

The Terrells - 85 Years Texas, from Indians to Atomic Bomb

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# THE TERRELLS

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*Eighty-five Years Texas  
from  
Indians to Atomic Bomb*

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Authorized and Approved by  
The Texas Heritage Foundation

C. V. TERRELL  
Austin, Texas

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## FOREWORD

On a former occasion, in a public address upon the subject of "The Essential Elements in the Economic and Social Development of Texas", I found it appropriate to state the following:

"The greatest resource of Texas is, of course, its human population. There is one element, hardly susceptible of definition,—(a mixture of the tangible and the intangible, a compound of many races, a reflection of the past and present and an aspiration for the future) that is embraced in the term 'Texian.' It represents a courageous, independent, self-reliant attitude toward life; a strong traditional attachment to the principles of local self-government; a fervent loyalty to the sovereignty of the state and an accustomed respect for the state's ownership of the public domain; an intense pride and confidence in the state and its history; a fealty to the native land that has a special quality and flavor and a strong sense of unity that has prevented the division of Texas into separate states; the spirit of the pioneer that is all-pervading and that leaves a gentle impress upon even its most recent arrival. This element must be preserved and perpetuated, not only for Texas, but as Texas' most important and distinctive contribution to the National welfare."

Based upon an acquaintance of many years, ranging from early childhood to the present period, (which finds Judge C. V. Terrell enjoying the quiet, dignified, wise, tolerant, and genial repose of his 85 years, most of which have been devoted to public service as the County Attorney of Wise County, County Judge of Wise County, a member of the Senate of the State of Texas, as Treasurer of the State of Texas, and as member and Chairman of the Railroad Commission of Texas), I am convinced that Judge Terrell's life and work entitle him to all of the praise implicit in the term "Texian" as above defined. He has always exhibited a "courageous, independent, self-reliant attitude toward life; a strong traditional attachment to the principles of local self-government; a fervent loyalty to the sovereignty of the state and an accustomed respect for the state's ownership of the public domain; an intense pride and confidence in the state and its history; a fealty to the native land that has a special quality and

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flavor and a strong sense of unity that has prevented the division of Texas into separate states; the spirit of the pioneer that is all-pervading and that leaves a gentle impress upon even its most recent arrival.

His presence on the scene, the wide range and continuity of his participation in the events, his keen and appraising perception and his serene detachment and perspective will undoubtedly assure that his observations concerning "85 years of Texas" will be of enduring interest and historical value.

—George A. Hill, Jr.

## PREFACE

If one were to ask me why I am writing this book, *The Terrells "85 Years in Texas from Indians to the Atomic Bomb"*, I do not believe I could give a good and sufficient reason because there are so many little things causing me to make the venture and no one thing—nor detailed collection of reasons—could be given that would warrant or justify the effort.

There are so few of us in early manhood who pay much attention to the past and try to preserve events that transpire so that valuable and important things are lost to the world, especially during this rustling and selfish day and time. I regret that I do not know more about my forbears, more of who they were and what they did, so I could write something interesting and helpful to my "kith and kin" who may come after me. However, to note a few of the most important incidents of my life and the things that occurred during my time might be worth while.

The above facts coupled with the additional fact that I am anxious to do something to occupy my time in my declining years has something to do with my making this venture.

Robert Quillen, our noted columnist, said "Men whose pleasure and source of pride is in accomplishment, who delight in overcoming obstacles and building and achieving; these can never be content to quit, for their only joy is in doing, and there never is an end to things to be done—age, wealth, or honors or past achievements has nothing to do with it. Whether a man discovers a continent, or paints a masterpiece or builds a bridge, his satisfaction in accomplishment is brief. Before the cheers stop echoing he is impatient to be at something new and bigger. Life means a growth, and a man who enjoys growing will not stop until he does."

Then again my lamented friend, Dr. Geo. C. Rankin, used to say in writing his forceful and brilliant articles for the press in his fight for Prohibition: "just to keep the record straight."

I imagine I can see a few instances where the record has not been kept as straight as it should have been. We all on all occasions want a square and a fair deal. We all love the truth, and abhor falsehood and deception, and I always admire one who faithfully discharges his duty both in public and private life, and I have always held that one who at all times follows the law, both of state and nation, is right, and when he disobeys the law, he is always wrong.

In giving incidents and things that have occurred during my time, most of it will be from memory as I have kept no record that I can use. Our memories at best are not accurate and may not give as correct an account as I should. But I do want to say that I have no desire to distort any fact but want to be as exact and correct as I can. Being a lawyer, I have often heard two good and intelligent witnesses testify to the same fact and their testimony would be as far apart as the south pole is from the north. They were both honest and truthful and testified as they saw and heard it. It shall be my aim in making a statement of facts to try to fortify it with such proof as may be at my command, especially if it is in any way controverted or questioned. I am sure my life has not been of sufficient importance to be recorded in history, as much as we all would like to live in the minds and hearts of those who may come after us. There is something in every human being that urges him to do something that will live after he is gone. There are many stirring incidents and achievements that have taken place in this state and nation that should be as accurately preserved as possible for the use and benefit of mankind. During my time embracing more than four score years more good has been done, more worthy achievements have been accomplished for the betterment of mankind than has been in any like period, and more has been accomplished than in all history before. The privilege of being permitted to live during this eventful age is a privilege of which I am both proud and grateful and certainly thankful, and I do hope recording some of those great events will be of some interest and help to those who may chance to read this book. Being so deeply indebted to my former private secretary, Miss Gene Roehringer of Marshall, Texas, but now Mrs. E. H. Lassiter of Henderson, Texas, for giving me every assistance possible in compiling this book, I can never be able to repay her. She has kindly typed most all of the manuscript, made suggestions and important corrections that were necessary, and above all she was so charitable to me that she wrote me "that I had greatly improved my spelling". She was my secretary for nine years while I was Railroad Commissioner and its Chairman a part of the time. She not only made me one of the best private secretaries I ever had but was so thorough and kind in looking after my office and doing my work. She was unusual in entertaining and contacting those who came to see me and the Commission on business. All visitors left the office delighted with the cordial reception given them by her. She married Hon. E. H. Lassiter of Henderson, then and now a member of the Texas Legislature from that county. As Miss Gene Boehringer's father was not living, she asked me to attend her

wedding in San Antonio at the Episcopal Church and give her away which I did and it was a very beautiful wedding. Since I came to Austin in 1921, I have as State Treasurer and Railroad Commissioner been unusually blessed with most capable and efficient private secretaries. As Treasurer I had Miss Mabel Wilks of Hillsboro, Texas, now Mrs. Will Stakords of Corsicana, and then Miss Mary Jane Logan now the wife of Major Dawson Duncan who is with the American forces in Rome, Italy. Then as Commissioner Miss Corine Simpson now Mrs. E. J. Compton, of Texon, Texas, and then Miss Sue Simpson, a sister of Miss Corine's. Miss Bessie Milam married Bob Connelly of Austin. Last Mrs. Elmer O'Neal of Greenville, Texas, who is now the private secretary of Buford Jester, Chairman of the Texas Railroad Commission. Every one of them were at all times so capable and so kind to me that I owe them a great deal and shall never cease to love them. It is my belief that an employer should always try to follow the "Golden Rule" and try to treat his employee like he would like to be treated were their positions reversed and he the employee. Of course, sometimes when one is worried, out of humor, bad temper will flair up, but when it did, and I said or did things that were harsh and unkind, I always tried to smooth it over as quickly as possible by sincerely apologizing and trying to correct and soften the mistake I made. I read somewhere in the Book of Books the following: "Let him who would be great among you first become servant of all". It is just as true today as it was when uttered by our Savior.

My earliest years were spent in Wise County on the Texas frontier during the savage and brutal raids of the Kiowa and Comanche Indians and much of this book will be confined to those stirring and thrilling events.

Surely no one could justly condemn or blame me for having a just pride in correctly recording as history some of the many thrilling and daring Indian fights; and the fact that there were more men, women, and children, killed and captured and horses stolen in Wise County by the savages than any other county in our great state certainly warrants one in making a record and in preserving those important and daring events.

Then again a county like Wise County and other counties in that section of the state that have produced so many characters of note, men and women of great ability, in the various walks of life, to mention a few of their names and emphasize their deeds certainly is wholesome and beneficial because it naturally encourages those who come after to rise to greater heights and accomplish more good in this world.

To mention the names of a few of our educators, men of letters

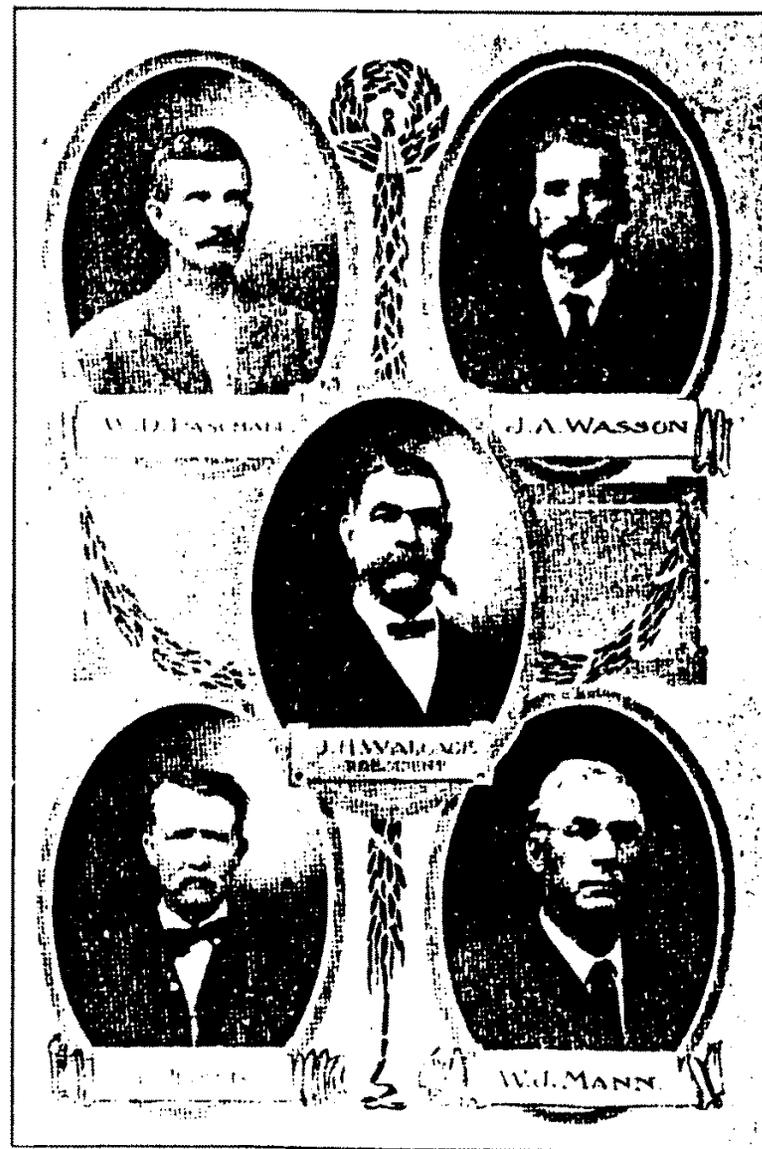
and our brilliant literary characters from Wise County can do no harm but should be beneficial: characters like Clarence R. Wharton, Dr. Joseph Fort Newton, Dr. Lawrence Word, Dr. H. G. Bennett, Cliff D. Cates, Amos G. Carter, Belle Hunt Shortridge and Dr. Cora Martin.

Then in our financial world such men as Dan Waggoner, his son, W. T. Waggoner, Wm. H. Hunt, Burk Burnett, the Halsell's, Glen, Billy, Ed. and Oscar; Harley Portwood, Bill Perrin, Joe Perkins and Lee Morris.

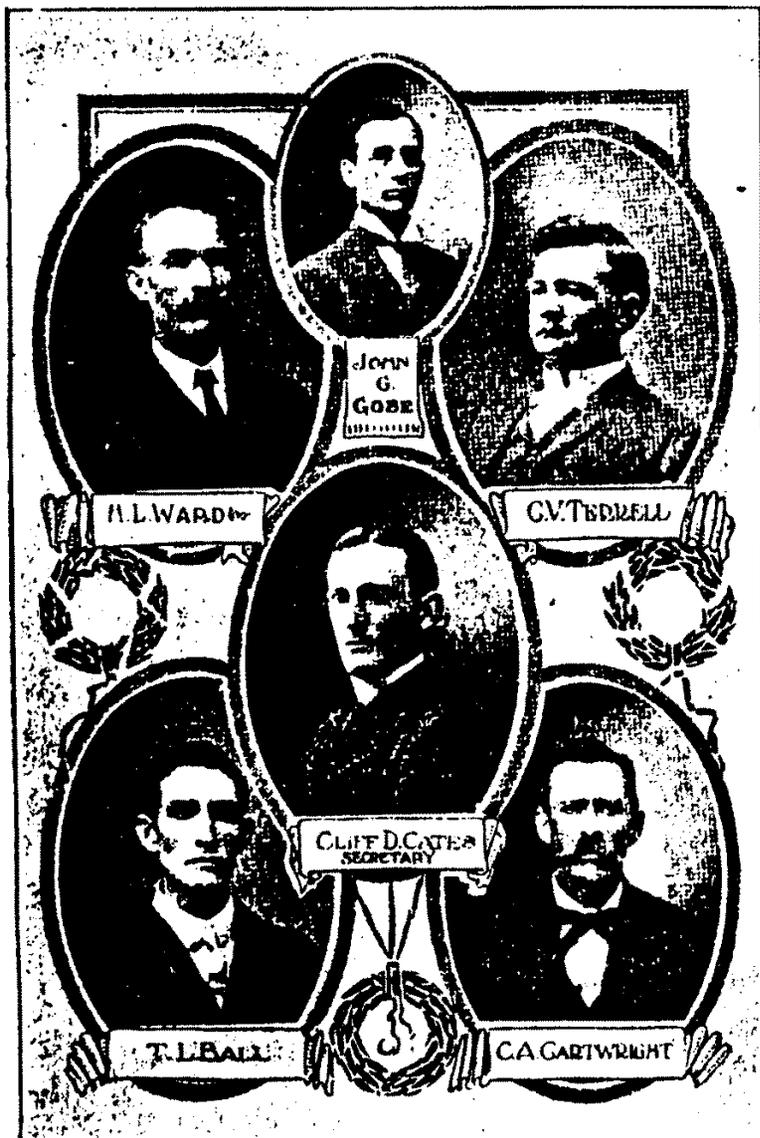
Then in our official and judicial spheres to call attention to such men as Tully A. Fuller, Dr. Walter Splawn, Judge J. T. Johnson, Judge J. W. Patterson, and Judge O. S. Lattimore, Judge W. H. Bullock, Tom McMurray, Sr., R. E. Carswell, Walter Boyd, John J. Terrell, Guinn Williams, Judge Ed Berry, and a host of others should be inspiring to the youth of this country.

Having always taken a more or less active part in state and national politics for the past sixty-five years, I may be able to give a few interesting events that should be preserved. The fact that I personally knew every Governor and United States Senator of Texas since 1874 should enable me to record a few incidents worthy to be mentioned. There is no state admitted to the Union since 1846, one hundred years ago, that can claim as great characters as Houston, Reagan, Coke, Hogg, Bailey, Culberson, General Dwight Eisenhower and Admiral Nimitz, and few states in this Union, if any, that can boast of such a galaxy of immortals.

I wish to thank the following friends because I am deeply indebted to them for assisting me in compiling this book, viz: Geo. A. Hill, Jr. of Houston, Paul Leeper of Denison, Cliff D. Cates and Lafayette Ball of Decatur and Mrs. Estelle Hudson, Worth Ray, C. C. Gillispie and the lamented C. L. Greenwood, all of Austin.



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## Chapter I

### HISTORY OF THE BLOODY BATTLE OF THE KNOBS

Locating the disastrous "Battle of the Knobs," between the Indians and soldiers of the Republic of Texas fought in 1837.

Cliff Cates, author of the splendid history of Wise County; T. L. Ball, City Manager of Decatur, and I have just recently and definitely located the heretofore unknown battle ground of the unfortunate and fatal "Battle of the Knobs," two miles northwest of Decatur in the west edge of a skirt of timber on the Jepp Hinkle place, and about three hundred yards southeast from the old Asberry Badger home. It was fought east and southeast of two knobs in the prairie but almost surrounded by timber from which knobs it took its name. History records that on November 10, 1837, one of the bloodiest battles was fought in Wise County, between eighteen soldiers of the Republic of Texas under President Sam Houston, as commander in chief of the army, and about one hundred and fifty savage Indians. Three or four of the soldiers were heroes of the Battle of San Jacinto. The casualties on both sides were extremely heavy, and but few battles either in ancient or modern warfare, considering the numbers involved, were more disastrous. Out of eighteen soldiers ten were left dead on the battlefield and three of the eight remaining were wounded. The soldiers were forced to retreat on foot and hardly escaped with their lives. The ten that were killed were left on the battle ground to be scalped and butchered by the savages and then torn to pieces by the vultures of the air and the wild beasts of the field. The Indians lost about fifty warriors, and about as many or more were wounded. Had the Indians attacked again there is no doubt but that all of the soldiers would have been killed and not one left to tell the sad and tragic story.

Lieutenant A. H. Miles, one of the ten that were killed, was from Richmond, Virginia. He was second in command and was one of the heroes of San Jacinto and one of the first to volunteer in the Texas army against Mexico. History also records that he held in his possession certificates from the general of the army and the adjutant general of the Republic of Texas that he was the real capturer of Santa Anna.

The eight surviving heroes of this unfortunate battle returned on foot, including the three wounded comrades, and it took them ten days to reach a friendly tribe of Indians near the three forks

of the Trinity River near where Dallas is now located, a distance of about sixty miles. But when one considers the fact that they had to care for their wounded and live on wild game berries and pecans and at the same time shun other warring Indians, they evidently made the distance in good time.

Unquestionably, those daring soldiers were the first white men to ever penetrate the headwaters of the Trinity River, and that section of Texas. From the report of the battle it reveals that they regarded themselves as the first pioneer explorers of that part of the state.

Having always taken a keen interest in the early history of Wise County, its Indian raids and battles with the settlers, and Rangers, I know none of my people and but few of the earlier settlers ever heard of this disastrous battle. Several historians mention the battle as having taken place where Wise County is now located. John Henry Brown, Cliff D. Cates, Lew Kemp, Sam Dixon, B. Sowell and several others state that the "Battle of the Knobs" was fought in Wise County, and no historian locates it anywhere else. Lieutenant Van Benthuisen, commanding the soldiers in the fight, in his two reports, one to General Mirabeau Bonapart Lamar and the other to the Arkansas Gazette, only states it was on the headwaters of the Trinity River and about the thirty-third and one-half degree north latitude. But from every detail he so graphically gives a careful study of same, no other conclusion can be had than that this battle took place two miles northwest of Decatur and the Indians were camped at the old Isbell Springs about a mile southwest of the battle ground, where the early settlers of the county used to hold many of their religious camp meetings. Every little detail and many known facts surrounding this section so completely fit in that no one familiar with those details and the physical and historical facts can question or doubt its accurate location.

I here give Lieutenant Van Benthuisen's report to General Mirabeau Bonapart Lamar and much of his report to the Arkansas Gazette that was published at the time of the battle, and I hope those who may be interested will carefully read these reports, then visit the scene on the ground, and I am sure all will come to the same conclusion that Cliff Cates, Lafayette Ball and I have reached, that the "Battle of the Knobs" was fought about two miles northwest of Decatur. We feel we have definitely located the historic battle ground that heretofore for one hundred and eight years has been absolutely unknown and unmarked. It is my purpose to call it to the attention of the Historical Association of Texas, and try to have erected a monument either on the battle ground or at Decatur, to the memory of those heroic pio-

neers and daring patriots, and I hope all will read his reports and visit the scene on the ground.

#### LIEUT. VAN BENTHUISEN'S REPORT TO GEN. LAMAR

Lieut. A. B. Benthuisen's report of the "Battle of the Knobs" to Gen. Mirabeau Bonapart Lamar. Papers of M. B. Lamar, volume 1, pages 592-55. Oct. 13, 1837.

I left Fort Smith in company with Captain Eastland, situated on the waters of Little River, Oct. 1. I parted company with Captain Eastland on the waters of the Colorado. I pursued the trail of stolen horses in company with Lieut. A. H. Miles and 16 privates, making in all including myself, 18 persons. On the third I met a party of Cherokee Indians with powder and lead for the purpose of exchanging it for horses and mules. This party of Cherokees were piloted by a party of seven Keachie Indians. When first discovered one of the Keachies was a half mile in advance of his party.

Our men surrounded him and tried to make him surrender, but he would not be friendly with us but was in the act of shooting Lieutenant Miles with his rifle when he was killed by our party. By this time the Cherokees came up and informed us that the Keachies were their pilots. I immediately called off my men from the pursuit, but told the Cherokees that they could not permit the hostile Indians with powder and lead to murder the inhabitants on the frontier and if they attempted to go on I would take their goods away from them. They told me they would return home which they did. On Nov. 4, we crossed the forks of the River Brazos. We still could discover shod tracks, going in the northeast direction.

On the tenth on the head waters of the Trinity I fell in with a large body of Indians in a moving position toward the southwest. I first supposed them to be Keachies, but was afterwards informed that they were Toweash, Wharcos and a few Keachies and Caddoes. I got the information from the Shawnees and Delawares. I judged the Indians to be about 150 strong. And 50 or 60 were armed with rifles and the balance had bows and arrows.

I stationed my men in a point of timber to defend ourselves. About 3 o'clock the Indians made a charge upon us and completely surrounded our positions, when they commenced firing from their rifles upon us. They had fired eight or ten shots before we returned their fire. There was a continual firing kept up on both sides until about half past four at not more than pistol shot apart, when we had the good fortune to kill their principal chief, when they retreated a short distance and ceased firing.

I flattered myself that the action was done. Up to ' at time

we had four men and six horses killed. In about 15 minutes the savages again advanced and fired the woods on three sides of us. The fourth side was prairie where their horsemen with bows and arrows were stationed. Our only alternative was to charge through those Indians who were armed with rifles in preference to those who were armed with bows and arrows as we could not move our horses through the fire. We left them.

About 14 of us charged about 50 Indians and drove them before us. Six more of my party fell dead. In making the charge, eight came through alive, but three out of the eight were wounded. The names of the killed were: The first lieutenant of Captain Boyer's Company, A. H. Miles, Joseph Cooper, Alexander Bastwick, Dr. William Sanders, Lewis F. Sheuster, William Nicholson, Jessie Blair, Wesley Nicholson, J. Josslin and James Christian. The wounded: John Zezel, Robert Fletcher, and J. Bliss. Those who escaped unhurt were Lieut. A. B. Van Benthuyzen, first lieutenant of Boyers' Company, James Rice, Felix McCuskey, Buchman, Hobson.

Too much praise can not be bestowed upon those brave men who fell, all them receiving their death shots and died a few minutes after being shot. Their cry was "fight on, fight on; you can whip the Indians." Mr. Bostwick, after being shot through the body, loaded and fired his rifle three times and had the fourth load in his gun when he expired in the act of drawing his ramrod from his rifle. Young Cooper insisted that we should help him up and let him fight after receiving a death shot.

After breaking through the Indians we commenced our retreat on foot. We had just crossed the skirt of timber when we again came in sight of the Indians. They did not attempt to pursue us, but stood and looked at us. They had enough of the fight for we had killed about fifty of their warriors.

On Nov. 20, 10 days after the fight, we arrived at the Eye and Caddock Village or camp. We first discovered an Indian on the prairie. We followed him to his village, and when we arrived there we found the warriors drawn to receive us in a hostile manner. They were all armed with rifles and the squaws had bows and arrows. I expected nothing else but that we should have to fight them, but after a good deal of parlying they said our little party might stay there that night. We then dressed the wounds of the men and camped in the midst of the hostile camp.

On the 21st we crossed the River Trinity at three forks. That evening we arrived at the Kiakoppoa Village. They were very friendly and treated us with the utmost hospitality. They gave us something to eat, and the next morning two of their young men went with us to a trail which they told us led to the River Neches or Sabine.

On the 27th we arrived at the Sabine, making in all 17 days and one night we had retreated through an enemy country on foot without blankets or horses. I left the wounded men at the Sabine on the 28th, and started for Houston where I arrived on the 8th day of December, after an absence of six months.

(Signed) A. B. Van Benthuyzen, First Lieutenant in Captain Boyer's Company of Mounted Gunmen.

Arkansas Gazette Report of the Battle of the Knobs.

In our number we published a few brief remarks concerning the recent skirmish with the Indians. We have since met Lieutenant Van Benthuyzen, who has favored us with a more circumstantial account. We have often listened with admiration and astonishment to the legends of savage warfare, but with the single exception of the celebrated combat of Colonel Bowie with the Towacones near San Saba we can call to mind no engagement characterized by so remarkable a display of heroism as the one to which the following communication refers. (The first of the report is almost like the one the Lieutenant made General Lamar with the following additional).

"I then kept a northeast course crossing the Brazos at the forks of same and passed through a fine mesquite prairie and very little timber, rather scattered but enough for the consumption of settlers should the country be settled.

On the 10th of November on the headwaters of the Trinity in the thirty-three and one-half degrees north latitude I fell in with a large body of Indians moving toward the southeast. They had a large convoy of horses with them and were accompanied by many women and children. We saw them about one half hour before they made the attack, from the top of a high mound. I stood at the top of the mound until I saw about one hundred fifty mount their horses coming toward us. I then ran down and stationed my men in a point of timber. The Indians immediately charged upon us and uttering the most savage yells—They were led by a Chief who was most splendidly mounted. Our men shot the forward Chief down. The country on the waters of the Trinity is handsomely situated, well watered and plenty of timber of large growth; the prairies abound in game of every kind. The game is chiefly bear, deer, antelope and buffalo. I have seen the prairies blacked with immense herds of buffalo as far as the eye could extend. I think that this country is the Garden of America and will in time be the most valuable part of Texas."

A. B. Van Benthuyzen,  
First Lieutenant of Mounted Gunmen.  
December 23, 1837.

## REPORT OF THE FIGHT BY JOHN HENRY BROWN

1836-1837 Captain Wm. E. Eastland made a campaign to the head of the Leon and returned down the Colorado. Twenty-two of his men however, under Lieutenant Van Benthuisen continued across the country and in Wise County had a bloody fight, in which Lieutenant Miles and eight men were killed and several wounded. Those who survived escaped on foot and after much suffering reached the settlement below.

John Henry Brown, History of Texas, Volume 11, page 129.

Since the engagement on the head waters of the Trinity River the hostile Indians kept at a respectful distance from the frontier. We learned from a run-a-way slave who was with the Indians at the skirmish that forty of their best warriors fell on the field and a large number taken away dangerously wounded. This is a severe loss for them as it amounts to more than one-fourth of the effective force of combined tribes of the Macoes and Towaceanies. The unfortunate Miles and his associates therefore have not fallen in vain since their blood has purchased for the frontiers an immunity from the evils of savage warfare.

Telegram Texas Register, February 3, 1938, page 2, col. 4.

