

## [Rustlers Amuscade]

[Not?] FOLKLORE [?] RANGELORE

[RUSTLER'S AMUSCADE?]

By

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As told to Sara Lacy

I enlisted as a [tate?] Ranger in 1932 and served until the end of Mrs. Ferguson's term in 1935. I was in Company A, stationed at Marfa, out in the Big Bend Country, a private at the time. My captain was J. [?] Vaughan, and out territory extended from the [?] Pecos [River?] to the Mexico-Texas state line.

One morning Captain Vaughan ordered Bob [?] and me out to investigate some reports from ranchers who claimed that they had recently lost a large number of [?] of stock. Bob was to go by Presidio and I by Candelaria. [We?] were to meet at Valentine that night.

When I got to Valentine, Sim [Weatherly?] and his son Harper, drove up in a model-A pickup Ford. Sim said he lived on the Y-6 Ranch, owned by a man named [?], in Palo Pinto Canyon about thirteen miles from the river. He said he was glad to see me because he needed an officer at his place. Someone had stolen 700 head of goats from his place the night before. The fence had been cut and the goats driven off.

He said he had a good idea who had done it. Adjoining his ranch was land owned by the Prieto family. C12 - 2/11/41 - Texas 2 Their brickwall adobe house overlooked the road through the canyon, the only road to Weatherbys. The Prietos had consistently fought the

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Weatherby's for years, because they wanted to buy Weatherby's place and Weatherby refused.

The Weatherby ranch was admirably located for bootleggers and dope runners to use as an entrance to Texas. Whispers along the border connected the Prietos with such activities but we had been unable to catch them in anything. We did know that they were pretty anxious to get hold of Weatherby's land.

I told Sim that I'd be glad to go with them and track down the rustlers; but that I was on another assignment and had no authority to handle anything else. I promised, however, to report the case as soon as I got back to headquarters.

Sim and his son drove off. Somehow I had an uneasy feeling all evening, and when Bob came in, we sat around talking for a spell as night came on.

Suddenly, we saw a car coming in going like a bat out of hell. [It?] pulled up at our lodging, and stopped.

Sim and Harper got out. They were out of breath and seemed pretty excited.

We've been ambushed," Sim shouted pointing to bullet holes through the top and body of the car. 3 "Just as we started by the Prieto place," Harper broke in, "someone opened up on us. We thought they'd get us sure. But we got the car turned around and beat it back."

"Officer," said Sim, solemnly, "those pelates are out to get us. Can't you help us out?" he pled.

Bob and I swiftly strapped on our guns, for we knew that there was more to the matter than appeared on the surface.

At that time the government of Presidio County was almost entirely in the hands of Mexican officials. Often when we jailed suspects, they would be on the streets before we

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got to town. It was evident to us that unless we acted quickly, the Prietos would murder Weatherby and his son and the state laws would never touch them.

We climbed into the Weatherby car and bumped over the county road. Soon we entered Pinto Canyon. The vertical pointed walls cast long shadows on the road. We drove to within a mile of the Prieto place, cut our motor, and entered.

The wind sighed through the eroded canyon walls, now [?] moaning, now rattling like the breath's breath of a dying man. A coyote mourned somewhere down wind. But only the faint night sounds close at hand came to our ears. 4 Cautiously we approached the house. There was no light. Motioning Weatherby to the right corner of the house, Bob to the left, and Harper to the rear, I stealthily approached the door.

There was no sound within the house, my knuckles crashed against the door breaking the silence and almost startling me with the clamor.

A faint light showed under the door.

“Quien es?” called a soft Latin voice.

“Hale of the State Ranger Force, “I called, “Open up.”

Within there was a hurried conference in Spanish, interspersed with silibant hisses whenever a voice was raised. I heard the voices, but could distinguish none of the words.

“Open up,” I called again. “I want to talk to you fellows.”

Again there was silence. Then suddenly the light went out and in the next second, the door was flung wide open. Despite the darkness of the night, I made out Gregorio Prieto standing just within the doorway and peering around.

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Abruptly the fire from a shotgun blazed through the night. Instinctly, I dropped to the ground as I fell, that Prieto had also fallen, and someone had dragged him into the house. I heard a bolt drawn across the door before I moved.

Retreating to the right corner of the house, I saw Sim reloading his shotgun. We talked for a few minutes and I told 5 him and Bob to keep the door covered, and I'd try to talk the men inside the house into coming out peacefully.

Again I went to the door, and began talking to the men in the house. I begged them to surrender, to take the wounded man to town to a doctor. I promised them kind treatment if they would come out of the house with their hands up. But I got no answers.

Within the house, I could hear someone pacing from one room to another. Back and forth he walked, stopping [?] occasionally, now coming near the front of the house, now retreating.

In a flash it dawned on me what the footsteps meant. Someone was peering out one window, and then another, in hopes of discovering where I stood and where the men with me were. They were waiting for a chance to shoot.

