and trails through certain ranges they had planned to search on the way back, but the gasoline was nearing exhaustion and they decided to take a shorter and better route to the port of entry and homeward. The next morning before daylight their host knocked at Townsend's door with the bad news that one of his *vayqueros* had seen a certain notorious bandit and nine of his men in Nochebuena Canyon earlier in the evening. This was on the road they had planned to take, and in traversing the canyon for several miles the road offered ideal places for an ambushade.

Townsend aroused his American companion and the Mexican *Jefe* and held council. This host urgently advised that they take the longer road, saying, "I don't know whether these bandits will attack you, but I do know that they know you are here and well equipped with saddles, beds, guns, and ammunition. They would like to have your outfit and would not hesitate to murder all of you to get it. The canyon is a death trap if they mean evil, for they can lie concealed within a few feet of the road and kill you without being seen."

As leader of the party, Townsend asked his fellow citizen

to state his views. He looked down his nose momentarily, then looked Townsend in the eye and said, "I don't want to fight these bandits, but I care less about that than taking the long way around, to run out of gas and have to hoof it for a hundred miles over these mountains to the border. I vote for the Nochebuena road."

"Neither do I want to fight them, for they are a bad lot of *hombres*," said Townsend to the *Jefe*, "But I don't want them to get it in their heads that I run from them. I vote with Mr. Buck."

All minds being as one, they prepared for an early start. When they were about to leave, their host and friend came out of the house with a six-shooter and Winchester, and announced his intention of going with them. They protested; perhaps half-heartedly, but he replied: "You are my guests, and I will see you safely through my outside gate or share your troubles." His outside gate was twenty miles up the road and far beyond the danger point.

He continued: "I hate these outlaws and they hate me, but we have a certain amount of respect, or maybe it would be correct to say fear, for each other, and they may not attack you if I accompany you. I shall drive the truck, and possibly they will recognize me and let us pass without molestation. I will have a man follow and lead my horse on which to return."

In spite of the wild ride through the canyon and the consciousness of impending danger, Townsend's mind could not free itself from thinking of the gallantry of that Mexican ranchero. The bandits did not molest them. Why, Townsend never knew. He likes to think that the bandits were lying in ambush, saw them, recognized their friend, and let them pass free because of the dread they had for his cool courage.

During the middle 1890's Townsend had become good friends with Don Pedro Sosa, the *presidente* of the Municipal de Ojinaga. During a conversation South of the border, he asked Townsend not to come into Mexico without his pistol again, saying, "We are in the same work and I want you to wear your arms the same as you do in Texas."

Sometime later, Townsend and a ranger went over, both wearing arms. They went to the courthouse and the *presidente* motioned Townsend and the ranger to sit down in vacant seats.

Within a few minutes a police officer walked up and said, "Haven't you men guns?"

When Townsend replied that they did, the policeman said, "Give them to me. I am going to arrest you."

Townsend arose to a standing position to call the attention of the *presidente* and to present his pistol to the police officer. About that time the judge saw what was happening. He then stepped down from the bench and told the police officer to leave the court room as Townsend had as much or more right to carry a gun than he did.

The isolated region of the Big Bend remained a favorite haunt of bad men, both American and Mexican.<sup>1</sup>

Some of these gentry of American nationality crossed the river at Boquillas and killed a Mexican on his own soil. The Mexican government protested to Washington, and Washington passed the protest to Governor Neff of Texas. With Captain Jerry Gray of the rangers, Sheriff Townsend went down to Boquillas to investigate, and if possible learn the identify of the killers. Opening a parley across the river, they found the Mexican lieutenant hostile, and got no information. Shedding their guns the Texans crossed to Mexican soil and were promptly jailed. A Mexican officer came around and recognized Townsend, speaking to him by name.

"It' been a long time since you worked for me on the ranch," responded the sheriff. Without batting an eye, the Mexican, for the benefit of his comrades, retorted, "But I never worked for you on a ranch. You had me in jail."

A timely local revolution placed another party in charge of Boquillas (Mexico), and the next day the new captain released and apologized to the prisoners, and placed the officious lieutenant under arrest. Back on Texas soil Townsend and Gray soon arrested two Mexican refugees who had crossed the river without the proper legal formalities. The leader proved to be Lieutenant Candido Aguilar, son-in-law of former *Presidente* Carranza, whose fortunes were then in eclipse.

Captain Gray's recent experiences in a Mexican hoosegow, as might have expected, did not leave him in a tolerant mood.

"Let's put them back across the river," he insisted.

Acting as interpreter, Townsend explained to the men.

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<sup>1</sup>T. C. Richardson, "Ranger, River Guard, Ranchman," *Farm and Ranch*, January 15, 1937, p. 40. Also personal interview with E. E. Townsend.

“But you can’t turn back political refugees,” pleaded the lieutenant. “They will shoot us at sunrise!”

After an hour’s interchange of threats and pleadings, the sheriff took the prisoners to Alpine, Texas, permitted Aguilar to send telegrams, and kept them at his house instead of in jail until the affair was satisfactorily settled, making a lifelong friend of (the now) General Aguilar.<sup>2</sup>

In closing this chapter, a bit of E. E. Townsend’s philosophy referring to the “Border Kindness” incident mentioned in chapter one is here related.<sup>3</sup>

In that story the word “sequel” meaning follow-up or end was used. But it may not be the correct word to use. Does a good deed ever die? It is not flesh and blood; so it must be spiritual. If that be true, why shouldn’t it go on and on, fed by the first sublime impulse that gave it life. We know this one lived through two generations and bore fruit in two great and far separated wars. Why should not it still be alive awaiting the crisis in some human’s life to spring forth and bloom anew? My father has left descendants; perhaps Mr. Rodriguez has also left many. Let us hope that if the occasion ever arises none of either name will fall short in tracking the trails of their fathers.

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<sup>2</sup>*Ibid.*

<sup>3</sup>*Supra.*, p. 11.

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