November 10, 1837. An account of the expedition of Captain Lynch, Eastland. The fight at the "Knobs" with the Indians, the death of Lieutenant Miles. Sowell's Ranger and Pioneers. Page 41.

## THE BLOODY BATTLE OF THE KNOBS

By C. V. Terrell

Reasons why the celebrated "Battle of the Knobs" was fought two miles northwest of Decatur and not elsewhere.

First Lieutenant A. B. Van Benthuisen, who commanded the soldiers in the fight reports to General Mirabeau Bonopart Lamar to the Arkansas Gazette that the battle took place on the headwaters of the Trinity River and about thirty-three and one-half degrees north latitude. This location is in that described territory.

Second. He states that section of the country abounded in much large growth timber, consisting of hickory and oak, and no section of our state at an early day contained more fine timber than was in Wise County on West Fork, Sandy Creek or Catlet and on Denton Creek. The timber was so large and fine that in 1866 the federal government built and ran a sawmill at a place on Sandy Creek near where Alvord is located, known as the Government saw mill, and the federal government stationed a company of cavalry soldiers there for several years. That mill sawed the lumber that built Fort Richardson at Jacksboro and much of the

lumber at Forts Belknap and Griffin and Buffalo Springs. That mill sawed the lumber that built the second bridge across the West Fork at old Bridgeport and much of the lumber that built many of the houses and barns of the settlers, before then they were built of logs and chinked and covered with split boards.

Carlo Ball erected a saw mill a mile and a half northeast of Decatur on Catlet Creek and since there has been many saw mills all over the country. My father had cut and split rails to fence over a hundred acres of land at the forks of Denton and Catlet Creeks and as a boy I helped haul the rails out of the bottom and many of those big burr oak trees were six to eight feet through.

Third. The lieutenant also emphasized the fact that that section where the fight took place abounded in much wild game, deer, antelope, bear and buffalo. The earliest settlers of Wise County all reported that no country excelled Wise County in wild game.

In 1864 my father and Uncle Jacob Kellman killed a very large panther on Denton Creek. I recall Heck Miller telling about killing a bear on Cedar hollow on Sweet Water Creek. When the county was first settled in 1854 the prairies were covered with carcasses, heads and bones of wild buffalo. The Indians always knew how and where to hunt wild game and they always camped in a place most accessible to the game, because they almost exclusively lived on wild game, and that explains why they camped at the Old Isbell Springs.

It was so accessible to the game that ran on West Fork, Sandy, Catlet and Denton Creeks, and the prairie chickens, antelope and buffalo that roamed the grand prairie east of the upper or western cross-timbers.

Fourth. The early historians record the fact that in 1843 a celebrated conference between commissioners appointed by President Sam Houston and 11 tribes of Indians was held in Wise County, and from my knowledge of the country, I am almost sure it was held either at Isbell Springs or Cold Springs two miles northeast of Decatur, because they sent couriers out from the conference to the 11 tribes that were camped in or near that section hunting.

Fifth. The lieutenant in command states that they crossed the Brazos River at the forks of the Brazos which is west and slightly south from Decatur, and they traveled northeast and ran upon a large bunch of Indians, with many of their women and children, "who were traveling in a southeast direction." He also says he passed through a mesquite country, not much timber.

This must have been in Young, Archer and Clay Counties. I do not understand that he meant they really encountered the In-

dians, but followed their trail going southeast until he first saw them just before the fight. The Indians were evidently going southeast from the Wichita Mountains to this country where there were so much game, and had just camped at Isbell Springs.

Sixth. He also states that that section was "pleasing to the eye"; and "very handsomely situated"; and that it was undoubtedly the "Garden of America." All historians that I know anything about are unanimous in praise of the beautiful country, especially North Tarrant, West Denton, South Cooke, and East Wise Counties.

B. B. Paddock, Cliff Cates, Hillroy Bedford, Sergeant McConnell, B. Sowell and others are profuse in their praise of its exquisite beauty before the hand of man marred and changed its loveliness. I well remember, and can never forget, the rolling prairies covered with Indian blankets, blue bonnets, verbenas, golden rods and other lovely flowers, with green trees on the streams of clear running water, winding their way to the West Fork and Trinity Rivers.

I here quote from the history of Wise County by Cliff D. Cates. "That the natural beauty of that uninhabited domain attracted all beholders is also reflected in the remarks of the second visitor, who spoke as follows:

"When I crossed Denton Creek and emerged from the timbers and gradually ascended the general rise out upon the wide spreading prairies, my eyes beheld a scene of splendor such as nature only can produce in such lavishness. A perfect wilderness of flowers swaying in the soft breeze as though keeping time to the music of the larks and the tribes of feathered songsters whose notes made the balmy air redolent with sweet music. It was a scene to entrance the artist or charm, the enthusiast as he looked upon the beautiful outpouring of nature's God."

The traveler states that "he grew so enraptured in contemplating the scene that he became oblivious of the danger of Indians which threatened him."

And I can understand why Lieutenant Benthuisen and all of those historians, were so charmed with the country. All this of course does not prove conclusively that the "Battle of the Knobs" was fought two miles northwest of Decatur, but it does prove that the description of the country by the commanding officer completely describes the country adjacent to Decatur through which they retreated.

Seventh. The battle is known as the "Battle of the Knobs" and must have taken its name from some knobs at or near the battle ground. There are three knobs west and northwest of a skirt of timber about three hundred yards wide. The lieutenant says

he rode up on a high point and saw the Indians in the distance with women and children, evidently in their camp, and saw the warriors mount horses to attack them.

He ran down to where his men were and ordered them to retreat to a skirt of timber, obviously for better protection to sustain the attack, and the battle was fought immediately facing these knobs about one hundred yards from the timber. During all that terror of the desperate struggle in front of the knobs, one can easily see how the knobs vividly impressed them and caused them to call it the "Battle of the Knobs". There is a high ridge or backbone, running from near Fort Worth, northwest through Decatur, upon which the Fort Worth and Denver railroad runs and the Winnipeg or 81 Highway, the ridge extends on northwest to Denton Creek in the northern part of Wise County. This high ridge is unbroken and about three or four hundred feet higher than the western cross timbers that borders the ridge on the west.

This prairie ridge at many places are high hills jutting out toward the timber and form high hills or knobs, many of them from the west look like rock houses, the name the Indians gave the knobs. There are five high knobs on hills in and around Decatur. One where the public square is located which is the highest point within fifty or sixty miles.

One directly west, two south and one where the Decatur Baptist College is located and the other directly east of it and one upon which the Dan Waggoner residence, an old land mark, is built east of the public square, all these before the town was built, from a distance had the appearance of large knobs. Then there are two or three, two and a half miles northwest of Decatur that approached from the west or northwest look like large knobs or rock houses, one about one half mile west of these three knobs and the skirt of timber, where the battle took place, upon one of them Charley Jones was buried.

So that these knobs with the three near the skirt of timber evidently caused the battle to be known as the "Battle of the Knobs."

The Isbell Springs, located in the eastern edge of the upper or western cross timbers and adjoining the open Isbell Valley except on the south there was a beautiful grove of oak, elm and pecan trees where the Indians more than likely were camped, and where the early settlers of the county used to gather and hold their reunions, political gatherings and religious camp meetings.

These noted springs are about one mile southwest of the three knobs and this skirt of timber with the high ridge in between. The lieutenant rode up on this high ridge overlooking the valley

by the springs where he saw the Indians camped. He ran his horse down northeast to where his men were and withdrew them back northeast to this skirt of timber for better protection to sustain the impending attack of the Indians.

Ninth. The lieutenant states that finally the savages surrounded them and set the timber grass on fire around them on their east, but not on the west where the Indians with bows and arrows were stationed on the prairie. After four of the soldiers had been killed and six horses the soldiers decided to charge them and break through the grass fire and the ranks of Indians who mostly were armed with rifles.

In that charge they succeeded but lost six more men. They passed on through this skirt of timber and entered the prairie on higher ground about three hundred yards, looked back and saw the Indians over on the hill across the timber caring for their dead and wounded warriors.

The soldiers expected them to renew their attack, but they evidently had also sustained such a tremendous loss they too had enough of the bitter contest. The Indians were camped southwest of the battle ground and the main warrior force with bows and arrows were west of the soldiers, and in order to escape the soldiers were forced to charge them on the east and escape annihilation.

So the five not wounded had to care for the three wounded and make their escape on foot. I am almost sure they traveled down Catlet Creek and then down Denton Creek to the three forks of the Trinity near Dallas.

Tenth. In the thirty-three and one half degrees north latitude there are no knobs where the trouble could have taken place except two miles northwest of Decatur. On west of that latitude it is timber for thirty miles and east prairie, the grand prairie with streams of water but no knobs, with skirts of timber near and none surrounded with timber on three sides like that at the Badger home.

Every detail of Lieutenant Van Benthuisen's reports made at the time coincides with and completely describes this battle ground. There is no other place that in a remote way does. So that one can not carefully read those reports of the battle and view the scene on the ground and not come to the definite conclusion that Cliff Cales, Fayette Ball and I came to, that that unfortunate and disastrous "Battle of the Knobs" between the soldiers of the Republic of Texas under President Sam Houston as Commander in Chief and the savage Indians took place two miles northwest from where Decatur is now located.

There is no other place on the head waters of the Trinity River

and near the thirty-three and one-half degrees north latitude that has any of the natural objects or monuments of any kind mentioned in Lieutenant Van Benthuisen, who commanded the eighteen soldiers, reports of the fight made just after the battle in 1837, and therefore, could not have taken place any where except two miles northwest of Decatur. This ground near the old Isbell Springs has every natural object and monument described and mentioned by the lieutenant, and must have been where ten daring and heroic patriots of the Republic of Texas in the discharge of duty laid down their lives for us. Their blood has enriched the soil, and their dust made sacred the grounds where one hundred and eight years ago patriots and heroes died. Their spirits still ride on and as Father Ryan said of the dead Confederate soldiers "On fumes eternal camping ground their silent tents are spread and glory guards with solemn round the bivouac of the dead."

#### CELEBRATED PEACE CONFERENCE HELD IN 1843 IN WISE COUNTY NEAR DECATUR

President Sam Houston, having lived with the Indians, was more familiar with them and understood them better than any other man in the Republic of Texas; desired to bring about a general cessation of hostilities by the Indians and began work for a Treaty of Peace with all the warring tribes. He selected and appointed Captain Joseph C. Eldridge, a man of education, experience, courage and of the highest order of integrity as his commissioner of Indian affairs. The Chiefs of several of the smaller tribes visited the President, among them were several Delawares nearly civilized and he decided to use those leaders in his affairs for peace. However, he finally decided to commission Captain Eldridge for the important and hazardous mission to go and hold conferences with all the warring tribes, and arrange for a meeting August the 10th at Birds Fort between them and his two commissioners, Geo. W. Terrell and E. B. Tarrant. Captain Eldridge was to be accompanied by two or three white men of approved character and together with the Delawares, Eldridge eagerly applied to his young and bosom friend, Hamilton Bee, to accompany him. Hamilton Bee was the son of Colonel Benard E. Bee. He also selected Thomas Torrey, an Indian Agent and three Delawares Jim Shaw, John Conner and Jim Second Eye to assist him. Late in March, 1843, the party left Washington, Texas. They had guides and interpreters, hunters, helpers and traders. They also took for delivery to their own people two Comanche children about 12 years old, a girl named Maria and a boy, Wm. Borkley, captured at San Antonio in 1840, and two

young Waco women prisoners but these were placed in charge of Acoquash, the Waco Chief who went with them.

Captain Eldridge's instructions were to visit as many of the wild tribes as possible, and the head Chief of the Comanches and to invite them all to attend a grand council to be held at Bird's Fort on the north side of West Fork of the Trinity River about twenty miles west of Dallas, August the 10th. At a point above the three forks of the Trinity, in Wise County, the expedition halted for a few days and sent out Delaware's messengers to invite any tribes found to visit them. Delegations from eleven tribes came along they being Wacoans, Anadorcos, Tow-e-Ashes, Caddos, Keechis, Tehuacanos, Delawares, Bedias, Boluxies, Iones, and one or two others. It consisted of a large assemblage. The deliberations were solemnly opened by embracing, smoking, and a wordy exchange of civilities, and the conference lasted several days. Captain Eldridge told them he was the mouth piece of the President, and spoke his words, but Jim Shaw said it was a lie, but the other two conveyed the language to all, and the eleven tribes present agreed to attend the conference of Birds Fort and sign Treaties of Peace. But they were unable to find any of the Comanche Chiefs. At this unexpected turn Captain Eldridge sent for Jose Maria the noted Chief of the Anadorsos, who had been severely wounded in his victorious fight with the whites, in Bryant's defeat near Marlin in January, 1839, to escort Jim Shaw back to the settlements. He agreed but the next day while packing, Shaw sent word to Captain Eldridge he had changed his mind and would go on with him. They then moved on to the Wichita Village at or near Fort Sill. They then went westerly in search of the Comanches. It was now in June and all their provisions were exhausted. Game was plentiful, and they carried an abundance of cooked meat on their pack mules. Finally, Payhayuco arrived being the great Comanche Chief.

The two women and children were turned over to the Wacoans and Comanches. The girl named Maria began to cry and scream. She did not want to go with them, but one of the Chiefs took her in his arms and carried her away. It was so pathetic. All the men had to shed tears in sympathy for the child. The boy went willingly and began to talk their language mixed with a little English he had learned while a captive.

After they had held a conference, no whites present, they, the whites, left the matter with the Delawares. A Choctaw negro who understood but little Comanche told them the council was discussing murdering all of them. The Delawares denied this but a Delaware hunter told them the Comanches were going to kill them. General Bee said "next came into our tents, our dear

friend Acoquash, where we three white men were sitting, betraying the most intense feeling, shaking all over and great tears rolling from his eyes, and as best he could told us that we would soon be put to death." He said he pleaded with them but to no avail, but that he would die with them. Acoquash returned to the council Captain Eldridge, Colonel Bee and Torrey. Each had two pistols and they decided to kill one Indian each and then turn and kill themselves, and save being tortured by them. All night long they waited their fate, but next morning the Delawares rushed in exclaiming saved! saved!

The appeal of Chief Acoquash converted Payhayuco and he in turn convinced the other chiefs on the side of mercy.

In a loud voice Chief Payhayuco proclaimed that the whites were under his protection and must not at the peril of their lives be hurt. No doubt but that the pleading of Chief Acoquash of the Wacoans saved the lives of the entire expedition and the return of the two children contributed to convincing the Comanches of their friendly intentions.

September 29th, 1843, after a delay of several weeks, Captain Eldridge returned to Birds Fort and met the two commissioners selected by President Houston to sign the treaty for him who were watching for news from them but had about decided that they had all been massacred by the Indians. All the tribes met at Birds Fort on September 29th, and signed the celebrated treaty with Geo. W. Terrell and E. B. Tarrant, Commissioners, which was perhaps the most noted treaty of peace ever made between Texas and the worrying Indians. It was faithfully lived up to until near the beginning of the Civil War. That celebrated conference with Captain Eldridge, Hamilton Bee and others held in Wise County with eleven tribes of savage Indians; that great treaty signed at Bird's Fort, and the sacrifices made by Captain Eldridge, Bee and others meant more to the white settlers of Texas than perhaps any treaty ever made in our state. It undoubtedly saved the lives of more white people and more Indians than anything done by the Republic of Texas, and as a partial reward for that service the legislature of Texas named Tarrant County for E. B. Tarrant, one of the two commissioners who signed that great Treaty of Peace for General Sam Houston, President of the Texas Republic.

Knowing Wise County as I do, I am confident this celebrated peace conference with the Chiefs of eleven tribes of Indians was held somewhere in Wise County, at some of the fine springs of fine water near Decatur. Either the Isbell Springs, one and one-half miles northwest of Decatur, the Cold Springs one mile north-east, or Sand Hill Springs, three miles south of Decatur or Sweet

Water Creek that had as fine running spring water as any stream in the county, was the scene of the conference. Those springs are on a direct line from Birds Fort to the Wichita Mountains in the Indian Territory, now Oklahoma. There is a high ridge, the back bone of the prairie, just east of the upper cross timbers which is three or four hundred feet higher than the timber section. Had they traveled west of the ridge they would have had to travel in the brush and dense timber with no crossings on any of the creeks that run into the West Fork of the Trinity River. Along this prairie ridge that extends from near Fort Worth to about ten miles north of Decatur there are no streams to cross but plenty of water for use as well as good grass for their horses.

They evidently made the same route that the settlers have always travelled and they now travel by the Fort Worth and Denver Railroad and Highway 81 known as the Winnipeg route. That section surrounding Decatur at an early day has always been celebrated as the finest wild game country in this state or any other state. The eleven tribes must have been camped at or near these fine springs, killing and hunting game upon which they lived. They knew where the most game was located and they knew how to kill it. Couriers were sent out from where Captain Eldridge held this conference to these Indian tribes camped near there. I am convinced, that this noted conference was held in the immediate vicinity of Decatur, Texas. Of course, it is only a guess, no one knows nor ever will know because history gives no clue, except it was in Wise County. Nevertheless, it was a noted and important conference and finally culminated in the celebrated peace treaty signed at Birds Fort, by Geo. W. Terrell and E. B. Tarrant, Commissioners of the Republic of Texas, and the chiefs of twelve tribes of Indians.

#### THE BUTTERFIELD AND THE OVERLAND STAGE LINES

There has been and still is much discussion and uncertainty as to just where the old and noted Butterfield Stage Line ran and especially where it did run in passing through Wise County, Texas. As I was born in 1861 and the stage line ran before the Civil War, I have no personal knowledge or recollection of it, but I have made considerable research about it and its history and its service, and I feel that what I may write about it might be of some help in fixing its important location.

Congress in 1857 passed an act establishing an overland mail service between a point on the Mississippi River and San Francisco, California and the contract was awarded to John Butterfield, G. Fargo, and others. They were to furnish a semi-weekly mail service and receive \$6,000.00 annually for four years.

The route first ran through Little Rock, Arkansas, southwest to Preston on Red River, to Fort Concho, near where San Angelo is now located and on west to the Pacific Coast. It first passed through Gainesville, Texas, and entered Wise County on the northern line of the county somewhere near where Pella is situated, then on to where Old Bridgeport was located and crossed the west fork of the Trinity River, on an old wooden bridge, then on to Jacksboro and on West. That old bridge at Old Bridgeport in Wise County was built in 1860 by William H. Hunt and others and was a toll bridge. Colonel Hunt lived on Cactus Hill in Wise County west of West Fork and in order to get to Decatur, the county site, and to and from his market, he had to cross the West Fork and during high water the river would often get out of banks and cover the entire bottom and for days be too high to cross, so he and other citizens interested, erected this old bridge out of large logs. They split some of them and turned the flat sides up for the floor of the bridge. I find in the old records of the Secretary of State's office in Austin the record of an act passed by the Legislature of Texas, February 10, 1860, chartering a company known as "The West Fork Bridge Company." The charter members were: Wm. H. Hunt, Pierce Woodward, Sylvanus Reed, Daniel Howell, A. E. Allen, and A. Bishop. The last three resided at Decatur. The act authorized them to build a toll bridge across West Fork of the Trinity River at or near a point where Village Creek empties into the river. The act also provided that it could not charge a greater fee than the following:

Loaded Wagons with 4 or 6 yoke of oxen or more.....	75 cents
Less than 4 yoke of oxen and more than 1 yoke.....	50 cents
1 Yoke of oxen .....	25 cents
Loaded wagons of 4 or more mules or horses.....	75 cents
2 Mules or Horses .....	50 cents
Unloaded Wagons .....	25 cents
One on horseback .....	10 cents
Loose horses or cattle driven across the bridge, each	5 cents

The original Butterfield Stage Line running from Gainesville, Texas to Fort Concho could not have made the trip without crossing the West Fork of the Trinity River and to try to do so without crossing on a bridge would have been hazardous and almost impossible because no stage or other conveyance could cross that stream for sometimes two weeks during high water. This old bridge was the first and only bridge on West Fork north and west of Fort Worth, and I rather believe west of Dallas, so it stands to reason that this stage line crossed the river there on that bridge, and I also surmise that the contract made with the Federal Government by John Butterfield and others had much to

do with Col. Hunt and his associates in building the bridge, because four fixed trips a week would be quite an inducement to him, coupled with other travel and their own requirements.

I recall that in 1872 and later we used to "freight" with both mule and ox teams from Decatur to Dallas and Fort Worth and we crossed the Elm Fork of the Trinity at Eagle Ford Crossing. No bridge was there then, and we crossed the West Fork at Fort Worth at an old ford crossing north of the town about where the Fort Worth & Denver Railroad bridge now crosses the river, near the mouth of Marine Creek, and there were no bridges across West Fork above that point that I ever saw or heard of. In fact, at that time and on up to about 1876 practically all the travel from the east to the west north of Dallas came through Decatur, crossed West Fork at Bridgeport on to Jacksboro, Graham, and Forts Belknap and Griffin, and on west to the coast.

As there was no highway or road of any kind running from the northern part of Wise County southwest to Bridgeport, I am confident this old Butterfield Stage Line ran through Decatur, the county site and on west. I have a copy of the census of Wise County made in 1860 by the Federal Government and it records two Wise County citizens giving their occupation as stage drivers, viz: Sam Medlin and James Doyle, both natives of New York State. The Butterfield was then the only stage line running in that part of the state, and probably the only one in the state, and those two stage drivers must have been driving those stages. As their homes were in Wise County, and I am sure Decatur, they must have lived somewhere along the stage line and where the stages stopped, either overnight, or to eat or change their teams and change drivers. From the Wise County line on the north to Bridgeport and on to Jacksboro, there was no town nor place suitable for such stops of the stages except Decatur, and I am sure the stages ran through Decatur, made their stops, there changed their teams as did the old overland government stages a few years later on, in the late sixties and early seventies. If the Butterfield Stages did not run through Wise County, evidently those two stage drivers would have lived in some other county where the stages stopped and would have so given their residences.

In the seventies the Federal Government built a telegraph line running from the east through Sherman, Texas, through Decatur, Jacksboro, Fort Griffin, and Fort Belknap on west to the Pacific, along a highway where the old Government Overland Stages ran. During the Civil War the old Butterfield Stage Line was discontinued. In the spring of 1866 North Texas had the heaviest flood of water in all history before or since and what-

ever was left of that old toll Hunt Bridge was evidently washed away at that time.

As a kid, I recall my father and Uncle Jacob Kellam on Denton Creek chinked up a very large cottonwood horse trough and put it in the flood waters on our field and gathered up as many rails that were being washed away as they could. The flood also covered up our well of water in the edge of the field under some large pecan and elm trees. They put me in the improvised boat and with paddles took me on one of their trips collecting up the rails.

Sergeant H. H. McConnell in his history of "Five Years a Cavalryman on the Frontiers of Texas" gives a very interesting account of the soldiers helping build the old Fort Richardson at Jacksboro and helping build a bridge across West Fork of the Trinity River. At that crossing at Bridgeport was the only direct route from the markets to Jacksboro and Fort Griffin and Fort Belknap where the soldiers could get supplies, I am sure that was where they helped build the bridge. There has never been any other bridge built during those times across West Fork except at Bridgeport.

Cliff D. Cates in his splendid history of Wise County also gives a very fine and interesting account of Capt. John M. Hale and others building a new bridge where the old Hunt toll bridge was located, and states that the soldiers from Jacksboro assisted in celebrating the important event when it was completed. I remember that in the latter part of the sixties or early part of the seventies the Federal Government built a saw mill on Sandy Creek some five or six miles from the bridge and stationed a company of soldiers there. The mill sawed hard or native lumber and I am confident the timber was for use in building that second bridge across West Fork and for houses and sheds at Fort Richardson and the two forts in Young and Throckmorton Counties. If that timber they sawed was not for that use, I cannot imagine why the Federal Government would have fooled with it. My father had a store at the Government Mills and sold goods to the settlers and the soldiers stationed there. From the above stated facts, it is clear to me that the old Butterfield and Overland Stage Lines ran through Decatur on west through Bridgeport, Jacksboro, and on to the Pacific Coast.

After we moved to Decatur from Denton Creek in 1867, I distinctly remember seeing the old Overland Stages pass through Decatur. They changed their teams at Horton's Livery Stable and ate at his hotel on the northeast corner of the public square of Decatur. They came west from Sherman through Pilot Point, Bolivar, changed their mules at Brandon's, near Allison, and went on west through Bridgeport.

The Southwestern Historical Quarterly Vol. 29, written by Eugene Barker and Herbert E. Bolton, who are recognized historians, states that the Butterfield State Line ran from St. Louis to San Francisco in 1859 and 1860, and passed through Young, Jack, Wise, Denton and Grayson Counties, and crossed Red River at Colbert's Ferry, and also states, that it changed its teams as follows: Jacksboro to Earheart, sixteen miles to Davidson, twenty-four miles to Gainesville, seventeen miles to Diamonds, fifteen miles to Sherman and on to Colbert's Ferry. The Earheart home was on the east side of West Fork in Wise County, and just above and north of where old Bridgeport was located and where the first bridge was built in 1860. But being raised in Decatur I never heard of Davidsons and knew no one by that name ever lived there. At an early day there was a lawyer by that name in Decatur but he was a bachelor and had no family and was not connected with the stage line. The complete census of Wise County taken in 1860 has no Davidsons in it. But as stated before there were two stage drivers living in Decatur, who were from New York State, and I am sure John Butterfield, who also resided in New York, brought them out to Wise County to drive his stages. It is possible that the word Davidson is a typographical error and should be Decatur. The distances above given added only makes about eighty-five miles from Jacksboro to Sherman when as a matter of fact over the route given by Gainesville is at least one hundred fifty miles. This same Southwestern Historical Association have erected a granite monument about three-fourths of a mile northwest of Decatur noting where the Butterfield Stages ran, which definitely locates the route at Decatur. This volume also states that the noted stage line bought one hundred Concord stages, one thousand horses, five hundred mules, employed seven hundred fifty men, one hundred fifty drivers, and charged \$100.00 fare for a distance of a little less than three thousand miles. This volume also gives a very interesting account of a wager made at a festival in New York between John Butterfield and Captain Harrison of the Great Eastern Ship Line where they bet \$100,000.00 that the Captain could run his vessel from New York around South America and on to San Francisco before Butterfield could run his stages from St. Louis to San Francisco. Great preparations were made by both parties. Butterfield spent \$150,000.00 improving and shortening his line and bought many more Texas mules. The time was set, the race run, and the Texas mules won by several hours. They made the trip in twenty-three days and four hours. The President of the United States wired Butterfield congratulations on his victory. I am almost sure that they rushed up the building of this old

bridge at Bridgeport for this race and also shortened the route from Sherman to Jacksboro by running through Pilot Point, Bolivar, Brandons Mound to Decatur and on to Jacksboro, making the distance about one hundred miles. The war came on and on March 12, 1861, the stage line ceased its runs and John Butterfield passed entirely out of the picture. As above stated, after the war in the late sixties, another stage line was run known as the Government Overland Stage Line and it ran over the same route. Sherman, Pilot Point, Bolivar, Brandon Mound and Decatur. It is my thought that this line was owned by Wells Fargo Company. However, the telegraph line was built over the same route from St. Louis to San Francisco and it was run and owned by the Federal Government. D. J. Carr of New Haven, Connecticut had charge of the office first at Decatur and then at Jacksboro as a messenger and belonged to the Government's signal service. He was transferred to San Antonio and was promoted to a Colonel during World War I and passed away at San Antonio only a few years ago. I well remember the Government Overland Stages.