Beckoning to Weatherby and Burl to follow me, I retreated across the road. We sat down on a pile of rocks and talked for a few minutes.

"Boys," I said, "we'll never get them like this. The walls of that house must be a foot and a half thick. Now, I'll tell you what let s do. Weatherby and I will keep watch while Burl goes into town and gets Charlie."

Charlie was my regular partner and I had worked with him before. I was afraid to tackle the job with Weatherby and Burl because I did not know what kind of fighters they were. 6 But I knew that Charlie Curry was true blue and could think as fast as any man living.

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Burl departed. Weatherby and I stretched out on the rocks and Harper kept watch at the rear of the house.

It was the kind of a place and the kind of a night that made a man think of all the safe places in the world - his home, his wife, his mother, his church - every thing that had ever meant security to him. The wind sighed weirdly, the night birds mourned, and the black shadows seemed to creep across the canyon like furtive figures.

Just as daylight came, Weatherby and I noticed a Mexican shepherd drive his flock out of a pen down the road. Slowly he came into view and then to our surprise, we saw him turn his sheep around and drive them back in the direction from which he had come. Again he approached us, and again he turned the sheep back. The Then [Weatherby?] spoke, "Good lord, that fellow is just at the spot from which we were fired on last night. He's covering up the Mexicans tracks!"

We sneaked up the road keeping ourselves screened from the house. Then when we got close to the herder, I threw my gun down on him.

"Manos arribas," I ordered curtly.

Up went his hands, and his eyes opened widely as he looked at my badge. 7 Meanwhile down the road I saw Burl and Charlie approaching. Pushing the Mexican along in front of me, I met them. Charlie and I talked things over, and then decided to send the Mexican into the house to see how bad Gregorio was hurt and to see if he could not talk the men into surrendering.

The Mexican went into the house. An hour passed. We had about decided that he was not coming back, when the door opened and he appeared.

"Him sick man," the shepherd reported. "But Prietos no will surrender. They fight to the death."

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At this, Charlie and I exchanged glances. It was not to our liking to remain here until the sheriff could arouse his deputies and manage for the Prietos to escape.

"I'm going in," I said.

Charlie grinned. "Me too," he said.

Cautiously we approached the door. This time a woman answered our call. Gently we asked her to open the door. To our surprise, the outer door flew open, but just as we entered a door on the left was quickly slammed and bolted.

I rushed to the door, but Charlie pushed me back. He was heavier than me, and firming his shoulders, he crashed through the door. Before he had recovered his balance, Pedro Prieto had a Winchester on him.

Charlie shouted and just as the Winchester leveled on Charlie [?] went off [?] pulled the trigger of my gun. Pablo fell dead.

Swiftly we checked through the house. Gregorio had died from the blast of Sim Weatherby's shotgun. Pablo lay dead in 8 another room. In the kitchen cowered a Mexican woman holding a baby and softly moaning. In another corner was a badly frightened shepherd.

We assured the woman that she would not be harmed and induced her to make herself some coffee and drink it. Then, we made a check on the weapons in the house. The place was virtually an arsenal. There was one 30:30 Winchester, one .12 gauge pump shotgun, one [30:06?] bolt action government gun; and all these were fully loaded and forty-eight shells for these guns lay on a table in the front room.

Joe [?] was then sheriff of the county. He had numerous deputies and most of them were Mexicans. It was not long until these deputies and their friends started pouring in.

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But Charlie and I were prepared for them. Our kind treatment of the women, was repaid. As each man or group of Mexican men approached the entrance to the house, Senora Prieto met the men at the door.

“Buenos dias, senores,” she greeted.

“Que tal?” they asked.

“Bueno,” she replied, “pase.”

“Manos arribas muchachos, I commanded as each man passed through the door into the house. Charlie relieved him of his guns. From the first four Mexicans who arrived, we took three guns. 9 As soon as the dead men had been removed, Charlie and I returned to Marfa. Apparently, and so far as we knew the incident was closed. But as yet we had not dealt with the Mexican county officials.

[Within?] a month a grand jury was assembled and Charlie and I were summoned to appear before it. We knew that we [?] were being taken for a ride, so we agreed not to tell a thing. There is no law which can force a man to testify against himself. So we spoke no word for ourselves and refused to divulge our part in the affair.

The trial came up before Judge John Sutton, a fair minded judiciary. The prosecuting attorney was Roy [?], and he was out to prove that Charlie and I were murders murderers . Besides that threats were passed around town that if ever we came out of the trial free, relatives of the Prietos were planning to kill us.

We were acquitted of all charges against us, and there was never any attempt made against our lives. The Prietos soon removed themselves to Mexico, and law enforcers on the border certainly were glad to see them go as that cleaned out one nest of constant trouble.

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In 1934 I was transferred to headquarters in Austin where I served until the beginning of Governor Allred's term under Captain D. [?]. Hammer.