They drove real wild mules and in hitching them to the stage a man would have to hold each team until the stage driver in the seat holding the checks or lines gave the word to "turn them loose." They would start in a run and run for perhaps a mile or so and then settle down to a fast trot. Later on this stage line was changed and ran through Denton, and we boys had an "old swimming hole" about two miles from town near the Denton and Decatur road, and when the frame for the trunks on the rear of the stages was empty, we would slip up and get on it and ride out to near the old swimming hole. The stage driver would always have a long whip with which he could reach the lead team and he knew how to use it. Sometimes when they found that we boys were stealing a ride, they would with one lash of their whip make us fall off the rear of that stage like turtles off a log in an old tank, and too often spoil our pleasant ride on the stage. In attending our movies and watching the thrilling scenes of the West, I yet enjoy those daring acts where they drive with "break-neck" speed and apparent utter abandon. It brings back memories of yesterday that can never return.

For more than two score years the old stage lines filled one important gap in our transportation in this country's history that connected the old covered wagon with the advent of the railroads. It was a natural evolution of transportation of mail, express and passengers that aided materially in the wonderful development of the west during those dangerous and pioneer times. Those far sighted, aggressive and daring pioneers did more than their share in making this country what it is. They had to face all kinds of peril and hardships, bad weather, rough

and bad roads and sometimes no roads at all, as well as keep a never ending vigil both day and night for bandits and Indians.

C. D. Cates, one of Wise County's early pioneers, stated that on one occasion one of the overland stages came into Decatur from the West with several Indian arrows sticking in the side and rear of the stage. Evidently the Indians were on foot and riding their Indian ponies and had not stolen horses that could out run the stage horses, and the driver out ran them and saved his life and that of the passengers on his stage. On another occasion he said some General of the United States army came through on the stage and he had with him a Spanish boy about ten or twelve years old that attracted the attention of the people along the route. It is my guess that this General was General Phil Sheardon who at one time was stationed at Fort Richardson at Jacksboro. This fort cost the Government \$800,000 and was at one time the largest fort in the United States, and many of the famous Generals of the Civil War were from time to time stationed there.

#### THE FAMOUS CHISHOLM COW TRAIL

Much has been written and many animated discussions have been had over the name of the person from whom the celebrated Chisholm Cow Trail took its name. Whether it was named for the Cherokee halfbreed Indian, Jesse Chisholm, who lived across Red River in the Indian Territory and assisted the trail drivers with their herds of cattle through the Territory, or for John Chisum, who owned a home and ranch west of Bolivar in Denton County and where the trail drivers used to camp at noon and at nights and bed their cattle and receive from him all the courtesies and assistance so noted among old-time Texas cowmen. But since I was too young to have any independent knowledge about those questions, anything I might write would be entirely hearsay and therefore, of little value in solving the controversy.

There are no monuments, markers, nor any kind of historical facts, that I know of, that with any degree of certainty locates where this famous cow trail once ran between Fort Worth, Texas and Red River. From my personal knowledge and other conclusive facts, the route of this trail can now be definitely located, and I believe before it is too late for the benefit of those now living and those to come after us, those important facts should be chronicled and for that primary purpose, this chapter is being written.

C. R. Wharton in his able history of Texas states that the first herd of cattle driven from Southwest Texas to the Kansas cattle market passed through "Cleburne, Fort Worth, on north

just west of Elizabethtown, Denton, and Pilot Point on to Sherman and Red River" and they probably crossed the River at Colbert's Ferry. This statement of Wharton's is, I am sure, absolutely correct as that would have been the direct and natural route from Fort Worth to Sherman, Texas. Any route west of there would have carried it through a less thinly settled section and would have been far more dangerous from attacks by the Indians. The route through Sherman was at least over fifty miles east of where Jesse Chisholm lived and many miles east of the John Chisum ranch, and I very much doubt if any of those trail drivers who drove cattle over that route ever saw or heard of either Jesse Chisholm or John Chisum.

Wharton also states in his history that later on the cow trail was moved six or eight miles west of Decatur, Texas. This, I am equally sure, is incorrect and is a typographical error and should have been "east" instead of "west" of Decatur, for the following good and valid reasons, viz.:

1st. I lived during most of that time in Decatur and had it been true, I am confident I would have known about it or heard of it in some way.

2nd. I know of my own personal knowledge that there was no wagon road or crossings on the streams in that section at that time where a trail for large herds of cattle could have travelled.

3rd. Nearly all the way it was timber and brush and most difficult, if not impossible, to have driven herds of cattle over such terrain.

4th. Cow men driving especially their first herds of cattle over a trail usually send a man horseback to select the way and find water for the cattle, and the herd of cattle soon learn to follow, and it is absolutely unreasonable for a cow man to have selected such a burdensome trail, when to the east of Decatur was prairie with clear running watered streams to water their cattle and the best grazing for cattle anywhere to be found in Texas.

5th. My father lived from 1854 to 1867 on Denton Creek about two hundred yards west of the Denton and Wise County line. From 1866 to about 1878 the regular travelled cow trail from Fort Worth north to Red River Station and Sivells Bend on Red River passed about one hundred yards east of our home and crossed Denton Creek going north about three hundred yards northeast of our house at an old wagon crossing on the county line between Denton and Wise Counties. During each spring and summer I have seen them drive so many herds of cattle to the Kansas market by our house that the cattle beat the grass down to the ground in paths at least one hundred yards across them. During the heavy rains whenever Denton Creek would get out of

banks with water, the herds of cattle would clog up on the prairie south of our home until you could see cattle, real Longhorns, as far as the eye could reach. That crossing on Denton Creek is still known and called the "Trail Crossing." This route is a direct and the nearest route from Fort Worth to Red River Station and Sivells Bend. There was then a crossing on Elizabeth Creek and one on Oliver Creek just east and below the old Blue or Elmore Allen hole of water that was about a mile long. These wagon crossings, as well as those on Denton and Clear Creek, had but little timber and were natural crossings for experienced cow men to drive their herds of cattle. Just south of our home about a mile Zebulon King settled and built his home on a branch where there was a spring of cold water from which he secured water for his family use as well as for his stock. The trail drivers would often camp there, bed their cattle, and get water out of this spring for cooking. I remember having had recently several conversations with my lamented friend, Captain J. A. Brooks, of Falfurrias, Texas, an old trail driver and famous Captain of a Texas Ranger Company, and for whom Brooks County was named. He told me about a time when he was a boy and helped drive a herd of cattle to Kansas over the Chisholm Cow Trail. They camped about ten miles east of Decatur, and the boss sent him on horseback to Decatur for a few groceries they needed. He also related some very interesting incidents of his stay in Decatur and his return to the camp. He said that after he had bought his groceries and tied them on his saddle in a sack, he got a little too much "Tangle foot" liquor under his belt, and as he got on his horse to leave, the City Marshal started to arrest him, when the merchant from whom he bought his groceries interceded in his behalf. I am almost certain that this merchant was Uncle Charley Cates. Captain Brooks said this good man insisted that the Marshal should let him go on to his camp with the groceries they so badly needed. Finally, the Marshal agreed and he rode out of town. Soon he went to sleep on his horse about two miles from town; his horse stopped. He awoke and his horse was drinking out of a barrel of water which a settler was hauling on a one-horse sled. I am almost sure this settler was Neni Hobson who lived two miles east of Decatur. The good Samaritan took him to his house, put him to bed, looked after his horse and groceries. When they awoke him next morning, the good housewife had cooked a fine breakfast, hot biscuits, butter, coffee, and country-fried ham with red gravy. Upon leaving he asked the man what his charges were. His reply was, "Not one cent. Just don't drink anymore."

Captain Brooks was elected County Judge of Brooks County

when it was organized and held it for about thirty years, and when he retired, his son was elected and now holds that important office. I was in the State Senate when Brooks County was organized and we named the county for him because of his noted service as Captain of a Texas Ranger Company.

Captain Brooks also stated that he ran a horse race west of Bolivar with Sam Bass before Bass became a noted desperado and bandit. Captain Brooks lived in Collin County first, then moved to Wise County and then to Southwest Texas.

In about 1878 when the counties west of that Chisholm Trail settled with people, and the Indians ceased their devastating raids, this trail was moved west of Fort Worth through Wilbarger County, making it a much shorter route from Southwest Texas, and it crossed Red River at the famous Doan's Crossing. Every year the people of that section hold a reunion at Doan's Crossing and it has been my good pleasure to have attended two or three of those happy gatherings of people. They have erected a large and imposing monument to the memory of those early trail drivers near this crossing. It is built of Texas granite and bears the carved names of many of the old illustrious trail drivers of long ago.

I know of no marker or monument on the old Chisholm Cow Trail between Fort Worth and Red River, but surely it is of enough historic importance for us to commemorate the memory of those gallant frontiersmen who helped so materially to build and shape this state to erect a suitable monument to their memory somewhere along that famous Chisholm Cow Trail; and I know of no more appropriate place than on the Denton and Wise County line where the present beautiful state highway No. from Denton to Decatur crosses that old and famous Chisholm Cow Trail.

Nearly all the old trail drivers who drove cattle over the Chisholm Cow Trail have passed on. Only a very few, if any, are now living. The old Texas cow men are fast vanishing, and they soon will be with us "no more forever." They were a noble, a gallant, and a fearless people, and we have and will lose much when they and their like are gone. We are wisely preserving their heroic deeds on the screen, in song, and story. Who of us does not love to hear Gene Autry, Tex Ritter, Roy Rogers, and other stars sing those old cowboy songs and re-enact on the screen the scenes of yesterday? Is there any among us who ever saw those cow men and trail drivers in their cow camps who does not become animated and grow younger when he sees the movie screen of an old cow camp with the glowing fire, Dutch oven, coffee pot, and the old chuck wagon so inviting?

## Chapter II

### THE TERRELLS

The Terrell name is an old English name. It was originally spelled Tyrell, and one of the early Tyrells was knighted in the Crusade Wars under Richard Cour de Leon. At an early date from tradition one of the Tyrells accidentally killed a tyrannical king of England, thinking he was a deer while the King was walking in the park. The name getting in some disrepute, was changed to Terrell or Terrill and it is now spelled in both ways by their descendants in this country.

In the sixteenth century three Terrell brothers came from England to America and settled in Virginia. When they left England for America, the land of opportunity and freedom, they received their father's blessings and he gave to one a pair of silver shoe buckles, to another a pair of knee buckles, and to the third a pair of silver suspender buckles with the solemn admonition that at each of their deaths, these heirlooms should in turn be handed down from one generation to another through the oldest son.

My father, Samuel Lafayette Terrell, inherited the pair of silver suspender buckles and they at the death of our father, passed on down to his oldest son, Lafayette Phillomen Terrell, and from him down to his oldest son, John Hale Terrell, who passed away at Wichita Falls, Texas in 1938, and they yet remain in the hands of his wife, he not having any male heir to inherit them. These old treasured relics should be turned over to some of the male Terrells or should be placed for safekeeping in a Texas museum or some other safe place for such valuable old family treasures. They are of no intrinsic value but to one who has pride in his ancestors, they should be of great value.

My grandfather, Lafayette Phillomen Terrell, moved from Virginia to Georgia at an early day and raised his family there, and probably from that family Robert Terrell was both Governor and United States Senator from that state when he passed away. Later on my grandfather moved with his family to Alabama and then to Mississippi where my father was born and reared.

The father of Samuel Lafayette Terrell was Phillomen Terrell and he married Margaret Ratcliff and lived in Adams County, Mississippi, and moved to Louisiana.

The following were born to that union of Phillomen Terrell and Margaret Ratcliff, viz.: Elizabeth Ann Terrell, Rebecca Penelope Terrell, who married Geo. W. Marler; John Terrell, James Terrell, Margaret Terrell, Aseneth Terrell, who married Theron Brownfield from Illinois; Elizabeth Ann Terrell who married Peter Le Feive; Samuel Lafayette Terrell, who was born in Adams County Mississippi, on November 20, 1829, and married Emily Catherine Kellam and Pauline Terrell who lived only a short time.

My father gave to me a bill of sale to a colored boy by the name of Jack, who was about twelve years old. It is written with pen and ink on ordinary legal size paper and is well preserved. It was made in 1808 in Georgia from my greatgrandfather to his son, my grandfather. The consideration was \$100, it being a bill of sale in legal form to a human being. I keep it as an old archive.

I also hold a sword, belt and scabbard that Senator Temple Houston wore when he was officer of the day and led the procession on the Avenue when the State Capitol was dedicated in 1888. I was a First Lieutenant of the Decatur Rifles, member of the State Guards at Decatur, and my close friend and law partner, Tully A. Fuller, was a member of the Legislature. Senator Temple Houston was State Senator from Mobeta, Texas and he and Tully A. Fuller were roommates. The Senator needed a sword and belt, and Fuller wrote me asking me to send mine to him which I did and it was used as above stated. I also wore it during the railroad strike in 1886 in Fort Worth during Governor Ireland's administration when I commanded a company, the Decatur Rifles, during that strike. It is my intention to turn it over to the University of Texas museum for safe keeping.

The inscription on the Terrell Coat-of-Arms is in French: "Sans puer, sans reproche," which translated means "Without fear, without reproach."

Judge A. W. Terrell was a very brilliant and able statesman, was author of the Terrell Election Law, and also author of the law that built the present State Capitol and the law creating the Texas Railroad Commission. He made the speech dedicating the State Capitol building in 1888. When I served in the State Senate in 1897 and 1899, he often came into the Senate Chamber and talked to me for hours, narrating interesting events of his experience and gave me much sound advice that I highly appreciated and followed as best I could and profited much from it. Judge Terrell had a family tree and said we were third cousins. I am sure he was the author of more wholesome laws in Texas than any other statesman.

Governor Hogg told this story on Judge A. W. Terrell. He said Judge Terrell was a very able, learned and classical man with

one of the most brilliant minds of anyone in Texas. Five or six of them went fishing down on the Coast, camped out and had a splendid time. He said they were seining for fish and drew out the bone of the head of a very large fish. Judge Terrell carried it to their camp and proceeded to make a very interesting discourse on the head of the fish. He said it was the head of an amphibious prehistoric animal that lived many millions of years ago but was now entirely extinct and he gave the name of the animal.

The Governor said he stepped off down the beach and found an old Mexican fisherman and brought him up to the camp and took this large head and asked the Mexican what it was. The Mexican replied, "It is the head of a large porpoise or sea Hogg."

General M. M. Crane told me this story on Judge Terrell. They both served in the Texas Legislature together and were instrumental in writing and passing the law creating the Texas Railroad Commission and were very close friends and very close to Governor Hogg. He said that when Judge Terrell was appointed by President Grover Cleveland as Minister to Turkey, someone gave the President a copy of a poem that Judge Terrell had written when people were intensely excited just after the Civil War commending and eulogizing John Wilkes Booth for killing President Lincoln. The poem was anonymous, but the President was informed that Judge Terrell had written it. The President, after Judge Terrell had been appointed and confirmed by the Senate, asked him on his way to Europe to come by Washington for instructions and he wanted to talk with him. He went into the White House, met the President, and in the course of their conversation, the President showed him this poem and said, "They tell me you wrote it." Judge Terrell read it very carefully, gave it back to the President, and only remarked, "Yes, it has gotten so they will charge a man with most anything." The President replied, "Yes, I knew you didn't write it."

At General Lee's surrender, Judge Terrell, a major in the Confederacy, like nearly all the leaders in the South thought that President Davis, Lee, and all the main Confederates would be executed by the North. So he fled to Mexico on a mule, joining Maximilian's forces—I understand he was one of his generals—but when Spain refused to help Maximilian, Judge Terrell saw he would likely lose his life and fled back to Texas and settled in Austin.

The Terrells were prominent in the early pioneer development of Texas as well as later on in our State. Geo. W. Terrell, who was from Kentucky was one of the leading pioneer statesmen of

the Republic of Texas. He was appointed by President Sam Houston as one of two Indian Commissioners to obtain a peace treaty with the warring tribes of the Indians that were giving the settlers so much trouble. Geo. W. Terrell was also elected Attorney General of the Republic of Texas and was also appointed Ambassador to the Court of St. James by the President of the Republic of Texas, but unfortunately he died when only 42 years of age, thus ending his short though brilliant career.

Chester Terrell of San Antonio was an unusually brilliant young man and was elected and served one term as Speaker of the House of Representatives, but he too passed away in early manhood, depriving our State of his able services. Geo. B. Terrell of Alto, Cherokee County, Texas, served a number of terms in the Texas House of Representatives, was Commissioner of Agriculture a number of years and served one term as Congressman at Large from Texas. He also had a brother, H. B. Terrell, who was State Senator for several terms and he and his son, Sam Houston Terrell, each was Comptroller of the State for a number of years. Turner Terrell also served in the Legislature two terms.

Jim Terrell of Texarkana, Texas, also served in the State Senate. At one time there were three Terrells in the State Senate of Texas, Jim, H. B. and C. V. Terrell, and at the same time Geo. B. Terrell, was a member of the House.

W. O. Terrell, also served prior to that time, as a member of the Texas Senate, he was from Terrell, Texas, and later San Antonio.

Judge Ben Terrell was an eminent Jurist of Fort Worth, Texas, being District Judge there for many years up to his passing.

John J. Terrell, my brother, served Texas as its Land Commissioner for six years.

Joe Terrell, of Fort Worth, was an able attorney, and wrote a very interesting book of that city and north Texas. He also had a son, John Terrell, that was County Judge of Tarrant County and served as United States Marshal of the Northern District of Texas. Joe Terrell and Judge A. W. Terrell were brothers.

Judge Ben Terrell of Seguin, Texas was an able lawyer and one of the great debators in Texas during the bitter contests between Democracy and the Greenback and Populist parties. He was one of the leaders of the two latter parties, made many speeches in the South and in the North for General Weaver, candidate for President on the Greenback ticket.

Judge Robert Terrell of San Antonio, Texas, has presided over the District Court for a number of years. He is a fine judge and as good a man as he is a judge.

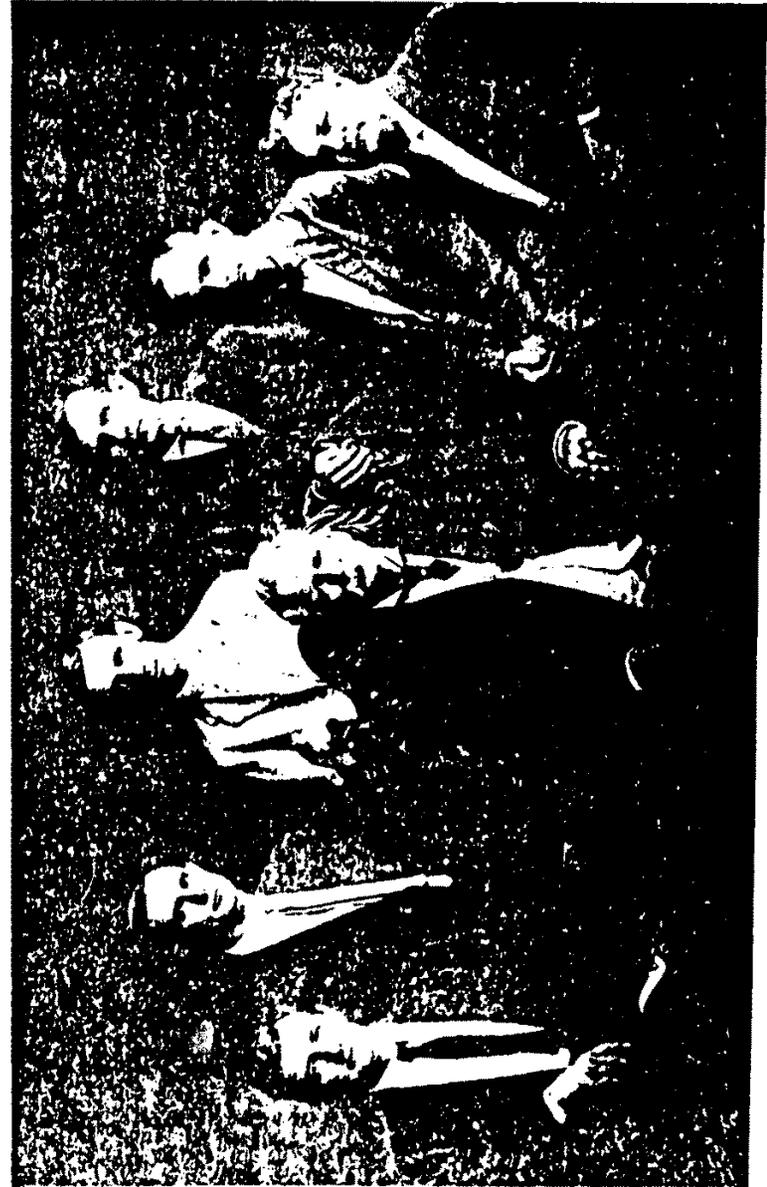


Mr. and Mrs. Sam Moody, first settlers and first house in Wise County

### BIRTH AND EARLY LIFE

I was born May 2, 1861, in the extreme eastern part of Wise County, Texas about two hundred yards from the Denton County line. My father, Samuel Lafayette Terrell, was born in Adams County, Mississippi, in which county he lived until he moved with his widowed mother to Pulaski County, Arkansas. His father moved to Alabama and lived for sometime in Mims Fort for protection from the Indians. The Commander of the fort became careless and often left the large swinging gates leading into the fort open. My grandfather thought it very unsafe to do so and protested to the Commander, but they declined to change the conditions, and he and his family moved to Adams County, Mississippi for better protection. Within only a few weeks after his moving, the Indians in daylight, while the gates were open, attacked the fort through the gates and the dead and wounded soon clogged the entrance and it was too late to close them. All the people—men, women, and children, except 14 who slipped out, were massacred and the fort burned to the ground.

In 1852 my father married my mother, Emily Catherine Kel-



The Terrells

Sitting in center is Judge A. W. Terrell. From left to right around him are: C. V. Terrell, H. B. Terrell, Chester Terrell, John J. Terrell, Geo. B. Terrell and Jim Terrell

lam, at Cane Hill, Arkansas. They moved to Baton Rouge, Louisiana where he taught a grammar school and was overseer on a plantation worked by colored slaves. They lived there for about a year and then in 1853 moved to Upshur County, Texas, Sulphur Creek near Dripping Springs. In the fall of 1854 they and my uncle, Jacob P. Kellam, my mother's brother, moved to Wise County and bought for one dollar an acre the Comstock claim or headright on Denton Creek. Uncle Sam Woody, who was the first settler of Wise County, told me that he was sure that my father and uncle Jake Kellam were the second settlers of the county, he being the first.

My mother's people came from Scotland at an early day and settled in South Carolina. Her father, Smith Kellam, was a first cousin of the famous South Carolina statesman, John C. Calhoun, and her mother was Jane Pyeatt.

In the early part of the nineteenth century her father moved to Little Rock, Arkansas and helped survey the town and helped build the first house built in that beautiful city. My mother was born in Little Rock and when about seven years old, her father and mother died and were buried in the Little Rock cemetery. My mother had two uncles, by marriage, living at Cane Hill, Arkansas, one a Presbyterian minister, Peter Carnahan, and the other Dr. Preston Carnahan, Professor of Mathematics and President of the old Cane Hill College that later on was merged into the Arkansas University at Fayetteville. Each of them married Pyeatt girls who were Aunts of my mother. Upon the death of my mother's parents she and all her small brothers and sisters, viz: James, John, Jacob, and Isaac were carried to Cane Hill, Arkansas and were raised by their Uncles by marriage, Peter and Preston Carnahan. The children owned some little



East side public square of Decatur, Texas



South Side Public Square, Decatur, Texas

estate and one of them was appointed guardian and handled the property until the children became of age.

Later on when the People's Party become active, Dr. Peter Carnahan was the nominee of that party for Governor or Arkansas but failed of election. My mother was a strong Secessionist during the Civil War. She had four brothers who volunteered and fought four years for the South, one of whom, James Kellam, was killed in the battle of Jenkins Ferry and one, Isaack Kellam, died after the war from hardships suffered while in the service. The other two were John and Jacob Kellam. My mother was very much disgusted at her Uncle's taking sides against the Democratic Party.

My father and Uncle Jacob Kellam built a one-roomed log house located in the bend of Denton Creek facing a beautiful open valley to the south. It first had no floor and only a quilt for a door. It had a rock chimney where all the heating and cooking were done. In this house I was born, as well as five other children, namely, Lafayette Philemon, John James, Linda Belle, Jacob Preston, and Mary Elizabeth. The four others were born in Decatur, Texas, where we moved for protection from the Indians in 1867. Their names were: Fannie Ida, Lillie Rowena, Laura Emma, and William Eugene. Lafayette P. Terrell, now deceased, first married Carrie Hale, one son from that union, John Hale, after his wife's death he married Emmer Watson, from that marriage they had a daughter and a son, Drexell and James. John James Terrell married Jennie Saunders, and they had one son and two daughters, Otis Oscar and Myrtle and Jennie Jewell. Linda Belle Terrell married Lucian Renshaw and to them were born six boys and four daughters: Lafayette, Samuel, John James, Bascomb, Horrace and Ralph, Eula, Allie, Bessie and

Lutie. Charles Vernon Terrell married Etta May, two sons Tully Vernon and John Preston and a foster daughter Margaret Terrell. Jacob Preston Terrell, now deceased, first married Sallie Lanier, their only child, a girl, Gladys, after his wife's death he married Sallie Phillips; from that union they had two boys, Preston and Marion and a girl Louise. Mary Elizabeth Terrell married Steve A. Lillard, and they had four boys and one girl, Warren, Terrell, Steven A. Zack, and Mary. Fannie Ida, now deceased, married Walter Cooper, they had a boy and a girl, William and Margaret. Lillie Rowena Terrell, deceased, married Dr. D. H. Payne, and they had two boys and a girl, Paul, Wm. Terrell and Ruth. Emily Catherine Terrell deceased, married J. Foster Lillard, and they have only one daughter, Emily Catherine. William Eugene Terrell married May Lillard and have two sons Steve and Tom.

Our house was about two hundred yards west of the county line between Wise and Denton Counties on Denton Creek immediately south and west of the creek where it made a sharp bend running east and turning south. It was about three hundred yards to the creek on the north and half a mile on the east with heavy timbers on the north and east and west. South of the house was a lovely level valley for about a mile where the prairie hills toward Oliver Creek began. In this valley there were only two large post oak trees about fifty yards apart and a small lake near these trees. No more beautiful location for a home could have been found, and though much of this valley is now in farms, naturally to me it is still a lovely spot.

At an early day my father opened a general merchandise store and a post office in a large log house by the side of his home. The wagon road passed by running east and west from McKinney, Denton to Decatur, Jacksboro, Graham, and Fort Griffin and Fort Belknap. In the late sixties the cowmen from south and southwest Texas first began to drive their vast herds of cattle over the famous Chisholm Cow Trail to Kansas and the market. They passed about one hundred yards east of our home near the county line.

After my father built his log store house, it was used as a post office and as a place for religious worship and for political and social gatherings, and one Sunday in each month Parson J. B. Dabney, Brother Bellamy, and other pioneer Methodist preachers held services in this store. It was there as about an eight months old infant I was sprinkled by a Methodist minister. Some of my friends have suggested that it was not like good vaccine as it didn't take with me. But through all the years I have always held my father and mother in higher admiration and regard

because they wanted me to live the right kind of a life, and I am confident that that little act with their unblemished lives to follow has often restrained me and "like a star gleam that flits across one's pathway in the black of night will lead me on to where yon taper shines afar."

They have both been gone many years but their lives, their deeds of heroism, self-sacrifice and devotion to duty will always abide with me and I am sure that their influence will live on through the ages with our children and posterity.

Before the Civil War the Indians were not hostile and they came and camped on Denton Creek within three or four hundred yards north of our house. At that time buffalo heads and horns and buffalo bones were everywhere. There was an abundance of wild game: antelope, deer, turkeys, prairie chickens, quail, plover, doves, as well as wolves, coons, panther, and bear. Any night my father could go down on the creek and kill two or three turkeys. These tame Indians used to trade deer hams for hog hams with my father.

Last year I visited my old birthplace and picked up flint arrow heads where these Indians camped nearly one hundred years ago. During and after the Civil War they became hostile and often made raids through Wise, Denton, Montague, Parker, and Jack Counties, stealing horses and killing and scalping the settlers. Since my father had a large family of children and we spent much of our time on the creek playing, he decided to move to Decatur for protection. We moved there in 1867 and were the seventh family to move in to that little frontier town, Decatur, on that high hill.

Wise County was organized in 1856 from a part of Cooke County and my father helped to organize it. He was appointed by the Governor, Justice of the Peace and County Commissioner of his precinct. He held two offices at the same time in Wise County. While the Constitution forbade it, I suppose no one objected and it being convenient, it was acquiesced to by the few who lived there. My father was deputy district surveyor under Llewellyn Murphy, of Gainesville, who was surveyor of the district. Later on he was County Surveyor and a postmaster at Decatur, but as the town grew and the post office began to pay, the Republicans took it away from him and gave it to Granger Salman, a Republican.

One summer evening when I was only three years old, my two older brothers and my sister Belle took me down on Denton Creek, took an axe, and they chopped down hackberry trees for us to eat the hackberries. While my older brother was chopping, the berries would fall on the ground and we were on our knees and



Samuel Lafayette Terrell



Mrs. Emily C. Terrell

hands picking them up and eating them. Being small I got too close to the axe and as my brother brought the axe back to strike it hit me on the forehead. The blood flew. It broke up our fun. They carried me to the house where my mother dressed the wound. That night after we had all gone to bed, a large panther evidently smelled the blood and followed our trail to the house, caught a pig or shoat near the house. The pig began to squeal. Our two dogs, Watch and Rover, bayed the panther and made it drop the pig already dead and ran the panther up a tree. A neighbor's dog heard the barking and ran over to help in the combat. My father and uncle Jacob Kellam had no lantern. They got the muzzle-loading rifle and went down to the fight. As it was a dark night, they could see the animal's form but could not tell just what it was. However, they thought it was a panther. They soon built a fire. They shot at the panther, hitting it in the jaw, but it was not a fatal shot. It jumped out of the tree, whipped the dogs loose and ran on down toward the creek and ran up a leaning tree over a hole of water in the creek. My father and uncle re-loaded their gun, built another fire, and shot at the animal again. It was a direct hit and the animal fell into the water. My father and uncle waded into the water and pulled out a female panther measuring nine feet from tip to tip. They tied its feet together, ran a pole between them and carried it to the house. The excitement awoke the entire family and my father led me to the door and showed me the panther lying out in the yard. This was my earliest recollection—seeing the panther in the candlelight from the door. One Sunday evening in the fall of 1866 just before we moved to Decatur brother Lafayette and John, 11 and 9, respectfully, on our race mare called "Fly" with a dog and a colt following, went to Morris branch about five miles to get some persimmons. John was riding behind holding on to the cantle of the saddle with a brass kettle in his right hand to bring back the persimmons. As they approached the timber where the persimmon trees were located three Comanches ran out of the brush and charged them yelling their feindish yells as the boys had no fire arms of any kind knew their only means of escape was to out run them. They turned, put spurs to the race mare and soon outdistanced the Indians and ran on home. They ran off and left the dog, but he soon came in unharmed. John was so badly frightened that he held on to the brass kettle with a badly blistered hand. This narrow escape from the Indians had much to do with our moving to Decatur in the following spring. Spence Baggott and Frank Raymond, two men unmarried, who formerly worked for us moved out north of town about seven miles batching and

clearing some land for cultivation. One Saturday Baggott started to town on horseback with a bucket of butter in one end of the sack and a bucket of eggs in the other, with the sack thrown across the saddle in front of him. A bunch of Indians got after him and as he ran toward town he dropped the sack of butter and eggs in the road and the Indians' curiosity caused them to stop and see what it was, which enabled Baggott to get away safely.

#### DISTINGUISHED PEOPLE OF WISE COUNTY

The question has often been asked why so great a number of men and women of special note in the various fields of endeavor came from Wise County, Texas. It is my opinion that the same answer can be made to the query, Why is the United States such a wonderful nation and why has it achieved so much in such a short time as compared with the other nations of the earth? It is because the early settlers of this nation were men and women, who on account of oppression and other undesirable conditions in the old countries had the courage, the ambition, and the confidence in themselves to emigrate to this country and seek freedom, liberty, and opportunity. They left the less daring and the satisfied to remain in the old countries. So from such a collection of such intrepid, courageous and far-seeing forbears naturally a great and superior people sprang.

None but the brave and ambitious men and women who were willing and anxious to withstand the privations and hardships and perils of frontier life came to Wise County and to those other frontier counties in that section of the State. When the Indians began their depredations, stealing horses, killing cattle, murdering, scalping, and capturing their defenseless men, women, and children, those of lesser courage and determination moved back to their old homes for safety, convenience and greater pleasure, leaving only those men and women to remain who had the stamina and the courage to withstand the privations and hardships of frontier life. The offspring of such ancestors naturally were of the same fiber, and hence an unusual number of great characters has developed. Taking a chance on being criticized for failing to mention some who should be mentioned and calling attention to some not so important and deserving, I shall give the names of a few men and women from Wise County who, I think, are worthy of mention.

### AUTHORS AND WRITERS

Clarence R. Wharton, of Houston, a native of Wise County, was perhaps the greatest historian of Texas that has no equal. He also has written several other fine books of characters and events of the early days of Texas. In addition to his literary attainments, he was one of the greatest lawyers in our state and nation, as well as one of the ablest public speakers during his time. When only twenty-one years of age, a citizen of Wise County, he was one of the most eloquent and convincing debaters. He held several joint discussions for Democracy against the ablest leaders of the old Greenback and Populist Parties, including one with the brilliant orator and statesman, Senator Gore of Oklahoma.

At Wharton's passing a few years ago he was one of the leading members of the law firm of Baker, Botts, Andrews and Wharton, of Houston.

When I first knew him, he was teaching a country school near Paradise, and I am proud to say that I furnished him law books to read, and when he was granted a license to practice law in Wise County, I took him in as a law partner and he for two years was my first assistant County Attorney of Wise County.

Amon G. Carter, of Fort Worth, Texas, first saw the light of day near Crofton in Wise County. He is the well known editor of the Fort Worth Star-Telegram and stands ace high in the councils of our state and nation as a publisher, statesman, and financier.

Bell Hunt Shortridge, a daughter of Colonel William H. Hunt, of Cactus Hill, is another outstanding character of Wise County. Her father was one of the greatest personages of all our early pioneers. His daughter was a noted writer of both prose and poetry and wrote many short stories and poems for the newspapers and magazines.

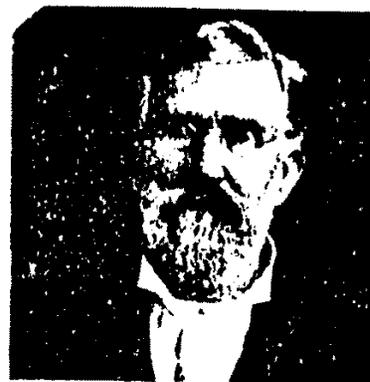
Cliff D. Cates, author of a very fine history of Wise County that is regarded by critics and readers of history as the best county history of any county in the state.

Hilory Bedford, author of an early history of the frontier of Texas that ranks very high with the reading public.

Gayle Talbot, Sr., editor of several newspapers both in Texas and New Mexico, was also for two terms a member of the lower house of the Legislature from Wise County. His son, Gayle Talbot, Jr., is one of the leading sports writers in our nation.

Paul Leeper, a writer of note, who has contributed a few choice poems and items for the press. He is a grandson of the late Judge Charles Soward of Decatur, who as District Judge, presided in

the celebrated trial of Satanta and Big Tree at Jacksboro, Texas for the murder of seven teamsters in the western part of the state.



Judge Chas. Soward



Mrs. Chas. Soward

Archie Fullingim, of Pampa, Texas, an editor, and writer of both prose and poetry.

Dr. Cora Martin, an instructor in the University of Texas, and author of several school books adopted and used by our Texas public schools.

R. M. Collins, editor of the Decatur News, and author of the "Unwritten History of the Civil War."

H. H. Halsell, author of several histories of early West Texas and Indian Territory.

### STATESMEN AND PUBLIC OFFICIALS

Dr. W. M. W. Splawn, a professor of economics in the University of Texas, later president of the University of Texas, a member of the Railroad Commission of Texas, a member and chairman of the Interstate Commerce Commission. He has also written several books on railroads and economics and is one of the leading authorities on transportation and rates that we have in this nation.

Ernest O. Thompson, of Amarillo, Texas, Railroad Commissioner of Texas, and for many years its chairman, and several times Chairman of the Interstate Oil and Gas Compact and regarded as one of the best informed men in the nation on oil and gas and its production and conservation. Also the youngest colonel in the Expeditionary Forces in World War One. He also served in World War Two in Germany.

John J. Terrell, Land Commissioner of Texas for six years. While Land Commissioner, he induced the Legislature to pass a law requiring all public State domain to be sold to the highest bidder, which law added to our public school fund of Texas more than twenty million dollars. Also Superintendent of the Indian Reservation at San Carlos, Arizona under Pres. Wilson.



John J. Terrell

Walter Boyd, Game, Fish and Oyster Commissioner of Texas, regarded as the best informed man in our nation on wild animal life.

Maj. Lawrence Melton, of Dallas, National President of the Disabled Veterans of America.

Colonel George B. Pickett, a colonel in the Confederate Army in the Civil War and many terms a member of the Texas Legislature.

Guinn Williams, County Clerk, State Senator, and Congressman from the 15th Congressional District for about twelve years, an adept politician.

Lieutenant-Governor John Lee Smith, member of the Texas State Senate and Lieutenant Governor of Texas was regarded as one of the best public speakers in our state.

C. W. Martin and John H. Kirkpatrick, of Coleman and San Antonio respectively. They were each members of the Twenty-Second Legislature of Texas in 1892 from Decatur. They both

are still living and are the two oldest members of either House of the Legislature in point of service now living. They helped Governor Hogg pass the law establishing the Texas Railroad Commission and the Prairie View Normal for colored youths.

Joe Luther, member of the Democratic Committee of Dallas. John T. Luther, Sr., Warden of the Texas Penitentiary, and John T. Luther, Jr., of Dallas.

Captain Steve A. Lillard, Jr., was a captain in the overseas service in World War One. He was graduated at Texas A. & M. College, was guard on the football team of that college, a member of Ross Rifles, and served six years as Regent of A. & M. College, for four years a member of the State Democratic Executive Committee of Texas and Chairman of the Board of Trustees of the Public Schools of Ranger, Texas, was the main force that built that fine athletic field at Ranger and it was named Lillard Athletic Field in honor of him.

A. D. Rogers, County Treasurer of Wise County. For four years a member of the Texas Legislature, was the Democratic nominee for Congress in San Antonio but was defeated because the national government was controlled by Republicans and as they had a government fort there in San Antonio, the business element thought it wiser to elect a Republican. He was not a lawyer but a brilliant speaker, a courageous and versatile debater, and interesting and lovable character.

Governor Bill Murray, Governor of Oklahoma, was a native of Collin County, but when he ran away from home, he came to Wise County and lived there until he went to Springtown to school.

Mrs. W. R. Potter, of Bowie, Texas, former President of the Texas Federation of Women's Clubs and author of a splendid history of Montague County, Texas and is a native of Wise County.

Senator J. P. Hayter, State Senator of Texas, was also from Wise County. Ex-congressman Sam D. Burchard of Wisconsin.

James M. St. Clair, of Dallas, executive secretary of the Southwestern Conference and manager of all the officials who work in the interscholastic sports of Texas, was from Wise County.

ATTORNEYS AND JURISTS, including the entire Wise County Bar:

Tully A. Fuller, a brilliant lawyer, a convincing debater and orator, served in the Twenty-First Legislature of Texas from Wise, Jack and Young Counties, was a candidate for Attorney General of Texas against General M. M. Crane who was a running mate with Governor Hogg, who was firmly "in the saddle" at that time, but General Crane had several joint debates with Fuller and admired him so much that he made him his first

Assistant Attorney General; he was Governor Charles Culbertson's legal adviser while he was governor. He lived later at Uvalde and San Antonio, Texas and while at Uvalde, John Nance Garner, late Vice-President of the United States, moved from Red River County down there and became a law partner of Tully Fuller. The firm was Clark, Fuller and Garner. Fuller was such a noble character that Garner named his only son for him, Tully Garner. I read law under him and was his law partner and I also named my oldest son, Tully, for him.

Judge O. S. Lattimore, County Attorney of Tarrant County, State Senator from Fort Worth, Justice of the Court of Criminal Appeals of Texas for many years, a great jurist, a brilliant speaker, and a fine Christian gentleman. His son, Judge Hal Lattimore, was District Judge at Fort Worth.

The father of Judge O. S. Lattimore, John Lee Lattimore, moved to Wise County in 1882. He was a Baptist minister and a school teacher and was Superintendent of the Decatur Public Schools and taught in the first old wooden Baptist Church north of the Public Square. His oldest son, Jno. C. Lattimore, was his assistant and later was Superintendent of the Public Schools of Waco, Texas, and his daughter, Katie, married R. B. Spencer of Waco. Annie married J. L. Higginbotham, a rancher and capitalist of Dallas. Corrie married C. G. Forest, lumberman of Dallas. Bertha married Dr. Geo. C. Butts, Superintendent of the Oil and Gas Division of the Texas Railroad Commission, was Supreme Court Justice of the Phillipine Islands, and Attorney General of Porto Rico and was a candidate for Governor of Texas. Another son, Assistant Attorney General of Oklahoma, Judge O. S. Lattimore and I were freighters together from Decatur to Fort Worth and Dallas. I was County Attorney of Wise County and he was County Attorney of Tarrant County. We served together in the State Senate of Texas and were state officials of Texas for a number of years. He was a very brilliant statesman and jurist and the Lattimore family is a very interesting pioneer family of Wise County.

Judge J. T. Johnson, County Judge three times of Wise County, District Judge at Lawton, Oklahoma, and Chief Justice of the Supreme Court of Oklahoma.

Judge Ocie Speer for several years a member of the Supreme Court of Texas, and now assistant Attorney General of Texas.

Judge John Speer, District Judge at Denton, Texas, and now a member of the Court of Civil Appeals at Fort Worth.

Judge J. W. Patterson, County Attorney of Wise County, County Judge of Wise County for two terms, a member of the Texas Legislature from Wise County, and for twenty-four years

District Judge of the Wise, Parker, and Jack Counties district, a much loved, splendid jurist and a great character.

Judge R. F. Spencer, County Judge of Wise County when the present courthouse was erected, was a crippled Confederate soldier from Kentucky, and I believe one of the most interesting conversationalists that I have ever met. He was the father of the following able lawyers, viz:

Judge French Spencer, member of the Texas Legislature from Wise County, and also a member of the Commission of Appeals to the Supreme Court of Texas.

Hugh Spencer, County Attorney of Wise County, and District Attorney at Childress, Texas. He unfortunately was killed by mistake by a stranger through no fault of his. He had written a letter addressed to his estranged wife at Waco, and it was opened by mistake by a married lady of the same name who before her marriage had lived in North Texas. She did not understand the letter from a stranger and showed it to her husband. He got a pistol, went at once to Decatur, located Spencer, and shot and killed him on the public square without warning. If he had made any kind of investigation, the sad tragedy would not have occurred.



Hugh Spencer

Judge Charles Spencer, County Attorney, of Montague County, and for several terms District Judge of Montague, Cooke, and Denton Counties.

Flavius and Forrest Spencer were bright attorneys of Decatur

and Dallas. A daughter, Margaret Spencer, won a \$10,000.00 prize for writing an advertisement. The prize was delivered to her by Mrs. Eleanor Roosevelt.

T. J. (Tom) McMurray, Sr., County Attorney of Wise County for two terms, attorney for the Fort Worth and Denver and Rock Island Railroads in Wise County. He was an untiring worker and effective before a jury.

T. J. McMurray, Jr., present county attorney of Wise County, a grandson of Tom, Sr. now in the service of World War Two.

John A. Gordon, reporter for the Supreme Court of Colorado.

Judge J. M. O'Neal, General Attorney for the Fort Worth and Denver Railroad.

L. C. Sparkman, the most brilliant criminal lawyer I ever heard address a jury and the most effective one.

Judge Dennis Ratliff served three terms as a member of the Legislature from Haskell County, and also was a District Judge of that district, a very lovable character.

Charles L. Woody, Assistant County Attorney of Wise County under me while I was County Attorney, later assistant County Attorney of Dallas County. He moved to New York City and is now an honored and able member of that bar.

Robert Woody, his brother is also an eminent attorney in New York City.

Roy Coffee served two terms in the Texas Legislature from Wise County, General Attorney for the Lone Star Gas Company in Dallas, and was recently elected President of the Dallas County Bar Association.

J. T. Buckaloo, County Attorney of Wise County for two terms, was an able advocate before a jury. As he was a self-made man and formerly a blacksmith at Chico, Wise County, Texas, we affectionately called him "the village blacksmith."

Grady Woodruff, two terms a member of the Lower House and two terms a member of the Texas State Senate from Wise County.

Edwin Phillips a very able lawyer of Fort Worth.

Frank J. Ford, county attorney of Wise County for four years. He possessed a very brilliant mind and was always trying to help someone who needed assistance, and everyone loved him.

Robert Carlock, State Senator from Fort Worth.

Lee Newton, County Attorney of Wise County, was the father of Dr. Joseph Fort Newton, of Philadelphia, who is regarded as one of the five greatest preachers in the world.

Judge W. H. Bullock, County Judge of Wise County, many times and always made one of the best the county ever had. He was always safe and conservative, and I believe one of the best political organizers I ever knew, and was also an able and interesting character.

J. W. Boothe, chief clerk of the House, and member of the Twentieth Legislature from Wise County.

C. T. Gettys, a fine lawyer of Wise County, attorney for the Fort Worth and Denver and the Rock Island Railroads, has two brothers, Jess Gettys, of Gainesville, who was County Attorney of Cooke County, and Plato Gettys, county attorney of Wise County, and is now an instructor in the Texas A. & M. College.

Oscar and John Slaton, of Lubbock and Hereford, Texas, respectively, both good lawyers and good men.

Colonel Will A. Miller served as Mayor of Amarillo, and was a Colonel in World War One.

Tom W. Simmons, District Judge at Fort Worth.

Roy Heatherington, of McKinney, member of the Democratic Executive Committee of Texas.

Will Shults, County Attorney of Wise County, and a member of the Texas Legislature.

Herman Jones, two terms a member of the Texas Legislature and Examiner of the Gas Utilities Division of the Texas Railroad Commission, a fine speaker and one of the coming young men of Texas. Led the fight at the Chicago National Democratic Convention against the regulars and won there and in the Texas elections.

Harold Jones, of Wichita Falls, and Perry Jones, Assistant District Attorney at Austin. Perry is now County Attorney of Travis County.

Leslie Hudson, member of the Legislature from Tarrant County.

John Fullingim, an able attorney of Amarillo, Texas now in the service.

Judge L. D. Ratliff, County Attorney of Wise County for two terms.

W. D. Gose and John G. Gose, both good lawyers and fine men. John was County Judge of Wise County for four years and was an active member of the Executive Committee of the Old Settlers' Organization of Wise County.

John H. Cobb, one of the first graduates of the Texas University in law, attorney at Decatur, Wichita Falls, and Juneau, Alaska, was appointed by President Wilson as representative of the United States at Juneau. Jim Pace, representative from Cocks County, Texas.

Judge M. W. Burch, County Attorney of Wise County for two terms. Wm. Spear, County Assessor of Wise County and furniture merchant of Decatur.

J. V. Patterson, County Attorney of Wise County for two terms.

Jennings Brown, County Attorney of Wise County for two terms and present County Judge of Wise County.

Nolan Sewall, County Attorney of Wise County for two terms.  
 Harlan Brown, County Judge of Wise County.  
 John Thomas, of Lawton, Oklahoma, an able attorney of that city, served as a member of the Texas Legislature from Wise County.

A. J. Craft, member of the Texas Legislature.  
 Carl Faith served Wise County as District Clerk, County Clerk and as County Judge. He was sixteen years in office.  
 Tom Faith, Sheriff of Wise County four years.  
 Sam Faith, four years Sheriff of each Wise and Hale Counties.  
 All these Faith's were brothers.

Sam T. Foster, member of the Texas Legislature.  
 Tom McClure served Wise and Jones Counties as Sheriff each for two terms.

J. L. Crawford, two terms a member of the Texas Legislature.  
 J. P. Humphries, a member of the Texas Legislature.  
 W. J. Mann and his son, Lee Man, each served Wise County as sheriff two terms. Judge Arnold, Davenport County Judge of Wise County, Texas.

Victor Nobles, County Assessor.  
 Clay Shopshire of Weatherford, Texas.  
 Dr. J. P. Turner served as member of the Texas Legislature from Wise County.

John Branch and his son Malcolm M. Branch, each also served as Sheriff of Wise County, two terms. Malcolm was reelected Sheriff for the third term.

J. B. Doyle, member of the Texas Legislature from Wise County.

Will Sanduskey of Colorado, Texas.  
 Sam G. Tankersley served two terms as County Judge of Wise County and also as County Judge and County Attorney of Somervell County and two terms in the Texas Legislature.

Sam Hodges, County Judge of Wise and also Montague Counties. W. V. Cunningham, County Treasurer of Wise County.  
 J. M. Logan served in the Twenty-Fourth and Twenty-Fifth Legislatures of Texas from Smith County.

Judge Ed Berry of Houston, who was Chairman of the Democratic State Executive Committee; chairman of the Industrial Accident Board, and Commissioner of Appeals of the Criminal Court of Appeals.

In addition to the foregoing distinguished attorneys and public officials I shall add the following as members of the Decatur and Wise County bar: Wm. Elliotte, Robert Graham, H. H. Gaines, A. B. Marshall, T. J. Wyatt, John L. Lovejoy, John Dixon, H. C. Ferguson, L. A. Crane, George Trenchard, George W. A. Bonner, Louis bney, L. C. McGee, J. M. Basham, Frank Roberts, Will Edwards, James Powers, Will H. Price, James



OLD BAR OF DECATUR

Top row: Judge J. W. Patterson, R. E. Carswell, and Tully A. Fuller  
 Bottom row: Judge W. H. Bullock, Chas. L. Moody and Frank J. Ford

Kendall, A. J. Clendenen, J. P. Graham, Bert Lobdell, Archie Cates, Jim Gully, Norman Dodge, Albert Walker, Gene Ball, and Robert Grisham, of Tyler, Texas, J. B. Ford, Frank Killough.

In this chapter I have tried to give a list of all the noted public officials of Wise County as well as the entire bar of the County consisting of well over one hundred members. Since 1886 I have been a member of that bar and naturally have always been interested in and should know much about each member of same. I am sure in point of ability as attorneys the Wise County bar has always compared most favorably with the bar of any of the smaller counties of Texas, and I am sure the older attorneys during our early development were perhaps abler men than our attorneys now because they had to practice law in the Justice, County, and all the courts, and had to be informed in every character of practice. They could not specialize as they do now but had to be versed in criminal law, commercial law, land law, and look after all kinds of cases and for that reason I believe they became more versatile and had to rely on their own resou and

ability and it obviously broadened their minds and they became truly great lawyers. Having personally known all the above members of the Decatur Bar, I do not believe a finer body of men could be selected from any other business or calling than they were, not only from a point of intelligence but also from integrity and character. Not one of them was ever convicted of any kind of crime that I know of. None ever went to the penitentiary and none was ever charged with any kind of double dealing or dishonorable conduct. There is a notion, often expressed, that lawyers are all shysters, schemers, dishonest, and disloyal and untrue to their clients, and as proof of this unjust talk, I myself used to tell the old story of Pat, who with a friend visited a graveyard. The tombstone bore the name of the deceased and stated that he was a lawyer and an honest man. Pat called to his friend and said that two men were buried in that one grave. I never heard of any of the Decatur bar ever doing anything dishonorable. All of them were honest and good citizens and always loyal to their clients. Years ago I do remember of one attorney who drank and played poker too much, but I am sure he was an honest man. He sold a piece of land for \$1,400 as agent and that night the professional gamblers got him into a poker game and when he was drunk, won all of this money. I talked with one of the gamblers who won his money and he told me that after they got his money, he fainted and they had much trouble in restoring him. The next morning he took the train and no one has ever heard of him since. The family—his wife and children—continued to live in Decatur and all the children made first-class citizens. I am sure he was an honest man but unable to face his family and the world after his misfortune. I am equally sure he was a far better man than those gamblers who robbed him.

The moral of this story is that no one should ever use for himself a trust fund, but should guard it sacredly and not mix it with his private affairs. Many men have been ruined with honest intentions but caught by unexpected financial reverses. It is always best to pursue a safe course and take no chances.

#### FINANCIAL AND BUSINESS WORLD

My first mention is Uncle Dan Waggoner because I believe he was the greatest financier of them all. He came to Wise County in 1856 from Blackjack Grove, now Cumby in Hopkins County, Texas with about two hundred head of cattle seeking a place where he could have an open and better range for them. By his careful managing of those two hundred head, when he died he was worth more than twenty million dollars. When Wise County began to settle up and crowd him, he and other cowmen established ranches in the West in Archer, Wichita and Wilbarger



W. T. (Tom) Waggoner



Dan Waggoner

Counties. As he sold his steers, he put that money into land out there at 50 cents and one dollar per acre. Later on oil and gas were discovered on his land, and his son, W. T. (Tom) Waggoner, became the wealthiest man in the south. My law office was upstairs over his bank and in the evenings I would go down on the sidewalk in front of the bank and Uncle Dan and I would hold some very interesting conversations. He always gave me, a young man, much good advice as to finances but unfortunately I have been unable to profit very much from the advice. He told me to "keep close to the shore." I acted as if I did not understand what he meant. He then said, "Don't go in debt too heavily" adding that I might "get pinched" if I did. Another bit of advice I remember was "never be too anxious to make a trade." I suggested that if one were anxious to make a trade, how could he not be anxious. His reply was, "Don't let the other fellow know you are anxious." I helped bury him in our beautiful City Cemetery north of town. At an early day he built his rock home in Decatur and it still stands on the hill east of the Denver Depot as one of the landmarks of North and West Texas. W. T. Waggoner also wisely managed his father's estate. Tom and his father married sisters which made them brothers-in-law. Uncle Dan's second wife was Miss Julia Halsell and Tom married Miss Ella Halsell, who is still living in Fort Worth. I was a classmate of Tom's wife and schoolmate of Tom's. Miss Ella Halsell was very popular and a sensible and practical woman.

The three Halsell brothers, Glen, Billy, and Ed all became



Glenn Halsell



Mrs. Glenn Halsell

wealthy in the cattle business in the same way the Waggoners did.

W. H. (Harley) Portwood, now of Seymour, Texas, from scratch made his fortune of many millions in cattle.

Bill Perrin and the two Renshaw brothers, Ad and Lute, also made their money in the cow business. Knowing Ad and Lute Renshaw intimately no better men ever lived in Wise or any other county.

Joe and Sam Perkins owned and organized the Perkins Dry Goods stores in Texas and have been highly successful. Joe Perkins is several times a millionaire oil man living now at Wichita Falls. He is one of the trustees of Southern Methodist University at Dallas. He is public spirited, a philanthropist, has given more than two million dollars to schools, Christianity and charity, and is doing much for Christianity, charity, and higher education and in my judgment is one of the outstanding citizens of Texas. I am proud that through all the years from young manhood we have always been friends. I love to call him Joe and it seems to please him to call me Vernon. I think he is one of the finest characters I ever knew, a fine gentleman who does not "wear his religion on his sleeve" but lives it every day by being fair and continually helping his fellow man.

Alex Sanger, Sr., the founder of Sanger Bros. store in Dallas first began business in Decatur. Also A. P. Tennison had an early saddle and harness store in Decatur. Stripling the largest department re in Texas. first located at Alvord. Wise County.



Capt. A. H. Shoemaker



Mrs. A. H. Shoemaker

Ferd Halsell, a son of Glen Halsell is such a fine character now a citizen of Fort Worth.

In any gathering of men Capt. Shoemaker would always be a leader. A Methodist of great moral and religious force.

Jeff and John Waggoner, of Wichita Falls, were sons of John Waggoner who was the first County Treasurer of Wise County.

Bob More, who was W. T. Waggoner's land man in Vernon, Texas. Bob was also celebrated for being one of our nation's greatest ornithologists. Frank Dobie has written a fine booklet covering his work and his life.

W. E. Thomason of Houston, Preston Terrell of Temple, Texas.

Baird Markham, an oil man of New York, formerly Adjutant General of Oklahoma.

Pete McGovern, Jr., Secretary and Treasurer of the Greyhound Bus Employers Union. C. T. Watkins, merchant, Quanah, Texas.

Otis O. Terrell of Alvin, Texas, a most successful contractor.

Olin Wellborn, Alvin, Texas, merchant. Silas Lynch, merchant, Dallas, Texas.

Lee Morris, banker and ranchman, of Chico, Texas, for four years a member of the State Democratic Executive Committee of Texas.

B. C. Rhome for whom the town of Rhome, Texas was named.

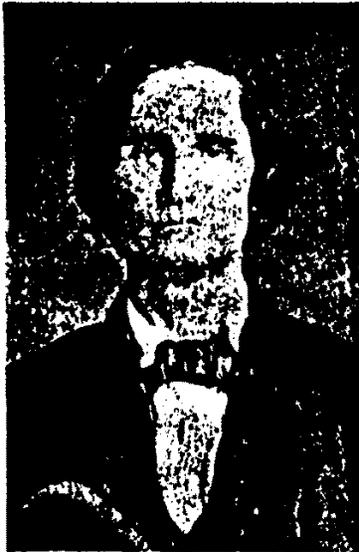
Captain Elbert Brown, cowman in Wise County, a fine character, none better.

C. P. Dotson, Mayor of Decatur, President of the West Texas Chamber of Commerce and President of the Ex-Students Association of A. & M. College.

Will Wolf and "Big Boy" (Guinn) Williams, movie star.

### PHYSICIANS

Dr. William Renshaw, Dr. W. L. York, Drs. Jim and John Blanton, Drs. Jim and John Embry, Dr. J. B. Ford, Dr. Charles Bobo, Dr. Burch, Dr. W. B. Markham, Drs. Henry and George Wilton, of Nocona and Oklahoma, Dr. C. B. Simmons, Dr. Simpson, of Laredo, Texas, Dr. L. H. Reeves, former President of the State Medical Board of Texas, member of the Wise County Exemption Board during World War One, and County Health Officer of Wise County, Dr. J. J. Ingram, Drs. Red and Black Stewart, Dr. Coy and Joe Gose, Dr. J. W. Cartwright, Dr. Shulkey, a noted physician of San Angelo, Texas, Major Horace Renshaw, bone specialist at McCloskey General Hospital at Temple, the largest one in the nation, Dr. J. F. Darwin, Dr. T. G. Rogers, Dr. P. J. Fullingim, Dallas, Texas, Dr. P. J. Fullingim, Denton, Texas, Dr. D. A. Carpenter, Dr. Tom R. Allen, Justin, Texas, formerly Sheriff of Wise County, and son Dr. Tom Allen, Jr., Justin, Texas, Dr. Renshaw Innis, Fort Worth.



Dr. Wm. Renshaw



Mrs. Dr. Wm. Renshaw

### MINISTERS OF THE GOSPEL

Dr. Joseph Fort Newton, Rector of the Episcopal Church in Philadelphia, and author of "Everyday Religion", a great philosopher and minister of the Lord, is a native of Wise County.

Uncle Buck Bradford, an oldtime evangelist and a mighty servant of the Lord, lived in Wise County during its early pioneer history and did much good. Dr. O. S. Thomas, presiding elder of M.E.C.S.

Reverend R. H. Haynes, Methodist minister and educator.

Dr. J. B. Dabney, Methodist minister.

Dr.—Alderson, minister and President of Chico College.

Dr. L. W. Sharver and Luther Hamilton, presiding elders of the M. E. Church.

Dr. J. H. Heathington, Baptist Missionary, of Wise County for many years, a noble character.

Dr. W. O. Barnett, pastor of the Calvary Baptist 10th Street Church, Dallas.

The three following Presbyterian Ministers who have made good are from Wise County, Dr. James R. Bullock, Pastor of the Second Presbyterian Church at Houston and they have just finished an \$385,000 addition to the Church, another Brother, Dr. Leslie Bullock, Pastor of the Presbyterian Church of the Covenant there in Houston—still another Brother, Dr. Robt. H. Bullock, Professor of Bible and Greek at Austin College, Sherman. They are sons of Randolph Bullock and grandsons of Judge W. H. Bullock, an attorney of Decatur.

Dr. H. G. Bennett, President of Oklahoma A. & M. College.

Dr. T. H. Morris, Methodist presiding elder, and Dr.—Pierce, Presiding elder of M. E. C.

Dr. Fronabarger, Pastor of Baptist Church at Decatur, and President Springtown College.

### EDUCATORS



Dr. Lawrence Ward

Dr. Lawrence Ward, President of the Decatur Baptist College for many years a junior college but has been an outstanding institution of learning in North Texas and does much good. The college is the oldest Junior College in the world. Dr. Ward is one of the leading citizens and educators in that section of the state.

Dr. W. H. Adamson, founder of the Adamson High School at Oak Cliff. He was superintendent of the High School at Decatur for many years before he moved to Dallas. It was my pleasure and honor while County Judge and ex-officio County School Superintendent to appoint him Chairman of the School Board of Wise County.

John Thomas, principal of Decatur School.

Dr. J. B. Tidwell, former President of the Decatur Baptist College and now instructor of Bible at Baylor University at Waco.

Dr. George Slover, for many years President of the Clarendon College. *We went to school with him -*

~~Dr. Harley Burton~~, President of the Clarendon College, Superintendent Clarendon's Schools and member of Executive Committee of the State Interscholastic League.

Dr. W. J. McConnell, President of the North Texas State Teachers College at Denton, Texas, the largest college of its kind in this nation. It was also my pleasure to have signed his and his good wife's certificates to teach school in Wise County while I was County Judge.

Bruce Shulkey, Superintendent of Schools at Fort Worth and member of the State School Board.

Claude Dillehay, Superintendent of the Public Schools of Vernon, and member of the Texas School Board.

Dr. Rowell Spencer, of Baylor University.

Professor McConnell, Mrs. Deliah Salmon, J. D. White, J. W. Colbert, John Embry, Miss Ida Battle, Mrs. Robert Stevens, Mr. and Mrs. Sperry, Harvey Sperry, Misses Parsons, Dr. J. L. Lattimore, John Lattimore, Starnes, Tomlinson, J. D. Goldsmith, Dr. E. M. Gettys, Dean of the Baptist College at Decatur, Dr. Emerson, J. D. Witt, W. L. Hughes, Donahue, Professor Walpole, Professor McMorris, Professor Alexander, Henry and J. R. Barton, C. Q. Barton, Dr. A. C. Gettys, head of the Bible Department of Baylor Belton College, Miss Ada Hockett, later Mrs. W. B. Markham, Miss Alice Baumgartner, later Mrs. D. W. Frazier, Miss Lizzie May Soward, later Mrs. Horace Leeper and then Mrs. George Hamilton, Miss Mary Elizabeth Terrell, later Mrs. S. A. Lillard, Sr., Miss Purdy, Miss Cooper, Miss Hunt, Miss Jannie De Berry, Miss Ellen Kendall, later Mrs. E. D. Gibson, Miss Lizzie Crouch,

later Mrs. Ed Baumgartner, Miss Pet Hatch, later Mrs. G. A. Atkinson, Miss Mattie Pistole, later Mrs. Louis L. Farr of San Angelo, Miss Etta May, later Mrs. C. V. Terrell, Miss Ada Cates, Miss Anna Allen, Miss Emily Frezillious, Miss Jennie Howard, Miss Mollie Quin, later Mrs. George Trenchard, and Mrs. Oscar Thomas, Miss Katie Kerr, later Mrs. Jim Abbott, Miss Opal Kenney, later Mrs. Jack Cates, Miss Pearl Bennett, later Mrs. Albert Walker, Misses Maude Hogg, Ada Harding, Belle Ford, Bettie Lee Featherstone, and Louise Fischer, E. E. Conlee, Lisby Wade, and Miss Nora Riggs married to Lieutenant Governor W. A. Johnson, Miss Valla Holley.

In making an impartial review of the various callings, professions, and business people, obviously the teachers of our public schools and colleges have wielded a far greater influence for good than any other class unless it is the ministers of the Gospel. Opportunity is so great. They take a child when its mind and character are in a state of development, and it readily grasps the problem of life. It is indeed rare if a child in school does not almost worship its teacher, and its future life is easily shaped and molded. Hence the wonderful influence our teachers have over the pupil in directing and controlling its character, its mind, and its future destiny. "A pebble on the streamlet scant oft changes the course of the mighty river." "A dewdrop on the baby plant oft warps the giant oak forever."

We all look back on our early teachers with admiration, love, and gratitude. I am confident that the list of above teachers who taught in the earlier days at Decatur have had more to do with creating the high standards of citizenship among the descendants of the pioneer settlers of Wise County than any other influence. Too much praise cannot be given to those lovely souls who worked diligently day and night for only half pay for their untiring and valuable services. It is a distinct pleasure for me to have the opportunity to pay this small though well deserved tribute for their noble work. Why shouldn't our new High School building at Decatur be called "Bell-Maude" in honor of two great teachers, Bell Ford and Maude Hogg.

#### MERCHANTS AND BUSINESS MEN

Evidently the first merchant in Wise County was Daniel Howell. Howell later on took his clerk, Elmore Allen, in as a partner and the firm's name became Howell & Allen. Their store was first located in what was then known as Taylorsville, and the store was in the flat northeast of the Baptist College and southeast of the Decatur Public Square.

Then came Alex Sanger. Later on the following opened up stores in Decatur and were known as the early merchants of the

town and county, viz: Cates and Wood, Chas. D. Cates and Cephus Woods; Terrell and Kellam, Samuel L. Terrell and Jacob P. Kellam, and Sewell L. Brown. Then later on came Charles Moore; Collins and Brown; R. M. Collins and Jack T. Brown; Scott and Mart Gordon; Clisbee and Carpenter, Bent Clisbee and Jesse C. Carpenter. The Denver Railroad entered Decatur in 1882 which brought on quite a number of merchants: Ullman and Levy, Jake Ullman and Sam Levy; Reed and Sewell, Robert Reed and Joe Sewell; Henry Prince and Dave Prince; W. Williams; the Mississippi Store of J. M. Bennett and George Clayton; John T. Luther, Sr.; John Sparrow Drugs, Walter B. Mann, Drugs; Tip Cobb, Drugs; S. A. Lillard, Sr., Hardware, Dry Goods, Mill and Bank. Lillard was a hardware merchant in Decatur for forty-eight years, longer than any other merchant. Ford-Weakley and Johnston Hardware was owned by Jeff Ford, John A. Weakley, and Frank Johnston. Simmons Wholesale Groceries; D. W. Frazer, Furniture and County Collector; Wm. Spear, Furniture and County Assessor two years.



S. A. Lillard, Sr.



Mr. and Mrs. C. D. Cates

Sam Levy moved to Fort Worth and was manager for Casey and Swacey. He was father of Dan Levy of that city. The Simmons boys moved to Sweetwater, Quanah, and Dallas and were prosperous. Robert lives in Sweetwater, George Albert in Quanah, Tom in Dallas.

Oscar L. Slaton, of Lubbock, banker and real estate man.

Alf Morris, banker at Winnsboro, Texas and member of the Democratic State Executive Committee.

Robert and Ed Stuart, of Harlingen, real estate and promoters in the Magic Valley. Earle Standley, banker and stockman at Cleburne, Texas. Henry Greathouse, banker and cowman, O. D. Halsell, wholesale groceries at Oklahoma City, Oklahoma, R. B. (Bob) Mount, Houston County, Tax Collector of Wise County, later real estate man, Houston, Texas. Silas Lynch, merchant at Dallas, Ben Cogdell, banker at Granbury and a stockman, Frank Turner, banker at Decatur and Bridgeport, Glenn Russell, banker at Breckenridge, C. E. Martin, banker at Breckenridge, Preston Terrell, manager of Temple Marble Works, Temple, Texas, Eugene Thomason, Creamery at Houston. .... Stone-street, the Fort Worth financier is a Wise County product. Mack Buckaloo, Sr. and Jr. are also former Wise County residents.

The early merchants of Decatur before the railroad came sold their goods to the settlers for cash and on time, never taking any kind of security, and all were prosperous and made good money. If a merchant were to pursue that course now, he would not last six months. To my mind it is conclusive proof that those early settlers were of a different brand of integrity than our latter day people. Those early settlers of Wise County may not have been quite as active in spiritual matters as some of our citizens now are. Many of them too often got drunk and some cursed too much and were plenty rough, but almost to a man they were truthful and honest and paid their just debts. I guess, however,

circumstances, hard times, environment, and misfortune have rendered us a little more careless and maybe less sincere. Yet, I am not a pessimist. I believe in a thousand different ways we have progressed and improved and are decidedly a wiser and a better people.

As illustrative of above, when Henry Greathouse opened his bank in Decatur, Earney Courtney, a ranchman, met Greathouse on the sidewalk in front of the bank and Greathouse told him he owed the bank about \$120. Courtney claimed he did not owe anything. Greathouse said, "Yes, you do. Come in the bank and I'll show you." He had the bookkeeper turn to his account and said, "See there!" The books showed he was \$120 in the red. Courtney said, "Yes, I see it on the books but who in the H— writ the books."

#### BANDITS OF WISE COUNTY

Wise County has produced many men and women of courage, ability, and character who have advanced to high places in the affairs of our state and nation, yet there is another side to the picture. We have had some few men of daring who have thrilled the nation with their intrepid dashing courage. Wise County was at one time a rendezvous for the famous outlaws, the James brothers—Frank and Jessie—and their posse. They camped a number of times on Sweetwater Creek in a beautiful grove of timber near a cool running spring about a mile southeast of the old Dr. William Renshaw home six miles east of Decatur where later on the Methodists held their camp meetings.

Sam Bass lived and began his bank and train robbing in Denton County and one of his favorite hiding places was on Denton Creek near Stoney in Wise County. Before he began his wild career that ended in his death at Round Rock from a bullet from the gun of a State Ranger, he was a cowboy of Denton County and handled cattle in Wise and Denton Counties and those who knew him regarded him as a very likeable fellow, before he defied the law. When I was a boy, I remember seeing Sam Bass and five or six of his comrades one evening about sundown as they rode horseback from the east into Decatur, stopping in front of a saloon on the south side of the public square. They threw their bridle reins over their horses' heads, dismounted, and went into the saloon. They soon came out, remounted their horses and rode southwest out of town. At the time I did not know who they were but supposed they were a bunch of cowboys coming to get a drink after a roundup of cattle.

The following day the Sheriff of Denton County, W. F. Eagan, and his deputies and the Sheriff of Wise County, Captain George W. Stevens, and his deputies followed them over on Salt Creek about fifteen miles southwest from Decatur and overtook them

and in a running fight killed Arkansas Johnson, one of Sam Bass' men. They immediately rode to Round Rock to rob the bank where Sam Bass was killed in a fight with the Rangers and officers. His remains are buried there in the city cemetery and one tomb stone has been chiselled away by the curious trophy-seeking public and another tombstone is fast disappearing in the same way.

The bandit and desperado, Bill Miller, was a Wise County product, his grandfather being one of the County's earliest settlers. Will moved to Jack County, was a cow puncher there when he began his wild career. Will Miller was the bandit who coined the term "Stick 'em up." He has relatives still living in Wise County who are the very best people in the world.

Wise County also furnished one of Billy the Kid's gang in West Texas, Mexico and Arizona.

Bonnie Parker, the pal of Clyde Barrow, the two most dangerous and famous desperadoes in our nation who were killed by Capt. Frank Hamer and officers while resisting arrest lived a long time in Chico in Wise County before she began her daring career.

#### COLLIN COUNTY INDIAN FIGHT

In the early sixties the Indians made a raid into Wise, Denton, and Collin Counties stealing horses and killing citizens where an opportunity afforded. The citizens of Collin County followed them with a view of recapturing their horses and getting as many of the Indians as they could. They overtook them about six miles due east of Decatur on an open flat between Catlett and Sweetwater Creeks about where the new Decatur and Denton Highway is now located. There were only a few large scattered live oak trees in the flat and no brush or bushes at all. The settlers charged them and in a running fight the Indians scattered and retreated. One of the Collin County settlers who was riding a fast horse overtook one of the Indians. They both dismounted at the same time. The Indian with his quiver and his bow and arrows and the settler with his muzzle-loading rifle advanced upon each other. The settler shot his rifle and missed. The Indian attempted to shoot his arrow, but the rifle ball either cut the string of his bow in two or it broke probably saving the life of the settler. They continued to advance on each other, the settler drawing his Bowie knife from its scabbard, the Indian attempting to draw his dirk. The dirk was in its scabbard attached to his belt, and the blanket he wore over his shoulders had fallen over the dirk and he failed to get it. He turned to run and the settler being so close overtook him and cut him down with his Bowie

knife. He fell under one of those large live oak trees that still stands in that beautiful glade and is now the only living mute witness to that thrilling tragedy where there were engaged perhaps two of as brave unknown mortals as ever belonged to the Knights of the Round Table during the Dark Ages.

I have tried to find out who this Collin County settler was but have been unable to do so. But I have often heard my father and Dr. William Renshaw, who lived only about one-half mile from the scene, tell of this thrilling encounter.

### WOUNDING OF ALFRED McDANIEL

Soon after we moved to Decatur on Denton Creek a neighbor boy about fourteen years old, Alfred McDaniel, went out one morning to catch his pony, and the Indians attacked him, lanced him in the back four times and left him for dead. They usually burned powder in the face of their victims and scalped them but this boy had long black hair very much like theirs, and it was believed that they spared him on that account. After weeks of suffering and pain, he finally recovered.

The early settlers of Wise, Montague, Denton, Parker and Jack Counties suffered more from Indian depredations than any other counties in Texas for the reason that the Indians came to get horses to ride after buffalo and trade and there were more horses there than in any other sections. It was also nearer their base of operations—the Indian Territory. Then again the southern and eastern part of Montague, the southern part of Cook, the eastern part of Wise, the western part of Denton, and the northern part of Tarrant counties was mostly prairie well watered by running streams and springs, and I am sure it furnished the finest grass and range for horses and cattle of any section of Texas. The grass was mesquite and native sage grass. The ranges on the three Hickory Creeks—North, Middle and South—and on Denton and Oliver Creeks and their tributaries have made many cowmen rich.

### THE TRAGIC MURDER OF MRS. REBECCA VICK

One rare morning in June in 1872 Mr. and Mrs. Vick were living happily together about four miles north of Decatur. Mr. Vick was sitting on his porch with their first born baby in his arms rocking it to sleep and singing a lullaby song to it when the sharp crack of a rifle shot rang out in the morning air. His wife was washing their clothes at the well on the branch about twenty yards from the house under an old and lovely elm tree. As Mr.

Vick looked around he saw his wife fall by the side of her wash tub. He ran and picked her body up in his strong arms and carried her into the house and gently laid her lifeless form on their bed.

Two cowardly Indians had slipped up the ravine under cover of the brush and trees that were in full foliage and murdered that helpless woman. Mrs. Blewett, a widow who lived about a half mile south of the Vick home and just over the hill, came with her two small children and her washing tied up in a white bed sheet to this same well to wash her clothes. As she approached the Vick house on the high hill she saw a large bunch of Indians on horseback about half a mile north driving off their stolen horses. She immediately ran with her children to a rail fence nearby and hid in the corner of the fence fearing they would see the white sheet. She covered the sheet with the skirt of her dress until the Indians had gone on north and out of sight. She then went on down to the Vick home and found the bloody form of Mrs. Vick lying on the bed with the infant baby by her side and Mr. Vick sitting by them so benumbed by the tragedy that he knew not what to do.

The neighbors laid Mrs. Vick to rest in the new cemetery just north of town. Mrs. Blewett came to our house after the raid and lived with us until her relatives came after her from Dallas County.

I can call to mind no one rifle shot that ever created more sorrow and desolation than that one leaden messenger of death. It took the life of that young, brave and devoted mother. It left a small orphan baby to live without the love and the tender touch of a mother's hand. It severed the ties that bound together two young hearts who with hope, faith and ambition had with daring gone West to that pioneer section determined to succeed and make good citizens and properly rear their family. Yes, the fondest dreams of that young and courageous couple were suddenly dashed to pieces forever by that rifle shot from the hands of a cowardly assassin.

We had a large stock of horses and ran most of them on the open range on the Hickories, and brother John and I with hired hands used to go over in the spring and summer and round up a herd into the old Russell corral, catch two or three of them, saddle them, and have all the sport that one can now see at a rodeo. After pitching until tired, we would ride on home and break them gentle and sell them to citizens who might need them to ride and work.

That was truly one of the most beautiful sections in the world.

Wild flowers of every hue and color completely covering the earth for miles and miles was a sight never to be seen again. In the summer and fall of the year the sage grass would grow in the fertile valleys and draws so tall and dense that one on horseback could not be seen riding through it. Decatur being located on the highest hill within seventy-five or eighty miles, 1,146 feet above sea level, in the early spring after a good rain the settlers would designate a certain night to burn off this old dry grass so the stock could have young tender grass for grazing. From that high hill at night when the grass was burning, I have seen a continuous circle of prairie fires entirely surrounding the town—in some places two, three and four circles, some close and others more distant. The flames, if the wind was very high, would leap into the air from fifty to one hundred feet high and sweep over the range almost as fast as a horse could run. A sight more beautiful, more enchanting, and more thrilling than any modern fire works display that has ever been manufactured by the genius of man.

After we moved to Decatur, on moonlight nights the Comanches made their raids so they could see to gather and drive their horses when the settlers were asleep. We would often fort up in two houses in the town, and the men with guns and rifles would stand guard and protect the women and children. One house was a large log house on the northeast corner of the square owned first by Major Horton and later by Captain A. H. Shoemaker, and the other a large weatherboarded house, plastered inside, owned by Absalom Bishop and located on the northwest corner of the square.

One night while we were fortified up in these two houses, the Indians slipped into town, broke a lock and chain around our stable door and stole Coburg and Ribbon, two fine Canadian horses, that we owned. The stable stood not more than thirty yards from the east side of the public square within seventy-five feet of our home.

The early pioneers of Wise and adjoining counties who remained and whipped the savages back and withstood all the hardships and privations of frontier life were men and women of the very highest type of courage and bravery. Many, many came and settled but when the Indians began their cruel depredations, stealing horses and killing defenseless men, women, and children, not being accustomed to such hardships and deprivations of the usual pleasures and necessities of life, returned to their old homes and locations where they and their families would be absolutely safe and could at least receive a far greater amount of pleasure and the comforts of life—where the educational



Wise County Pioneers.

facilities for their children were far better. None but those who had faith and ambition, none but the brave in heart stayed and pressed on and finally developed one of the choicest sections of Texas, and by their daring, determination, and self-sacrifice made it possible for those who came later and those who now live there to share and reap the benefits of their labor and toil. In fact, it left the very finest, the choice citizens there who grew families of the same fiber and qualities as their parents from which has grown a people of great worth and possessing the finest virtues. Not only the man of the family had to be resolute and brave but his wife also had to have the same or a greater degree of courage and determination than her husband.

I am confident that the courage of my mother was equal to if not superior to that of my father because she never at any time faltered or complained but stood by him and cared for and raised ten children to manhood and womanhood, and "children aren't like pigs—you know they cannot pay the rent." At all times she discharged her full duty to society, her neighbors, and her church. I do not believe that full praise and just credit has ever been given or ever will be given to those noble heroic mothers who stayed there, raised their families under such trying hardships, not knowing when but always in fear of the Indians swooping down on them and killing them and their children who were so often unprotected. I'm proud of the fact that my mother gallantly remained, and I am convinced she was rewarded by Him who watches the flight of the sparrow in permitting her to live to the ripe old age of ninety years. To me, she was the greatest heroine of them all, and I rejoice that during her last years she was affectionately known and called by all who knew her as "the Mother of Wise County."

The Indians—chiefly the Kiowas and Comanches, depredated so often stealing horses, killing citizens and scalping them, that public sentiment became very bitter against them. During the days of Reconstruction, the State and Federal Governments for a long time declined to protect the settlers. The Indians would usually come into the settlements at night, hide in the brush on some creek all day, locate the horses, and late in the evening rush out and round them up and drive with all speed possible through the night into usually Jack or Clay County before daybreak. They often would drive out three or four hundred head of horses. If not overtaken by the Minute Company and settlers, they would soon have them in Indian Territory and be safe from all harm.

#### BRAVE CITIZENS AND THE MINUTE COMPANY

There were four men, pioneer citizens of Wise County, whose names should go down in history as being the leading men. They,

by their daring and courage did more to protect the early settlers of the county from the ravages of the savage Comanches and Kiowas than perhaps any other four men in Texas. They organized and belonged to a Minute Company, and later two of them served as Captains of State Ranger Companies in the western part of the State: Captain Ira Long and Captain George W. Stevens. The other two were Henry and Tom Jennings.

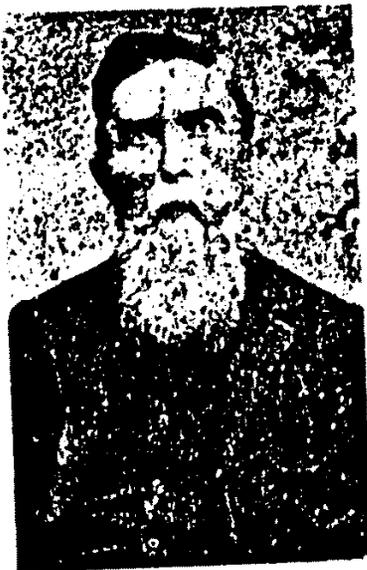
This Minute Company with Captain George W. Stevens as Captain, was composed of ten or fifteen brave settlers who, when one of them heard that the Indians were making a raid in the county, that member of the company would saddle his fastest horse and ride as fast as he could as did Paul Revere and notify each member of the company where the Indians were and instruct them to meet together at once at a designated place on the trail of the Indians. As soon as they got together, they would follow them and recapture their stolen horses and kill as many of the Indians as they could. These minute men were so brave, so faithful to this duty and trust, that soon the Indians feared them, and I am sure greatly lessened their depredations. Their courage and bravery finally had much to do with the ceasing of the Indian raids in that section of the state. Those early settlers were in that way protected from the savages, and they, as well as those who came after them and those who now enjoy the blessings and privileges as citizens of that section owe a debt of gratitude to them that has never and can never be repaid. We should at least erect a monument to their memory calling attention to their heroic deeds, of courage and valor.

#### STEVENS AND HOGG INDIAN FIGHT

On one occasion the Indians made a raid and drove out about two hundred head of horses. The Minute Company followed them into Jack County and on west where they were overtaken. There were only nine of the company pursuing them: Captain Stevens, John W. Hogg, a brother of Governor Hogg, Henry and Tom Jennings, Ed R. Stevens, John Gose, Jim McCord, Dave Manning and Arch Watson. I have often heard Captain Stevens and John Hogg tell of their experience. They saw three Indians ride through the edge of an open valley and into the timber. They immediately charged them, and as they approached the timber, perhaps one hundred Indians on horseback charged them shooting with guns and arrows and yelling. They saw they were ambushed and decided to fall back to a ravine they had just crossed. It was about four feet deep with no timber on it. They got their horses in it but the Indians continued the charge. The nine brave settlers whipped them back. The Indians retreated and rode up on a hill

about a mile away and blew a bugle. From the timber came perhaps one hundred more Indians and they at once made another charge and were again beaten back with several Indians killed. One of the killed evidently was their Chief. They then retreated with their dead, and the settlers took advantage of this and decided to try to escape by running down the ravine on foot down into the timber. One of them had a race mare he thought a great deal of and wanted to ride her out but the other men said no they will see you and immediately charge us. He first said he was going to ride her anyway, but they then told him if he did they would shoot and kill his horse, so this deterred him and he went on foot with the other eight. Before they got into the timber they heard the same bugle blast. They rushed on as fast as they could run and when perhaps two miles away, they heard the Indians make another attack.

They ran on toward Jacksboro and finally arrived in the settlement with their clothes torn to shreds, their boots nearly worn out, and some of them were practically barefooted. The settlers fed them, gave them clothes to wear and carried them back to Decatur and their homes. Captain Stevens was the only one wounded. He received a shot through his hand and a glance shot in his side but neither was serious.



Capt. Geo. W. Stevens

Captain Stevens later was appointed Captain of a State Ranger Company to protect the citizens from Indian Raids and later was elected and served two terms as Sheriff of Wise County, and while Sheriff assisted the Sheriff of Denton County in killing Arkansas Johnson, one of Sam Bass' men, in a running fight with him and his posse in the southwestern part of Wise County. Captain Stevens was one of Texas' greatest and most daring Indian fighters, and Wise County should erect a monument to his memory for his gallant service.



John W. Hogg

John Hogg was also rewarded as Deputy Sheriff by Sheriff Captain Stevens. He was elected and served as sheriff for two terms, and later on was County Clerk. He was appointed Post Master at Decatur by President Grover Cleveland. In all of these positions he served with distinction and credit to his name.

#### KILLING OF THE RUSSELL FAMILY

During those trying days for those brave pioneers the Russell family of five were killed by the Indians near Chico in Wise County. Mr. Russell and his oldest son had gone to mill with their corn and wheat, and the Indians attacked their home in their absence. The mother, a daughter sixteen years of age, a son fourteen, and two smaller children were at home. A muzz<sup>le</sup>-loading

shotgun and rifle were their weapons of defense. The mother and daughter loaded the guns for the boy to shoot and he whipped off the Indians several times, but finally the ammunition gave out and the boy called for another loaded gun. His mother in desperation unthoughtedly screamed, "The ammunition is all gone!" There was an Indian with them who heard and understood her. They then returned and renewed their attack killing the entire family. The father and older son returned after dark and found the boy dead in the yard, the mother in the house where she died trying to protect the small children. The sixteen-year-old daughter had been captured. The next day the settlers began a search for her and found her dead under a tree about a mile from their home.

#### MURDERING OF THE HUFF FAMILY

In 1874 in the last Indian raid in Wise County or that section of the state the Huff family of three women—the mother and two daughters—were murdered near where the town of Alvord is now located. The Indians had made a successful raid in the eastern part of Wise County and had stolen about three hundred head of horses and were driving them west into Jack County when they murdered the Huff family. The father and Lum, the oldest son, had gone to town and were away from home. The alarm was given by the settlers and they followed the Indians and surrounded them and their horses in a thicket of timber and brush. It was just about night and many from Decatur rushed out to help. They guarded the thicket all night and when daylight came, the Indians had escaped on horseback, but almost all the horses were captured. My father had a number of horses that were recaptured. They had stolen our race mare called Fly that several years before had carried brothers John and Lafayette safely when attacked by the Indians on Morris Branch. Some months afterwards my father received a letter from a settler in Jack County stating the Indians had left a sorrel mare by his home and he had the mare in his possession. The brand on the horse was E. T. and he understood that that was my father's brand. He stated that he would like to buy the horse or he would bring her to my father for a specified sum. My father replied that as horses were cheap and the mare was getting old, the man could just keep her if he promised to take good care of her in her old age.

#### KILLING OF FRANK COONIS

A settler by the name of Frank Coonis was found murdered in the Keep Houses on the head of Hickory Creek, in the western edge of Denton County, two large log houses that had been abandoned by the settlers who had built them. Coonis rode a fast running horse and the Indians ran him and shot him through and through, but he was able to hold on to his saddle and outran them. His horse carried him to these houses. There his horse was found grazing nearby with the saddle drenched in blood and in the house the lifeless body of Coonis. There were old broken crockery ware in the house and on each one was blood from his hands where he had picked them up searching for water to drink.

#### KILLING OF BILLY GLASS AND DAVE BAILEY IN LOST VALLEY FIGHT

A detachment of Captain Geo. W. Steven's Ranger Company overtook a large bunch of Indians in Lost Valley, Jack County, and in a running fight when the Rangers were hopelessly outnumbered by the savages Billy Glass was mortally wounded, the bullet passing through his body. They carried him under the shade of a large tree, and he called for water to drink. Two of the Rangers, Mell Porter and Dave Bailey volunteered to go horseback and get him some water in their canteens. As they rode near a stream of water a large crowd of Indians charged them. They ran to the creek and Porter made his horse jump off a high bank into the bed of the creek and as the Indians had to go around to a trail crossing, he made his escape back to the other Rangers. When he returned without the water he saw that Billy Glass had passed away. Dave Bailey could not make his horse jump off the high bank so he too was overpowered and murdered by the Indians. As the Glass family and ours were very intimate and friendly, brother Preston, only about ten years old, was up at Mr. Glass's when the sad news came. He had to stay until someone passed going to Decatur, and he said that it was so sad he was miserable all the time after the news came.

Hilory Bedford, Cliff Cates, Dot Babb and many others in their splendid histories have given minute and accurate accounts of most all of the massacres and Indian fights. To give a repetition of them could serve no good purpose. However, the killing and capturing of John Babb's family and the beautiful young widow at their home was such a noted, outstanding and brutal tragedy that I reproduce Cliff Cates' account and reproduction of Bedford's because they are not only accurate but are rare gems of descriptive English literature.

## MASSACRE AND CAPTURE OF THE BABB FAMILY

"The murder and the capture of the members of the above-named family was an event of the greatest and most sensational proportions of the period of Indian attack, and has gained historical prominence in all the books which treat of the phase of Texas history of which this occurrence is a part.

The details surrounding the massacre and capture are as follows: In September, 1866, John Babb lived with his family on a ranch about twelve miles west of Decatur, between Bridgeport and Chico. Besides the parents there were four children, Margie, an infant; Dot, a boy, eight or nine years old; Cassabianca, a young girl, and Court, an older boy. Making her home with the family also was a Mrs. Roberts, a youthful widow of very fair features. On the day of the fateful occurrence all these were at home with the exception of the father, who was absent on duties in Arkansas, and Court, the oldest boy.

All was silent about the house, but the evidences of plunder and pillage were everywhere visible. Apparently the ruin of the Russell family had been duplicated. The feathers from the beds scattered about the yard resembled snow. The household effects had been piled in a heap and burned. The men looked into the house and a pitiful scene met their gaze. Mrs. Babb lay with her throat cut from ear to ear; the blood had streamed out over the body, and the infant child, in its efforts to imbibe nourishment, had dyed itself in the crimson stain.

The two children, Dot and Bank (Cassabianca) were found in the yard and immediately taken in charge. At the sight of the Indians, Mrs. Roberts had sought safety in the loft above the room; Mrs. Babb had remained to make a heroic fight for her children, during which the gaping death wound in her throat was inflicted. At the striking of this blow, Mrs. Roberts had screamed, which revealed her whereabouts to the Indians, who immediately laid their strong hands upon her. After sacking the house, Mrs. Roberts and the two children were put upon horses and carried away.

In Mr. Hilroy Bedford's volume, "Texas Indian Troubles", Colonel George Pickett, of Wise County, one of the first on the scene after the murder of the Babb family, tells of Mrs. Roberts' experiences and final escape from the Indians as follows: "The beauty of this young woman had, no doubt, saved her life. At the massacre the Indians had stolen one of Babb's fine racehorses, and upon him the widow was placed and led away to the Indian Territory. Twenty miles beyond Red River they stopped and arranged for this accomplished young woman to marry their chief two moons later. So they placed her in charge, to be kept during that period. Under this guard she was separated from the main camp. One night when the moon was full-orbed to shine all night, and no clouds to obscure its brilliancy, she saw that Babb's fine race-horse had been staked out near her tent. When the old squaw was sound asleep, she slipped away to the horse, and, placing a rope around his nose for a bridle, sprang astride his back and galloped away unnoticed. After a twenty-mile ride she reached Red River and, to her dismay observed that its waters were very high. By the light of the moon she could see the drift logs and trash floating down the stream, and with fear gazed upon the turbulent water. The horse pressed forward, impatient of being held in check, and desirous, it seemed, of crossing to the other side. She contemplated death as the most probable result if she undertook the task, but remembered that hesitation meant worse than death, for she would be compelled to marry that dusky demon. The rein slackened and in plunged horse and rider. Time passed slowly to her as the waters rolled and tumbled about, and the fast drifting logs passed on either side, but the horse was one of great power and nerve, and finally reached the other bank in safety. Rising on the Texas side from what had seemed like a watery grave, they were safe from the hand of the cruel foe. Out they sped through the river bottom and up across the hills to a large prairie. Fatigued by the ride and excitement of the journey, she stopped her noble horse and tied him to a small tree, and lay down to take a much needed rest, just as the day was beginning to dawn. Near midday she was awakened by the tramping of

horses' feet near, and, springing up, found herself surrounded by another band of Indians. Her flight had ended in a second capture, this time by Comanches. They placed her on a horse and took her far away from the settlement near the head of Red River, to their Indian village. Again she was doomed to marry a chief, and again was placed in the hands of an old squaw; but the marriage this time was to be three months away. A cultured and refined woman was doomed to marry a savage. She was a remarkable woman whom, though far away from her Texas home and friends, never lost hope nor courage, unbearable as was her captivity. Another opportunity to escape at last came. Again at night on the same horse, she made her escape, and to elude her cruel masters, galloped away in the opposite direction from her home. Fortunate was she this time, for she found the trail of a wagon train next day, which she followed rapidly, at last overtaking the train of freight wagons. With these freighters she journeyed to Fort Supply, where she became acquainted with a Kansas family whom she accompanied to their Kansas home. She was afterward married to a prosperous stockman. She raised a large family, and still lives, loved and respected by a large circle of friends."

At different raids the Indians killed George Halsell, Nick Dawson, Bill Holden, Tom Weatherby, Tip Conelly, Johnson Miller, Jim McKinney and three little children, and also Jess Buress, Jim Sanders, Press Perkins and Alvin Clark. They captured Jim and Willie Ball, who were ransomed in about a year after the wounding of Pleas Bryant, and the capture and ransom of Ran Vesey, colored. The only course for the settlers to pursue was either to abandon their homes and leave or stay and fight back and kill as many Indians as they possibly could and make them



Capt. Ira Long

afraid to return. Captain Ira Long was made captain of a Ranger Company and served as such with great courage for a long time. He was a gallant Indian fighter, understood their habits and their cunning and was a great help in protecting the people. In one of his Indian fights he killed his adversary and kept his scalp, bows, arrows, and shield.

While I was prosecuting attorney of Wise County, the Captain was foreman of the Grand Jury several times and we insisted on his showing us his Indian trophies which he did. Captain Long was a man of great physical strength, large, over six feet tall. had a commanding appearance, and was as brave as a lion, honorable and sincere, and a Christian gentleman. He did his full share in protecting the women and children of that section of the state and deserved all praise for the sacrifices he made for Wise County.

#### INDIAN FIGHT ON HICKORY CREEK NEAR THE KEEP HOUSES

In about 1867 the State located a Ranger Company at the Old Government Mills near where Alvord is now located to protect the settlers. On Hickory Creek in the northwestern part of Denton County about nine of the rangers on a scouting expedition attacked about sixty Indians near the old Keep houses about two miles east of Slidell. In a running fight the rangers killed one of the Indians, and one of the rangers, Billy Sorrells, was badly wounded with a rifle shot. They scalped the Indian. Sorrels was brought to the home of Ball near Decatur where he recovered. Of course, no one knew which one of the rangers had killed the Indian, but they were all so magnanimous they said the wounded Sorrels had killed him. The citizens of Decatur gave all the company a banquet and dance in the District Court Room of the Court House, the biggest celebration ever held in the town up to that time. They gave the wounded ranger, Billy Sorrels, two fine ivory-handled pistols and to each of the other eight Rangers a pistol. I well remember the noted occasion as I attended it with my mother and father. My mother dressed the scalp of the Indian by sewing red silk lining inside and they put it on the end of a pole and danced around it like the savages did a white man's scalp. Miss Mattie Blythe, a daughter of Captain Ed Blythe, delivered the fine pistols to Billy Sorrels, and Miss Molly Pickett who afterwards married Milt Shoemaker and a daughter of Colonel George B. Pickett, delivered the pistols to the other rangers. They each made appropriate speeches on presenting the pistols. One now living in this peaceable country may look on such festivals as brutal and heathenish, the act of an uncivilized, un-

christianized people, but we must remember those people were not and could not be calm like we are now. They were mad, wrought up to a fever heat over the untold suffering, killings, scalping, capturing of women and children by the Indians while on their savage raids. This necessarily forced retaliation in kind to try to stop it. In fact, it was finally fear that stopped the Indian raids, and the lives of many, many of those noble and courageous settlers were thus saved.

When we moved to Decatur, my father traded for a large frame house on the southwest corner of the public square. This house was the first house built in Decatur, it had been built by Electrice Halsell for and used for a hotel, and notwithstanding our family was a large one, we had more spare room than any other home in the town. I remember soon after the Russell family was murdered by the Indians, Uncle Dick Couch and his family from near Bridgeport came and lived in our home for several weeks until the scare had subsided and the moonlight nights had passed. Uncle Dick was a very large man, a typical rough frontiersman. All his family were illiterate and uneducated. He cursed around the women and children, ate with his hat on, and returned no thanks. We kids thought it terrible but my father said he was an honorable, sincere, and a fine man, so with our father's benedictions, he soon was O.K. with all of us.

During those trying days when the Indians were continually depredating, stealing, and murdering the settlers, we did not have high-powered rifles shooting cartridges nor did we have machine guns, but had only the muzzle-loading shotgun and rifle. We made our own bullets from bars of lead, melting the lead in a small ladle placed on the coals of fire, pouring the molten lead into a mold. When it cooled, we took the bullet out of the mold and with a sharp knife trimmed off the rough part of the bullet where the melted lead entered the mold.

On my ranch in Wise County I recently found an old ladle that was used in making bullets for a rifle and I treasure it very highly as there are not many now in existence.

The settlers made out of an old cow horn a powder horn with a string to each end and carried it across his shoulder and under his arm. The large end of the horn was closed tightly with a round piece of wood and the small end left open where the powder was poured in. It was stopped with a wooden pin or cork. We tore small pieces of cloth for patchen with a box of caps to ignite and shoot the gun after it was loaded. First the powder was poured into the palm of the hand and measured by guess and then into the gun. The bullet was then put on the cloth patchen and with the iron ramrod forced into the gun barrel on top of the

powder, then the cap placed on the tube leading to the powder in the gun, and the gun was then ready for action. That was our main weapon of offense and defense. All my hunting was done with a muzzle-loading shotgun or rifle up to the time I went buffalo hunting in 1876, when I located and borrowed a Winchester or Henry rifle from my father's good friend, Arch Watson.

### WONDERFUL PROGRESS

One who has not been privileged to live in an age reaching backward for fourscore years cannot fully conceive of or realize the wonderful progress that has been made during that span of years. Living in a one-room log house, cooking on a chimney fire with an oven, skillet frying pan, tin plates to eat from, tin cups and gourds from which to drink were all they had. They used the tallow dip to make light and read from at night. They had no matches but kept the fire alive in the fireplace by covering it with ashes. Muzzle-loading guns were used to hunt with and as protection against the savages. My father owned the first two-horse hack ever owned in Wise County. Soon the sperm candle took the place of the tallow dip. I used to help make our own candles. We first had a candle mold that would make two candles at one time. Later on molds were made wherein we could mold as many as six or a dozen candles at one time. Then came coal oil and the copper and glass lamps. There were no wire fences. We had to split rails and build worm fences for our lots and fields. In transportation there was first the lizzard, the ox cart, and then the covered wagon pulled by oxen, mules and horses. As my father was a merchant, he had his goods hauled from Shreveport and Jefferson, later on from Dallas, Sherman, and Fort Worth. They made several trips to Jefferson with ox teams. My oldest brother Lafayette clerked in the store, and Brother John and I freighted and worked with our teams at other outdoors work. I made one trip to Fort Worth with a five-yoke team of oxen, carried cotton down and lumber and goods back. It took me seven days to make the trip of forty miles and return. With horse and mule teams we could make it in three days. In a two-horse buggy it required about all day to go and a day to return. Now in our new motor vehicles one can go there in less than thirty minutes and in an airplane not counting the starting and landing, the trip can be made in ten minutes.

We cut our wheat and oats with a cradle and bound them by hand—one-half acre was a hard day's work. Now we have binders and combines pulled by tractors and can cut and bind or cut and thresh fifty acres a day.

For one to have lived from 1861 to 1948—a span of years that

is without a parallel in the history of our state and nation, is a rare privilege. The wonderful achievements brought about by invention, science, learning, and progress are far superior to and in advance of any other period of the same duration. No four-score years of any previous age is in the least comparable to it, and I do not believe that any like span of years in the future will ever be comparable to it—so many wonderful achievements accomplished for the benefit of man and the glory of God.

The lighting up of our rural homes, our modern towns and cities, by electricity is a marvel of convenience and beauty. The telephone, the telegraph, the silent movies, the talkies, the technicolored movies, television movies, the radio where one talking in a conversational tone can be heard distinctly around the world and events that transpire are at once broadcast throughout the world giving immediate reports of the happenings of important events—all are inventions for the use, benefit and happiness of mankind.

### A SETTLER KILLED BY FEDERAL SOLDIERS DURING RECONSTRUCTION

Not very much was done by either the State or Federal Governments in the way of protecting the settlers of North and Northwest Texas from the ravages of the Indians during the trying days of Reconstruction following the Civil War. Soon after the War there was a Federal company of soldiers located for awhile at Isbell Springs about 1½ miles northwest of Decatur, but instead of being a protection to the settlers and the people, they were anything but a protection. They were northern Union soldiers and were bitter against the South and the people living there. The people of the South were in bad shape after the war, humbled, uneasy, and fearing all kinds of tyranny from the victors in the war, and these soldiers took advantage of the situation and were brutal and tyrannical in many instances. Many thought the Union soldiers at Fort Sill encouraged the Indians to raid Texas.

One day two of these soldiers came in to Decatur, got drunk, shot up the town, insulted several ladies on the street and at their homes, and attempted to enter the school while school was in session. The school was being held in the District Court Room on the second floor of the wooden Court House in the center of the public square. One of the men teachers and Tom Shoemaker provided themselves with guns and stood at the steps leading up to the school room and prevented their going up the stairs. The District Court Room occupied the entire floor of the second story of the Court House and when these drunken soldiers would

be on one side of the public square shooting, we kids in school would run for protection to the opposite side of the school room. Finally, a citizen who knew one of them went to him and attempted to induce them to return to their camp or barracks at the Isbell Spring. The soldier with whom he was talking told the other one to shoot him. The other obeyed his command and shot this good settler and peacemaker through and through with his carbine government rifle. After he was wounded, he turned and walked into Cates & Woods Dry Goods Store and fell dead. The civil authorities were afraid to indict the soldiers and no kind of punishment was given them by their commanding officers.

I was old enough to remember this tragedy. We lived on the public square and while they were shooting up the town, my father opened the front door of his home leading on the square, sat down in a chair in the door with his double-barreled shot gun loaded with buck shot in his hands intending to defend his home. But they saw him and passed by without bothering him in the least. This was the only time I ever knew of my father's attempting to use firearms to defend himself or his home. I remember a statement he made to a neighbor afterwards. He said that he would have killed both of them if they had tried to enter his home, that when the time comes that a man cannot defend his home, liberty is gone, and he would not care to live. Later on my father opened up a store at Government Mills and got along very amicably with the company that was there, both enlisted men and officers.

When these soldiers were removed, a company of State Rangers was stationed there at Government Mills. They were fine men and did all they could in every way to protect the settlers. In fact they were nearly all Texans and settlers from other sections of the south. When Governor Coke was inaugurated as Governor, his best efforts were to aid the unfortunate settlers who had suffered so much during the war and during Reconstruction, and by reason of his efforts as Governor and United States Senator in behalf of the people of the state, his name has gone down in history, and justly so, as one of the greatest governors and statesmen that Texas has ever known.

#### EVOLUTION OF MOTIVE POWER IN INDUSTRIES IN WISE COUNTY, INCLUDING SAW AND GRIST MILLS, GINNING, THRESHING, AND TRANSPORTATION

In about 1856 and '57 some enterprising settler built a water mill to grind corn and wheat in Denton County just below the rock falls and the road crossing on Denton Creek about a mile southeast of our home and about a mile west of where Stony is

now located. It was on the main and only traveled road from McKinney and Denton on the east to Decatur, Jacksboro, Forts Griffin and Belknap on the west. We used to fish in the large hole of swelling water just below the falls. This I am sure was the first water mill built in that section and the first and only water mill I ever heard of in that section. The power from the water wheel ran the grist mill and ground all our corn and wheat. At that time wheat and oats were planted by hand and either plowed in or brushed and dragged with a large limb or top of a tree. We raised only enough for our own use and the wheat and oats acreage was very small. There was a neighborhood thresher that finally came around and threshed the grain after it had been stacked. The thresher was run by two horses on a treadmill power. The two horses walked on an incline that moved as they walked and it produced the power that ran the small thresher. I do not know what the capacity of the thresher was but I am sure it was not much as we raised only enough wheat for our own use. One man cut the binds of the bundles and one fed the thresher by scattering the bundle not letting it go in all at once as it would stop, clog up or slow down the revolutions of the cylinder to such an extent that it would not knock out all the grain. We had no twine to tie the grain but a man would pick up enough grain to make a bundle, take the straw out of it and tie the bundle by hand with the straw. Later on our threshers were run by two or three teams of horses walking in a circle pulling and producing the power, and a boy or a man sitting in the center on a stool drove the teams. The threshers as our modern ones do threshed the grain with teeth in a fast revolving cylinder that knocked all the grain out of sheaved oats and wheat. Then later on with steam power an elevator was attached to the thresher that carried the bundles to the mouth of the thresher and the revolutions of the cylinder were so fast it did away with the bind cutter and feeder and the men who hauled the grain in bundles to the thresher threw them on the elevator and they were carried into the thresher and threshed. This power has been increased tenfold by steam that came into use about 1868. They now have combines that cut and thresh the grain all at one time and thereby saves both time and labor and instead of cutting one acre a day and then waiting for weeks and weeks to thresh, it is all done at one time and a combine cuts and threshes thirty or forty acres a day. With our newest binders from twenty to thirty acres can be cut in a day.

When we first moved to Decatur in 1867 a man by the name of Charles Browder had a grist mill about five miles south of town where we carried our wheat and corn in sacks on a horse or

in our wagon and had it ground on the halves. This mill was a treadmill but the power was produced by about four yokes of oxen walking on a large inclining and revolving treadwheel. This mill ground all our wheat for flour, shorts and bran, and our corn into meal. In about 1868 or 1870 as above stated all our power for milling, sawing timber, threshing, and ginning was run by steam.

### THE ADVENT OF COTTON IN WISE COUNTY

In about 1868 there was a man who had moved into Wise County and lived in Decatur, George French, an Englishman and a day laborer. My father, in order to keep my older brothers at work and have enough for a hired hand to do, rented the Glen Halsell farm south of the Halsell home about a mile from town and he sub-rented a part of it to French to cultivate in corn. Somewhere in some way I do not know how he got hold of a sack full of seed cotton, the first I ever saw and the first raised in Wise County. He picked the seed out by hand and planted all of them in that field and the next year he had more than enough to plant but he had to pick those seed out of the cotton. He took the cotton, had it carded, spun and woven into cotton cloth for use. The farmers then bought seed from a distance and soon Wise County became a cotton county. George French has a son, George French, Jr., living at Roswell, New Mexico, who is a fine man and his wife is an heir of the late Major George Littlefield, of Austin, Texas.

As soon as the farmers began to raise cotton, two cotton gins were built in Decatur. That was in about 1872 or '73. Hugh Hardwick built one about a mile west of Decatur and my father built the other one north of town on the hill near the old Lillard home. They were both run by steam except the press was run by a horse or mule. I remember my father hired a big boy about 18 years old who weighed about 190 pounds and lived near Audubon, north of Decatur, to run the first press that baled the lint cotton in the county. He was illiterate, uneducated, as strong as an ox and had never run up on anything he could not handle by his great strength. We bought a steam press connected with the machinery that ginned the cotton. It was worked with a lever to throw it in and out of gear. This old boy attempted to throw it out of gear and disconnect it but failed to pull the lever far enough and did not disconnect it and it continued to run. He decided he would just stop it with his foot, and when he put his shoe in the running cogs, it cut off the end of his shoe and the end of his big toe. This laid him up for repairs for several weeks but he soon was well and on his job but was a wiser and a better pressman.

I worked for two years in a lint room where two of us carried in our arms the lint cotton to the press and we would tramp it until we would have a five hundred pound bale of cotton. At first we had only one gin stand and a man had to stand in front of it and carefully feed the gin stand to keep it from clogging up and stopping the gin. We had no elevator to carry the cotton from the wagon to the gin stands but had a rope, pulley, and a basket. The farmer would fill the basket with his hands and hook the rope to the basket of cotton and by hand pull the cotton up to an open door on the second floor of the gin where it was weighed and carried to the farmer's bin and it would be ginned later on when his time came. Brother John weighed the cotton and put it in the man's bin, and Lute Renshaw fed and ran the gin stand and was manager of the gin. They first ginned two bales a day but later had several gin stands and ginned many more bales a day. Just before the ginning season opened in the fall of the year our gin caught fire and burned to the ground. As we had had some trouble getting enough water to run our boiler on the hill, we decided to rebuild down on the branch northwest of town below some springs where we could build a dam and have an abundance of water. Renshaw, Brother John, and a hired hand camped out and quarried rock. I hauled them. As there was only one mason in the town and he was at work building a stone building, John and Renshaw told our father that they could lay the rock as they had waited on the mason and knew how he did it. My father agreed. They bought trowels and stone hammers and went to work and by the time the cotton season opened, we were ginning and got more than our half of the cotton raised near Decatur. At that gin I weighed the cotton, Renshaw and Brother John ran the gin stands and managed the gin. We also built a dirt dam across the branch and had an abundance of water for our steam boiler.

### SAW MILLS

In about 1867 the Federal Government built a saw mill on Sandy Creek near where Alvord is now located and near the old William Glass home. It was known as the Government Mills and the Federal Government located a company of cavalry soldiers there. My father built a store there with raw hide lumber and opened it and sold goods to the soldiers and settlers. The lumber from this mill, native hard lumber, was hauled to Bridgeport, and John W. Hale and others built the second bridge at Bridgeport across the West Fork of the Trinity River, and this saw mill furnished much of the lumber that built Fort Richardson at Jacksboro. While my father was running his store, he boarded at William Glasses and our families became very close friends,

and the friendship has existed through all the years. In the springtime we used to go up there and stay several days and gather blackberries that grew wild in great abundance on Sandy Creek, and the Glasses would return our visits and come and stay with us. I remember one year Glasses' daughter, Miss Katie, came and lived with us and went to school at Decatur.

A little later Connelly and Ball built a steam saw mill about one and one-half miles northeast of Decatur near the old Carlo Ball's home and they sawed a great deal of timber that built houses in and around Decatur as well as culverts and bridges on our streams on roads leading into Decatur. We boys used to go down there and play in the sawdust that they carried off into the creek by the old saw mill.

### INTERESTING INCIDENTS OF LONG AGO

In a small county site town like Decatur the people all had plenty of time for recreation, conversation, and all kinds of amusements. Not having any radios to listen to or movies to attend, they had a surplus of time to think and work out all kinds of entertainment. They played pranks on each other without mercy and many times on their best friends, and it was always in due time that those friends would retaliate with all good humor and without in the least impairing their warm friendships.

Some two or three weeks after I had secured my law license, I was elected City Attorney, which paid in fees only about \$30.00 a month. This with my small law practice enabled me to get by as I was then unmarried and had no other obligations. A very bright young Jew about twenty-one years old from the East came into our town. He was talkative, not in the least retiring or modest and seemed anxious to become at once a full-fledged Texas cow boy. He was from every standpoint a fine subject for the boys to have their fun out of. He was a real subject, a tenderfoot, if there ever was one, in that small western town. A bright cotton buyer by the name of John Saunders caught the cue and soon got in with this Jew and "prepared the soil" by telling him all kinds of fictitious "hair raising, blood-curdling" Indian stories. They set the night, a dark night, on which to take their subject "snipe hunting" on a branch with timber on it about half a mile south of town. I knew of the plan but being City Attorney decided, against my desire, not to go with them. Boys with guns and pistols, with blank cartridges, stationed themselves along the timber on the branch. Saunders carried the Jew below where they were located and as they circled toward the branch, the boys opened fire, one volley after another, and screaming like

Comanches. Saunders cried, "Indians" and said "Run." They both ran west toward a hill known as Halsell Hill. Saunders fell and cried, "I'm killed." The Jew increased his speed and ran on over the hill to save his life and around back into town and was in bed at the hotel before the boys could get back to town. The next morning he took the stage for Fort Worth and from that eventful night no one in Decatur has ever heard of that Jew.

Our Mayor, Judge A. Edwards, a very fine man and an attorney, sent for me and said we must investigate the shooting as it was within the corporate limits of town. I agreed and we summoned Saunders into the Mayor's office to testify. I told some of the boys, and the marshal advertised the investigation. The office was soon filled to overflowing. Saunders was sworn and I requested the Mayor to question the witness which he proudly did. He asked Saunders if he were with the Jew and if he heard and saw the shooting. His answer was "Yes."

"Who did the shooting?" the mayor asked.

"It was dark and I don't know," replied Saunders.

The Mayor then asked Saunders what he did when the shooting began, to which Saunders replied, "I first ran and then fell mortally wounded."

The crowd laughed. Then the Mayor asked what had become of the Jew to which Saunders answered, "The last I saw him he was tunneling the Halsell hill."

This convulsed the crowd and the Mayor dismissed the witness in complete disgust.

Wise County during its early struggles with the Indians and the many hardships attending pioneer life produced many men and women of rare intellect and ability, men and women, who had they been placed under a different environment, would have been recognized as among the great of our state and nation. Among these was Colonel W. H. Hunt, who settled in the western part of Wise County on Hunt Creek near Cactus Hill. Hunt Creek and its tributaries and the farm and the location of the old home of Colonel Hunt are now covered with water from the Bridgeport Lake. Colonel Hunt came from New York. He was a man gifted with the genius of leadership, endowed with unusual intelligence, and had he not lost his life prematurely in an accident, he would have been one of our outstanding public men of Texas. A team ran away with him in his hack throwing him out and breaking his leg from which wound, because of lack of medical attention, he lost his life. He raised a fine family including Mrs. Belle Hunt Shortridge, his daughter, an authoress and poetess of much note. Years after she moved away and married.

Colonel Hunt was a Lieutenant Colonel in the Mexican war. He was with the ill-fated Santa Fe Expedition and was connected with the Peters Colonization Scheme. He served as a member of the Commission that selected the location whereon was built the present Capitol building of Texas, and was connected with Colonel Tom Bean in surveying all the vast university lands, and he also established a United States mail route between North Texas and Austin, Texas.

Colonel Hunt evidently built the first bridge across the West Fork of the Trinity River West of Dallas. It was built in 1860 at old Bridgeport twelve miles west of Decatur.

The family selected a private burial ground near their old home under some beautiful large live oak trees where all the family were interred. I once visited the graves and read with interest the epitaph on the tomb of Belle Hunt Shortridge that she had written before her passing. It was carved in marble and was interesting and sound philosophy.

The waters from Bridgeport Lake have long since covered the ground where that old home of the Hunts stood at Cactus Hill, as well as the private old burial place underneath those large beautiful live oak trees. But before the closing of the dam, the remains of that New York family were moved to the Bridgeport Cemetery and re-interred. And now the sun tanned fisherman with open collar and rolled sleeves in his little boat, unmindful of the past, drops his hook and line into the calm blue waters



Col. W. H. Hunt and daughter, Mrs. Belle Hunt Shortridge.

of Lake Bridgeport and makes his daily catch, just above that once lovely home and sacred burial ground of that illustrious, daring and once happy Wise County pioneer family from New York State. This all deeply impresses me with the truth that there is nothing enduring here on this earth. Everything is subject to change and decay. Monuments erected to the memory of men, to nations and to churches will soon crumble and fall, and be no more forever. Truly "the farmer's plow share turns up the marble chiseled into beauty by the hand of Phideas."

The Chataqua Circle that we organized in Decatur while I was reading law gave a reception and banquet honoring Mrs. Shortridge at Glen Halsell's residence. Mrs. Halsell, who before her marriage was Miss Julia Earheart, and Mrs. Shortridge were girls together. At that reception Tully A. Fuller presided and in a beautiful introduction presented Mrs. Shortridge and she read an excerpt from an article which she had written for some magazine and also a short poem. I had written a paper on "War Before and After the Invention of Gunpowder" that I was required to write for the Chataqua Circle and the Circle voted that I should reread this paper on that important occasion. All the people of any special note of the town were invited and attended. I have always wondered, as I was timid and shy, how they ever persuaded me to read it and have wondered still more why they wanted to hear it again. I have lost the paper but wish I had kept it so I could now after all these sixty odd years and during our war-torn blood-drenched world see how it would sound. I know I took the broad view that we should have no more wars, that disputes between nations should be decided and settled like disputes between individuals by a high court or tribunal vested with power to enforce its decisions and judgments similar to our Supreme Court here in the United States. In fact, I have all along held to that belief and time has vindicated the noble work of our great President Woodrow Wilson. Had those unwise Republicans, solely for partisan and political grounds, permitted the United States to join the League of Nations, this blessed world would not now be in war and all those small nations, Czechoslovakia, Poland, Finland, Denmark, Norway, Belgium, Holland, and France and others to come would not have been crushed by brute force. They would have been a free and happy and a prosperous people. The United States would not have had to re-arm and spend billions upon top of billions of dollars trying to preserve our own freedom. We could and should have joined the League of Nations and with only a small cost compared to what we are now spending saved the world and at the same time had no fear of invasion or war on us. How foolish they were! They killed President Wil-

son and are the cause of the plight the United States is now in, and are the indirect cause of the misery, sorrow, and desolation in Europe and the Pacific today.

Colonel Absalom Bishop was another character of the early history of Wise County. He came from McKinney, Collin County, Texas and was the main organizer of the County in 1856, was its first county clerk, and located the town of Decatur by having a map of McKinney, the same size, with streets, alleys, and a public square on the tiptop of the highest hill in the county. He also served in the Texas Legislature.

Another very remarkable man was Colonel George B. Pickett, a man of very great native ability, an unusual man both mentally and physically. He stood six feet and some two or three inches tall, in his early days weighed about two hundred pounds, had a fine face, a commanding appearance. While I never saw General Sam Houston, I have always believed that Colonel Pickett was very much like General Houston both in appearance and intellect. Col. Pickett was uneducated but had a clear mind. He was one of the best debaters and public speakers I ever heard. He was a Colonel in the Civil War and was elected to the Legislature many times from Decatur, the extreme western county in his district and by far the smallest county in the District. He was a member of the Legislature when Governor Richard Coke was first elected Governor in 1874 and was with him when they drove with shotguns and rifles Governor E. J. Davis out of the Capitol and took the reins of the government. He was a candidate for Congress against Judge Silas Hare, of Sherman, and Judge H. Clay Mack, of McKinney, and in the Democratic convention at Denton led in the ballots for a number of days when the convention failed to nominate and turned all three of them loose to run in the general election, and Colonel Pickett living in the western part of the district and the most thinly settled part was defeated by Judge Hare who lived in Sherman and the thickly settled portion of the district.

Gus Pickett, his youngest son, is a farmer and ranchman near Decatur on their old homestead. Gus is also bright and interesting. Years ago he was one of the contestants in a national roping contest of steers at St. Louis, Missouri. He shipped his gray horse up there as did the immortal Will Rogers, who shipped his roping horse from Claremore, Oklahoma. Gus won the prize in the contest over Will Rogers and all others and roped his steer in 23 seconds. Gus and Will after that contest were always close friends.

As Wise County grew and Decatur became the trading center for all that section west, many very fine characters came and

helped build up the town and county. One of the most brilliant lawyers and orators this State ever produced was Tully A. Fuller, who came to Decatur from Paris, Texas. His character was so fine, his intellect so great, and his life so pure, that all who knew him admired and loved him. I think he was the ablest lawyer and debater I ever knew. When I entered the State Senate, I heard three great lawyers say at different times that Tully Fuller was the brightest young lawyer in Texas. They were Governor Charles A. Culberson, Hon. M. M. Crane, and Judge George Clark. If each of those men held him in such high esteem as a lawyer, there can be no question as to his great ability. He was a graduate of Texas A. & M. College. After he obtained his license to practice law, after reading in a private law office, he moved to Decatur and became a member of the law firm of Carswell, Bullock & Fuller, and up to the time he had to move to Uvalde, Texas because of lung trouble, that law firm was easily the best firm in Decatur and one of the best in north Texas. In 1888 the Populist political party grew to such great proportions in Wise, Jack and Young Counties in Texas that it threatened the Democrats up there as well as the entire state. The Populists nominated Stump Ashby, of Fort Worth, for State Senator, and the Democrats nominated Major J. J. Jarvis, of Fort Worth. Stump Ashby was by far one of the best debaters, stump speakers, and yarn tellers in the district and ranked with the very best in Texas. He had an unusual store of fine anecdotes, was a humorist, logical, eloquent, and most effective with his fine sarcasm and ridicule. Major Jarvis was a gentleman of the old school rather retiring but an able and good man. Thoughtful Democrats became uneasy for fear the Major would be defeated especially if they held joint debates as was the custom in that day and time. There were several Democratic candidates for flatorial Representative from Wise, Jack, and Young Counties, none of them of any special ability. We younger men conceived the idea of nominating Tully Fuller for the Legislature, and we felt that his popularity and great ability as a debater would to a large extent counteract the advantage over the opponent of Stump Ashby. It was a gloomy prospect for the Democratic party and we younger men took the "bull by the horns" and nominated Tully Fuller without his consent or knowledge. Every good Democrat urged him to accept the nomination which he did. Major Jarvis became ill and we pitted Fuller against Stump Ashby and they held joint debates all over the district. At every debate vast crowds were on hand to cheer the speaker of their choice. I heard several of those great debates and it was equal to an up-to-date circus. At one of these debates Stump Ashby attempted to put Fuller in a trap by asking

him a question. Fuller replied, "You make your speech and I'll make mine". Stump Ashby stood and looked at Fuller for a few seconds and said, "Fuller's got too much head above his ears to be trapped."

Fuller and Major Jarvis were both elected by large majorities and both made able representatives of the people. Stump Ashby moved to Oklahoma along with Senator Gore and Alfalfa Bill Murray, and became a Democrat.

Soon after the adjournment of the Legislature Tully A. Fuller took lung trouble and moved to Uvalde, Texas where he formed a law partnership with Clark and Ellis. Later on John Nance Garner, who in later years was to become Vice-President of the United States, moved to Uvalde from Clarksville, Texas and officed in their office for several months and finally was made a partner and the firm became Clark, Fuller and Garner.

Garner was first elected to the Legislature and then to Congress. Fuller moved back to San Antonio where he took a spell of malaria fever and passed away with heart trouble while sitting up in his large chair. Thus ended the career of the most beloved and most brilliant man I ever met. Had he lived no one can tell the great good he would have accomplished.

I read law in his law office, obtained my license, and became his law partner. I also was first lieutenant under him as Captain of the Decatur Rifles, a company of the State Guards. Then I served as Captain of the company under him as Major. When I ran for prosecuting attorney of Wise County, he returned from Uvalde and aided in my election to that office. He assisted me in my race for the State Senate. We roomed and boarded at the same place in Austin when I first served as State Senator and he as Assistant Attorney General. His morals were always so high, his life so noble, so sincere and pure, by precept and example, he had as much to do with the shaping of my young manhood as any other one person. I pay him this small though well deserved tribute because I loved him and owed him much.

Judge R. E. Carswell was another able jurist. He was a finished lawyer, clear, concise, and able, very fine at ridicule and sarcasm. In discussion of law questions before the Court he was perhaps the ablest lawyer I ever heard. One day in Decatur as I was returning from the court house to my law office over the First National Bank, I met Judge Carswell, Judge J. W. Patterson, then District Judge, and Judge R. F. Spencer. Judge Patterson had been County Judge for four years, County Attorney for four years, Representative for four years and District Judge for about twenty-four years. I had been City Attorney, Prosecuting Attorney, County Judge, and State Senator. They stopped me and

Judge Spencer asked me this question that they had been discussing:

"Would you be willing to live over your life again if you knew it would be exactly the same as you have lived?"

My answer was yes. Judge Patterson had also answered in the affirmative, while Judge Spencer and Judge Carswell had said no. Carswell immediately curled up his nose and said,

"Yes, you and Judge Patterson would because you have been sucking the public teat all your lives."

#### DEATH, BURIAL AND RESURRECTION OF DAVE

During the early pioneer days of Wise County Dave got his brand on a neighbor's yearling and while the law was investigating the matter Dave got wind of it and "hit the Grit" for the unfenced penitentiary of the Indian Territory, which was then a reasonably safe refuge for violators of the law. After remaining up there two or three years always in fear of arrest he and his close friends conceived the idea he would play dead and stop the search for him. They filled a coffin with material of about his weight put it in a wagon and brought it to Texas for burial. The community where he lived in Texas was notified of his death and the day they would arrive with the mortal remains of Dave, a large concourse of old time friends went to the funeral. The wagon with the coffin and several of Dave's territory friends arrived on time, several of his old Texas friends wanted to see Dave for the last time. But the man in charge promptly said as he had been dead several days the undertaker said not to open the coffin. After his burial, in someway, some one saw Dave in the flesh in the territory and soon it was known all over North Wise County, that it was a scheme to lull the officers of the law. But the witnesses in his case soon died and moved away and the Court House burned and destroyed all the papers and Dave moved back to Wise County where he bought a farm and made the County a good citizen thereafter. Later on it happened that Dave was a material witness against a client of Judge R. E. Carswell. After he gave his direct testimony Judge Carswell cross questioned him at length. Finally Judge Carswell said "you may go," Dave got up out of the witness chair and Judge Carswell said wait a minute, one more question. He then said, "Dave did all this you have testified about occur before you died and was buried, or was it after the resurrection? The court room being filled with listeners it was some time before the court could restore order, and to this day the question has never been answered.

### MAD STONE

When I was about twelve years old and was playing in our backyard, I saw a house cat running and jumping three or four feet high and coming directly toward me. I had no time in which to run or protect myself. It bit me on my left knee and I knocked it off with my right hand and it bit me on my wrist. I threw it loose and it ran into the open door of our smoke-house. My father heard me crying and ran to me from the back door of his store. I told him what had happened and he got his Jacob staff that he surveyed with and began to look for the cat. The cat ran out of the smoke-house and jumped on a small fice we had. After their fight it ran on off. That night it ran into W. C. Weir's Grocery Store and ran all in the store on the counters and was finally run out with hoes and axe handles. From there it went down east on Main Street and bit a carpenter on the calf of his leg and he whipped it off. It then went on down to Mr. Floyd's. He had a bunch of dogs and in a fight they killed the cat. The cat evidently had rabies. The carpenter who was bitten died with hydrophobia in about two weeks. One of the dogs that had killed the cat went mad and bit a cow and the cow went mad.

My father called in his doctor and the doctor suggested cutting off my hand but my father told him that the cat had bitten me on the knee and he told us there was no cure then for rabies. Someone told my father of a man by the name of Ab Stepp who lived near the mouth of Oliver Creek in Denton County near the town of Drop who had a "mad stone" that would cure anyone who had been bitten by a dog or cat with rabies. The next day in his buggy we drove to his house. We got there just after noon and I went to bed and he took my wrist, scarified it, and applied a small porous stone about three-fourths of an inch long and about half an inch through each way. He would let it remain on the wound for half an hour or more and would then take it off and put the stone in a cup of warm sweet milk. This he continued until just before dark when it seemed to adhere no longer to the wound. He then said that all the poison was out. He then began on my knee and about one o'clock that night it no longer adhered to the wound on my knee. The next morning we returned home after paying him \$25.00 for his services. He claimed he had never had but one case of rabies where his mad stone was applied that the patient went mad and that was where the party was already having convulsions and it was too late to do any good. We were all uneasy for a long time but no bad results have ever been experienced by me since.

No doctors believe in the efficacy of mad stones and since that

time the Pasteur treatment has been discovered which has done wonderful things and saved the lives of many from rabies.

Brother John was years ago living in Austin and he was one of the prime movers in establishing the Pasteur treatment for rabies here in the University of Texas.

There may not be anything to the madstone which some claim came from the head of a white deer, but I don't know. It was successful with me, but it may have been more the prayers of a devoted and loving father and mother rather than the mad stone. However, I am grateful to them both and humbly thankful to Him who looks after us all.

### DENTON, DENTON CREEK AND DENTON COUNTY

No section of Texas has furnished a greater pioneer bar than Decatur and the County Site towns surrounding Wise County. They were keen of intellect, alert and well grounded in fundamental law, being masters of Blackstone, Kent and Greenleaf on evidence. There were no specialists, but attorneys of that time had to practice in all the courts from the Justice Precinct Court on up to our Supreme Courts. He had to be thoroughly versed in criminal law and all phases of civil law. We had no commercial lawyers, petroleum attorneys or land lawyers, but an attorney at law was thoroughly versed in all civil law, and therefore did not go to seed and become cranky on any special phase of our law. He was broad in his views developed in the actual trial experience in the court room. Our District Court convened twice every year at Decatur and was held in session for only two weeks. And the attorneys of all the surrounding county sites usually attended these short sessions of court as a boy and a young man desiring to make a lawyer, I spent most of my time listening to those able men as we called it then "Plead their cases." I remember at the first District Court of Decatur after I was sworn in as County Attorney, Judges Stillwell H. Russell and W. H. Atwell of Dallas were there and the first case I prosecuted and convicted in the District Court was "The State of Texas vs .....Saunders, a negro for burglary and Judge Atwell defended him. We were both young attorneys and through all the years although of different political beliefs, we have been friends and I much admire him as one of our greatest Judges. Of Fort Worth Senator A. M. Carter, J. Y. Hogsett, Capps, Canty and Hanger and many other able lawyers attended our courts.

Weatherford also furnished us with several very brilliant attorneys. Governor Sam Lanham, Judge Geo. McCall, Sr., Harry Kuteman, Hood and Shadle, I. W. Stephens, Preston Martin, Jim Wilson, and Clay Shoopshine. I recall that Cleburne provided us

with Crane and Ramsey, Poindexter and Paddleford, Brown and W. D. Odell. Jacksboro had a splendid law firm, Ball & Robison. Montague had several unusually talented attorneys, Judge J. M. Chambers, Senator A. L. Motlock and Will Jamison the latter was especially successful as a criminal lawyer. I remember one of the members of the Montague bar told this story that was typical of Will Jamison. A prisoner held in the jail on a felony charge sent for Jamison to defend him. Jamison knew about the case and felt like he could acquit him. The prisoner asked him what he would charge to clear him. His reply was \$100.00. The man said he had no money but promised to pay him if he lived. Jamison cleared him. Several years passed and this same man got in jail again and promptly sent for Jamison. He said "you know you got me out once before." Jamison said, "No I do not know you. The fellow says "don't you remember the case." Jamison said "no you are not that man. That man is dead, he said he would pay me my fee of \$100.00 if he lived. As he did not pay me I know he is dead."

Gainesville too had an unusual brilliant bar, Senators W. O. Davis, Coon Potter, Judge Clay Potter, Judge Barrett, Lindsley. I was deputy District Clerk while Judge Clay Potter was judge and at the close of the term of court he often at night would dictate his orders and judgments and I would record them so he could close his court and return home. We became very close friends and I admired him because of his ability and fine character. At one of our great State Democratic Conventions he nominated me and I was elected Secretary of the Convention. Being a young man no one knows how I appreciated his thoughtfulness and the favor conferred. Denton being only 28 miles distance from Decatur it too sent us quite a number of good lawyers. Senator Emory Smith, Judges F. E. Piner, J. A. Carroll, H. C. Ferguson, Alvin Ousley, Sr., F. M. Bottorff, Ed Bradley, and Sullivan, Hill, Spear and Minor.

Owing to the fact that my father and mother settled in 1854 on Denton Creek about half way between Denton and Decatur and about 200 yards from the Denton County line. As a boy I used to play in Denton County and later ran cattle and horses in Wise and Denton County. And I recall with much pleasure when with my young associates we used to attend dances and entertainments at Denton, and they would return our visits. Through all the years I remembered the following lovely characters: Miss Myrtle Petty, later Mrs. J. K. Rathborne, Miss Virgie McCormick, Miss Virgie Williams, who married Dr. Geo. R. Tabor, State Health Officer under Governor Campbell, and Miss Muggie Durst, later Mrs. .... Scales. When I ran for the State Senate, Denton

County gave me in her primary election about a five to one majority over my opponent. The relations between the Wise and Denton County citizens has always been most cordial and friendly. During the Spanish American war Denton and Decatur each had a company of volunteers and they were at first stationed at Camp Mabry and the good ladies of Denton sent the Denton Company a large box of cakes and pies, when it arrived in Austin the Denton Company had entrained for I think Florida. The commanding officer wired back that the Denton Company had gone and asked what to do with the box of good things to eat. The Denton women replied give them to the Decatur Company, and those boys never forgot the delightful favor.

In our State Democratic Convention held in Dallas in 1920 Denton County cast the deciding vote that elected me Presidential Elector that elected President Woodrow Wilson the first time. Denton Creek and Denton County and City were named after John B. Denton a brilliant pioneer, Methodist Minister and able lawyer of North Texas, and I here quote from Joe Terrell's history, one of the most beautiful and touching stories of John B. Denton and his good wife that I have ever read, and certainly it should be published as often as possible.

#### STORY OF JOHN B. DENTON

"He was a most remarkable man and attorney, a Methodist preacher, and a distinguished Indian fighter, was killed by the Comanche Indians on Rush Creek, Tarrant County, near where the T. & P. Railroad crosses that stream. For a frivolous cause he separated from his wife in Arkansas. She went to Fayetteville and there established a little millinery store. One night a merchant, a man of wealth and local influence on attempting to enter her room, was shot and killed by Mrs. Denton. She was indicted for murder and imprisoned. It was generally thought that on account of the influence of the prosecution and the friends of the deceased Mrs. Denton would be convicted. On the day of the trial the court room was densely crowded with spectators. The presiding judge asked the defendant if she had an attorney to defend her. She answered, no. I have no attorney and no friends. A stranger to all, sitting inside the bar, arose gazing intently into her face, said no, not without friends. If it please your honor, I will appear for the defendant, if acceptable to her and the Court. She recognized her husband in the stranger, who being unknown exhibited his license to the Court, and the trial proceeded. The facts were plain. Her counsel seemed abstracted and asked the prosecuting witness but few pertinent questions. The State Attorney, an able advocate, made a strong effort, and many trem-

bled for the fate of the beautiful defendant. When he had finished his opening address Denton arose to reply. He discussed the law of murder in its various degrees, and the law of self defense as applicable to the evidence in the case. In manner he was calm, cool and emotionless as if he were a marble statue. But every point he made was as clear as the noon day sun, and he spoke as he shot—to the center every time, and his very impassiveness seemed to carry conviction. The first emotion displayed was in his peroration when resting his eyes upon the defendant he said in part "Gentlemen, of the jury, look upon the defendant, scan that face and behold something dearer to me than life, and more precious to me than all things else under the blue canopy of heaven. Need I tell you that she is my wife, I could as easily believe an Angel guilty of crime, as my wife. She never had an impure thought in her life. It is true that whilst no woman was ever gentler or more kind hearted or more faithful and affectionate, she with a courage born of virtue and innocence slew the ruffian who would have discredited my fireside and for this worthy deed of a noble woman I honor and love her more than ever. Thank God for having blessed me with such a wife.

Concluding, he advanced toward the defendant, and, exclaimed: "No, not without friends, little woman, and extending his arms, behold in me you have more than a friend, a husband. She sprang to his breast amid the tears and acclaims of the people and the cries of the Sheriff for "order in the court". The jury, looking to the right and left, and talking to each other without leaving their box, returned instanter a verdict of not guilty." "Captain Denton and wife then moved to Clarksville, Texas. A full accounting of the trial was published over forty years ago by Charles DeMorse in the Clarksville Standard."

## Chapter III

### TEACHING SCHOOL

Following my return from my trip to the South Dakota Black Hills and after our dear mother and minor brothers and sisters had been made secure financially by our rebuilding our buildings, I decided to teach school and make enough money to bear my expenses while I read law in a private law office. I knew there was no longer any hope for me to get my degree as I had hoped to do nor could I hope to attend the Law School of the University of Texas that had just opened. I worked at the carpenter's trade during the day and studied at night, and stood an oral examination, passed it and obtained a second grade certificate to teach school.

I made a contract to teach a four months' school at the Catlett Creek school about twelve miles east of Decatur in the same community where my father had settled in 1854 and where I was born. I roomed and boarded with my uncle Jacob Kellam and walked with his little girl Josie Kellam now Mrs. Bony Moore of Wichita Falls, my cousin, to school carrying our noon meal with us in a tin bucket. In the school house was an old wood stove in the center of the room. The pipe extended through a hole in a square piece of tin tacked to the roof and there was no flue to protect the house from fire. As the house was getting old, it came near falling down and the good patrons had cut two long logs and propped it up on the south by placing one end of the logs against the eaves of the house and the other against the ground safely securing it from any further danger of falling.

One morning when I arrived, the children had built a fire in the stove, had put on too much dry wood, and the pipe had caught the roof on fire. As the roof was dry, it was rapidly burning. There was no water closer than two hundred yards away to a spring. I sent two of the larger boys to the spring for a bucket of water. Then I had one of the boys to shin up one of the logs which propped up the house and get on the roof near the fire. All the pupils brought their lunch to school and in the lunch they had bottles of milk. We decided to try to put out the fire with milk, so I threw a bottle of milk at a time up to the boy on the roof instructing him to pour the milk on the fire and around it on the shingles and by that means we held the fire in check until

the boys returned from the spring with the bucket of water. The two boys climbed the logs and we relayed the bucket of water to the volunteer firemen on the roof and by continuing to fight the fire with milk and water, we finally subdued the flames and saved the important site of learning but not until it had burned a hole in the roof large enough to throw a steer through. But we saved the building and that was important to me because if it had burned down, I would have lost my \$40 per month and my plans to read law might have "gone with the wind." The boys in town called me Professor Terrell, the educator who prevented the school house from burning with buttermilk.

I really enjoyed teaching very much and became attached to all my pupils. I loved them perhaps too much and to such an extent that I never whipped one of them during the four months terms. My teaching was reasonably successful as I never heard of any of the pupils breaking into the penitentiary or on the other hand of any of them becoming especially famous, but all made good citizens. This statement reminds me of a story. While I was a member of the Railroad Commission, we had a man by the name of Jack Elliott from Walnut Springs working for us. He said in the high school at Walnut Springs there was a boy who had relatives living in the town but he lived in an adjoining county; that he and this boy were graduated at the same time and that the superintendent of the school quite often would have them assemble in the chapel and lecture them, and that several times he told the old story about Senators Alexander Stephens and Stephen A. Douglas who were graduated at the same time from the same college, and they agreed upon graduation that when they met again, it would be in the United States Senate, and as the story goes, sure enough when they first met again, it was in the United States Senate.

Elliott stated that when he and this old boy from the adjoining county finished Walnut Springs high school, at the closing of school they told each other goodbye and they agreed to meet in the United States Senate, both of them feeling very proud and ambitious over the agreement. Several years had passed and he had not heard from his school friend. One day he met a man from this boy's home town and asked about the boy, what had become of him, and was told that the boy had gotten into some kind of trouble and gone to the penitentiary.

I paid \$10 per month for my board and room and saved \$30 each month which paid my expenses while I read law. Whenever and wherever I could get a day or more of work, I would work and I continued to read law at night until I passed the bar examination and obtained my license to practice law in Decatur in the District Court under Judge F. E. Piner of Denton, Texas.

## SOWING MY "WILD OATS" IN THE BLACK HILLS OF SOUTH DAKOTA

In the spring of 1884 I decided to "try my wings" and "sow some wild oats." I had read of the Gold Rush to South Dakota, of the Black Hills, and of "Deadwood Dick." So I saved up \$100 by hard work and took the train for the Black Hills to make my fortune a little easier than by day labor carpentering. It was my first long trip, except when I went off to college, and I did not tell my mother, as I should have done, or anyone else where I was going. Tom Allen, the Sheriff of Wise County, made me a "pistol packin'" deputy, and I left with my pistol and clothes in an ordinary small grip. I passed through Omaha, Nebraska at night and for the first time in my life saw electric lights. It was a wonderful revelation to pass suddenly from an old glass kerosene lamp to an incandescent electric light.

The next night we arrived in Pierre, South Dakota, the terminus of the railroad, and the stage coach did not leave until the next morning. It was Sunday and I went out to church. I knew no one, introduced myself to no one, and was really "a stranger in a strange land."

Early the next morning I boarded the overland stage coach drawn by four horses and left for Rapid City, Dakota. My ticket cost \$25.00, and that with my railroad fare and eating and hotel expenses cut deeply, too deeply, into my \$100, but I felt that I must be in the Gold Rush and on I went. We arrived in Rapid City in the evening and I saw my first mountains. As Jim Ned Mountains in Jack County, Texas were the largest mountains I had ever seen up to that time, to me those Black Hill Mountains appeared to be beautiful, grand, and inspiring. I spent the night in a hotel and the next morning hired a saddle horse and rode thirty-five miles to a mining camp. All this was drawing on my fast depleting exchequer. I remained one night and day in the gold camp with a friend whom I knew but I did not like the country and decided to return to Rapid City. I left there on my horse about sundown and arrived about daybreak. I then decided to go to Custer City and gave \$5.00 for passage on the stage coach. I stayed at the hotel and after paying my bill, I had only thirty-five cents left of my \$100. I could have obtained work at the gold camp but I was homesick and wanted to go back home. I made a few inquiries about getting down to the Union Pacific Railroad, and a man told me that a man by the name of Hand was going that afternoon to Fort Sidney, Nebraska, that he was a freighter and had several ox teams that he freighted with. I went down where they were hitching up their teams and met Mr. Hand and asked him if he needed anyone to drive one of his

teams. He replied that he did not, as he had just hired a man. However, if I had come a few minutes earlier, he could have given me a job driving a team. I then told him I was from Texas and broke and wanted to get down to Sidney where I could work my way back home. He said, "Well, I am taking my wife and baby in our hack tied on to my trail wagon and you may drive my wagon and I'll stay with them." He said they were going to visit her parents who lived in Illinois. He then asked me if I had ever driven an ox team and I told him that I had. The oxen were necked and he told me to put the yokes on them and put them to the wagon. He had four teams of five-yoke to each one. Finally we started soon after noon for Fort Sidney about three hundred miles away. I drove his team and he stayed back in the trail hack with his wife and little baby girl about two years old. It took us about three weeks to make the trip. Having always loved children and being homesick, the kid and I soon became fast friends and I was really attached to the little girl. Ours was the rear team and our oxen would stay in the road and follow without much attention from me. I would often drop back and get the kid. I must have carried her on my shoulder nearly half of the way. We became pals and she soon would cry for me to come and get her. We crossed the LaPlatte River and it was there I had my first mouthful of choke berries. I thought they were currents. The river was about two miles wide and not much over six inches deep. Later on I read a speech made by Republican Senator John J. Ingalls, of Kansas as he was lambasting William Jennings Bryan in his race for President. Among other things he said,

"You know they call William Jennings Bryan the boy orator from the LaPlatte. Do you know why? The LaPlatte River is two miles wide and only six inches deep."

We arrived in Sidney about an hour by sun and I began to get out my grip and things when Mr. Hand asked me to stay with them that night as I could come nearer finding work the next morning. It was so thoughtful of him and such a piece of good luck for me that I cheerfully accepted the favor. The next morning I bid them all goodbye, kissed the sweet baby girl and she put her arms around my neck and gave me a real "bear hug" parting. It has been sixty years since that lovely day for me, and I have never seen nor heard of any of them since. We were "Like ships that pass in the night and speak each other in passing."

There in Sidney I went to a carpenter's shop and asked for work. He gave me a job at \$1.50 a day, and my first work was taking up seats and desks in an old school house that he was going to tear down and build a new one. I worked for him until I had saved \$35.00 and thought that would likely get me home.

I bought a blanket for one dollar and slept in the workshop on shavings under the workbench, and I covered with the blanket to keep warm. In order to save all the money I could, I bought baker's bread, a can of apple butter, some cheese and bacon and cooked on the stove in the shop. I did not want the boss to know that I was not staying at a boarding house and I had to hide my food from him. At that time they made coffins from pine planks, covered them with black calico and put crepe around the edges. The boss had made a coffin for a youth and it was a little too short and he had to make another one, so he put the short coffin up on joists over the work bench to keep it until someone died whom it would fit. I got up on the bench, raised the lid of the coffin and put my food inside it where it was hid from sight and from the mice and rats. One day the boss left for his home at noon, and I quickly prepared my noon meal in his absence and was just ready to eat when he returned for something he had forgotten. He saw me doing my own cooking, and laughed. I told him I was trying to save all the money I could so I could get home and he said that it was alright and a good idea.

There was a regiment of United States soldiers stationed there at the Fort and they had in charge about six hundred Sioux Indians they were planning to take up to their Reservation. At night the Indians had all kinds of war dances and furnished everyone good entertainment.

After I had accumulated \$35.00, I decided to try to beat my way on the railroad to Omaha and then I thought I could buy a ticket home. I told my boss of my intention and asked him if he would send my grip to me by express to Omaha in about three or four days. He said he was going to Omaha the following Saturday, which was about four days away, and that he would bring it to me and save the express charges on it. I told him where to leave it in Omaha. He urged me to stay and offered me \$1.75 a day but I did not accept as I was anxious to return home. I first tried working my way on the train but the engineer said they could not let me ride, but that I could get into one of the boxcars and if the brakeman came around, I could give him half a dollar and he would let me ride. I carried my pistol and my blanket with me. It was a dark night as I got into a car loaded with coal. I put my blanket down to sit on it and as I did so, a voice with heavy Irish brogue said to me, "Pard, where are you going?" I replied, "To Omaha." I asked him where he was going and he said "Down the road but not as far as Omaha." We traveled all that night and the next day. I was getting hungry and so was my hobo pal. He agreed to take half a dollar and get us some sandwiches which he did. Finally that evening he quit me and left me alone. Night came on and I went to sleep and all

was still. I waked, looked out and found to my surprise that my car had been switched by the side of a large coal chute and the train had pulled off and left me. I went into the depot and found that a passenger train was due. I met another pal and we rode the blind baggage and on top of the express car until almost daybreak when we knew we had to get off or be seen. When the train would pull into a town and stop, we would drop off to one side and hide by the side of the track, and when it would start, we would run and catch the iron railing and climb back on the platform. On one occasion I ran and caught the iron railing but on account of my blanket my feet slipped off the steps and I was in danger of losing my hold and getting killed, but I was a good athlete and soon pulled myself up to safety. We rode on until daylight and I found a freight train going east and I crawled into a car loaded with wheat. About three o'clock that afternoon we arrived in Omaha. I climbed out of the wheat car still clutching my blanket. A policeman saw me get off and came over to me but before he could say anything, I asked him where I could find a hotel. He looked me over and pointed to one about a hundred yards away. I went over and got a room. I feel sure he intended to arrest me but as I had on good clothes and approached him so boldly, he concluded that I was not really a tramp. As I had to stay there until my former boss brought my grip which was two days away, I had to do something to occupy my time. The State Fair was in full blast and I went out one day to it and spent a very interesting day. I passed by the main opera house and saw advertised for that night Katy Putnam in "Old Curiosity Shop," she to play the role of Little Nell. I went to see her and took a seat in the balcony. Katy Putnam at that time was one of the best and most noted actresses in the country. Being homesick and lonely, when they drove her and her old uncle out into the woods, it touched my heart, and I actually shed tears.

The next day my grip came and I bought a second class ticket for \$17.50 to Fort Worth, forty miles from old Decatur, my home. I arrived home surprising everyone as much as I did when I left. I had \$15.00 in cash in my pocket and was a much wiser young man firmly determined to live always in Texas and never make any attempt to harvest any of my many wild oats I had sown and never to try to sow anymore.

In fact this trip was perhaps the turning point in my life and caused me to never again want to roam. I am sure that when a young man wants to try his wings and run away from his comfortable home, the best thing his parents can do is to let him go and not send him any money to live on or come back home on, but let him work for it as I did. Then he will appreciate the treat-

ment he received at home and thereby become a wiser and a better man.

#### WINNING \$5,000 IN THE LOUISIANA LOTTERY

While I was reading law in a private law office, I was hard pressed for funds with which to pay my expenses, but my dear mother looked after me as best she could and I lived at her home in a small room in the attic with only one door and one window. Everyone was kind to me and gave me odd jobs where I could make a few dollars. In some way I got to be local reporter for the Dallas Morning News. I had a good friend, C. W. Martin, now of Coleman, who was also a poor young man who was reading law in another law office. He was reporter for the Fort Worth Gazette. We were paid fifty cents an item but could only get fifty cents for any one day without regard to how much news we sent in on that day. In order to make all we could, we pooled our news. If he got anything, he told me about it and if I heard any news, I told him. One evening about time to wire in our news we met and I asked him if he had anything and he said no. Decatur being a small town many days we could get no news of any kind to send in. He then asked me if I had anything and I said yes. Bill Johnson who formerly lived in Decatur but was then living in Greenwood, a town about fifteen miles from Decatur, was severely kicked by a mule. He asked me if it had killed him and I said, "No, the doctors think he will recover." His reply was, "I don't believe my paper will publish it" and he did not send in the item. As I was so hard pressed and needed that fifty cents, I walked to the passenger depot about a quarter of a mile out and wired it to the Dallas News. The man in charge of the News seeing the straits to which I was driven in order to make fifty cents and to have some fun, next day's daily in large box car letters over the item said, "Bill Johnson Was Kicked From Decatur to Greenwood By a Mule." But I made my fifty cents.

In worrying over just how I would get by, many times I would almost decide to give up reading law and go to some kind of permanent work where I could make my own way, but somehow my nerve always held me up and I stayed with it until I secured my law license. In reading today a great commentator I was impressed with these words of his: "Self-denial is the most essential of basic virtues . . . self-indulgence is the fault and self-denial the virtue. One destroys, the other saves."

I remember one night after reading the Dallas News and seeing a report of someone who had won the first prize in the Louisiana State Lottery at New Orleans. While lying in bed all in the dark

I had a distinct hunch that I could win that lottery prize. The next day I told my two best friends, Tully Fuller and Will Renshaw, about my hunch and that I was going to send one dollar every month for twelve months or until I won the \$15,000 prize for a 1/20 ticket or 1/20 of \$300,000. They immediately said for me to get two more tickets and we would all go in together and if one won, would divide the \$15,000. I agreed and they each gave me a dollar and I sent it off by check to New Orleans for three tickets. They came but no prize was drawn. I again sent three dollars the next month and did not win again. Through neglect I waited about three days before the time of drawing. I thought about it but Fuller and Renshaw were not accessible and I sent my check again for three tickets and knew I could collect my two dollars from them later on. I wrote the Lottery a short letter in my own handwriting and stated that I had been sending in my check for three tickets but after the drawing they were without value, so this time I wanted a winning ticket. I knew General Beauregard and some of our Confederate Generals did the drawing and I supposed it was fair, but my idea was that if it were not on the square, my letter might attract their attention and I might win. The drawing was held before I received the tickets but the day it was published in the press that someone at Decatur had won a 1/20 prize, one of my friends, Manna Cramer, asked me about my tickets and I told him I had not yet gotten them. The mail from Fort Worth was due and he suggested that we go to the post office and see if they had come. We went and I opened our mail box and found a letter from the Lottery, opened it and got the three tickets out of the envelope. Cramer saw the number on one of the tickets and that it was 25,215 and he said, "Vernon, you have won it. That is the number." He had seen the number in the Dallas News and remembered it. I turned to Dr. John Embry and asked him if he remembered the number that won the prize in the Louisiana Lottery and he said, "Yes, it was 25,215." I showed him the number on the ticket and he said he was sure that was the number that won. We then got the Dallas News and it gave that as the number that had won so they all crowded around me and congratulated me. I told them that Tully Fuller and Will Renshaw were in on it—each of us one-third of \$15,000. I went to H. Prince's Grocery Store where Renshaw was driving a delivery and told him about it and he gave out a yell that sounded like a Comanche in town. We then went into the District Court Room where Fuller was trying a law suit and I told him of our good luck and showed him the winning ticket and the Dallas News and the Fort Worth Messenger giving the number. We turned the ticket over to the

First National Bank. Tom Yarbrough, the cashier, in a few days he sent for us and gave us credit for \$5,000 each. I invested much of mine in cheap land that increased in value as time passed. Several years ago the Dallas News in their column of happenings Fifty Years Ago gave an account of our winning the \$15,000. Many of our friends asked me about it.

I sent off to the Lottery one dollar more but had no luck, neither did I have any hunch before sending it so I decided to invest my money instead of taking any more chances. It came as a God send to me and for once in my life I bought a first class suit of clothes and later a horse and a nice rubber-tired buggy. I was like a boy with a new pair of red-topped brass-toed boots.

#### ELECTION AND EXPERIENCES AS COUNTY ATTORNEY OF WISE COUNTY—HUMOROUS INCIDENTS

In 1892 I decided to make the race for County Attorney of Wise County. I had been City Attorney of Decatur which gave me a little experience and practice but only paid about \$30.00 a month in fees. I believed that I could win the race, so I announced. Judge R. F. Spencer came out against me. He was a fine man, an old Confederate soldier, who was crippled and walked on two crutches. He was a fluent public speaker, one of the finest conversationalists I ever met, a student, well informed, and had he not been crippled, I believe he would have been as fine a looking man as I ever saw. I was single, unmarried, and had some little property. He was married, had a wife and seven children to raise and educate and we had a real contest. While the campaign was heated, there were no personalities indulged in by either of us. I won by only 193 votes. As long as he lived we were close friends. The next election after his defeat I induced him to run for County Judge, actively supported him and he was elected as County Judge of Wise County. Later on I actively supported one of his sons, Hugh Spencer, Justice of the Peace later, for County Attorney and he was elected and made a good officer.

While I was County Attorney, I consulted my good friend, Judge W. H. Bullock, who had been our County Judge for several terms. He had supported me very actively, was a good organizer, and a first class politician. He was a splendid man, a man of fine legal ability, and was always against anything that smacked of demagogery or hypocrisy. The only fault he had was that at times he drank a little too much but never while he was holding public office. The lawyers in the county decided for him to run for County Judge again to which he consented. As he had helped me in my race for County Attorney, I was enthusiastically for

him for County Judge. One Saturday I met an old gentleman from the Audobon voting box who was very influential but a rabid Prohibitionist. I was rather young and perhaps had no business to approach this old gentleman in behalf of Judge Bullock's candidacy, but I did, and he in an abrupt way replied that he expected to do all he could against him on account of his drinking too much. I shied away from him, walked up the street, met Judge Bullock and a few of his friends and asked him what the matter was with our old friend from Audubon and told him he was fighting him for County Judge. His reply was, "No, you are wrong, he is not against me." I said "Yes, I've just talked to him." "No," he said, "He is not against me. I never in my life did him a favor."

Judge J. W. Patterson, who was District Judge of our District for about twenty-four years, during my term as County Attorney always gave me good sound advice and was a great help to me. I always actively supported him for the various offices he sought and he in turn always actively gave me his support. He was a man of great ability, had many sterling virtues, and was regarded as one of the great characters of North Texas. He moved to Decatur at an early date about 1872 or 1873 from Kentucky, a young man and opened up a law office, was elected County Judge, County Attorney, and to the Legislature. At my first District Court after I was sworn in as County Attorney, he was presiding. It was my first effort to prosecute and I was young, timid, and ignorant. There were four felony cases against a man from Alvord that were left on the docket not disposed of by my predecessor. The morning the criminal docket was to be taken up the father of this young man who had the four cases against him wrote me a letter offering me \$100 in cash if I would dismiss all the cases against his son, stating that as I only got \$50 for each conviction, I had no chance to convict him in two of the cases and I would only get \$100 if I did and he would give me \$100, then I would not have to do any work in prosecuting them. I opened the letter and read it and went down to a corner store before court convened and this same man met me in a drygoods store and renewed the offer to bribe me personally. I rebuked him and immediately left him and went on to the Court House, called Judge Patterson to his private office and showed him the letter and told him what the man had said to me and asked him what he thought I should do. His reply was "Give the letter to the foreman of the Grand Jury and let them handle it." This I did as soon as they convened. Being disqualified from prosecuting the case the Court appointed Judge Bullock and Judge R. E. Carswell to prosecute the case. The man was at once indicted for attempt to bribe me, tried and convicted and sentenced that week,

and the next week we all asked the Governor to pardon him which was done before he entered the penitentiary. The man was ignorant and I am sure did not know the enormity of his act. It turned out that I was only able to convict his son in two of the cases and had to dismiss the other two cases. It was fortunate that I had such a good man as Judge Patterson to give me safe and sound advice when I needed it. Since that day no one has ever attempted to bribe anyone in Wise County so far as the records of the county show, and I am sure it was not only good for all the county but I am equally sure it has been of value to me with those who know me.

Years after I was County Attorney I had my law office in the second story over the First National Bank and Judge Patterson was also officing in the same building. One day I was returning to my office from the court house and passed him some ten of fifteen feet going to the court house. He was talking low to himself. I halted him and asked him who he was talking to and he said, "The d..... smartest man in Texas." Judge Patterson was part Irish and always had a fund of wit and humor that with his other rare virtues made him a lovable character. He was large of stature, rawboned, like President Lincoln. When he moved to Decatur from Kentucky, Charley Cates was one of our old merchants and became one of Judge Patterson's warm friends and supporters. He said he was one of the first men who met the Judge after he arrived in Decatur and he asked him where he was from and he said, "Cadiz." Cates then asked him where in the devil Cadiz was. Patterson replied, "Oh, don't you know where Cadiz is? It's in Kentucky." When he ran for County Judge, the first office to which he was elected, his opponent was Esquire Steve Gose. The night they closed their speaking campaign in Decatur, they spoke in the District Court Room. As we had no church buildings in Decatur, all the denominations preached in the District Court Room. Esquire Gose was a blacksmith and had been Justice of the Peace for a number of years. He was a Methodist and really a good man. He spoke first and had made notes for his talk. The light was dim on the table where the former candidates had spoken and he moved to the desk where the County and District Judges presided. Mr. Gose stated he would get up in the pulpit so he could see his notes. When it came time for Judge Patterson to speak, he also went up on the same stand and said, "I will also go up in the pulpit to talk but for another purpose. I want to get used to this pulpit as I'll have to use it after the election as County Judge."

At an early day in Wise County Frank Houts came down from the North and bought a large tract of land in the southeastern part of the county and established a fine horse and cattle ranch,

made many improvements and had all registered stock. He seemed to have plenty of money and spent it lavishly. He had borrowed quite a lot of money from the First National Bank of Decatur. The bank seeing he was extravagant and selling much of his property, got uneasy and brought suit for the money and attached his personal property alleging he was disposing of it to defraud his creditors. In turn he brought suit for \$20,000 damages against the bank for illegally suing out the attachment. He employed Capps and Cantey of Fort Worth and the bank had Carlswell and Fuller, two of Decatur's best lawyers. All four of those lawyers were perhaps as good as we had in Texas. The case was bitterly and ably contested by each law firm. Capps and Cantey put the plaintiff on the stand and after questioning him, turned him over to Carswell to be cross-examined. He asked him where he came from to Texas and he replied Illinois. He then asked him what his vocation was or what he did before he came to Texas. Capps at once objected and he and Carswell both argued to the Court, Judge Patterson, ably and with great enthusiasm, one that it was admissible and the other that it was not. Finally the Court said, "I'll admit the testimony." The witness evidently did not understand the ruling of the Court, and Carswell renewed his question, "What did you do in Illinois?" Houts turned to the Court and asked if he had to answer the question and the Court said yes. Houts, as if ashamed of it, said, "I was a lawyer."

The Court Room was filled with people and the Court had to pound his gavel on his desk to stop the laughter when at the same time he was smiling broadly himself fully enjoying the humor as much as anyone present.

### TOO MANY GRAND JURY MEN

While I was County Attorney our Grand Jury convened with Jno. W. Hogg foreman, Uncle Charley Cates, Capt. Ira Long, Ex-Sheriff W. B. Mann were on the jury of twelve. We had summoned a young fellow about sixteen years old as a witness to some violation of the law. He was bright, reluctant, bold and impudent. I first questioned him at much length but failed to get him to tell the truth or give us any clue. Charley Cates lived about a mile and a half from town and came in every day with a small dog and he always brought the dog in the Grand Jury room with him and the dog would lie by the side of Uncle Charley all day long. Finally Mr. Hogg who was a brother of Governor Hogg, concluded he would question this boy and with much energy shot some rather hard questions to the boy but without avail. Finally Hogg became irritated and ceased his querries, and in the lull, the boy noticed the dog lying by the side of Uncle Charley

Cates and he looked down at the dog and said "I thought the Grand Jury could only have twelve on it, but you have thirteen on this one. It is illegal. All of us laughed but Mr. Hogg was too mad to enjoy the humor.

### COBB AND CARPENTER ENCOUNTER

I recall an amusing and almost a tragic incident. When our old Court House was on the northwest corner of the square, I was returning to my office from the court house and met my boyhood schoolmate and friend, John H. Cobb, another attorney in Decatur. He had had an encounter the evening before at the court house with Jesse Carpenter. He was an attorney and tried a case where he represented someone in the suit opposing Carpenter and he said something in his speech that offended Jesse Carpenter. When the Court adjourned, they had a fist fight. Carpenter being a much larger man got the best of the encounter. Cobb and I were walking side by side down the sidewalk on the west side of the square going south and as we were nearing the end of the walk, Carpenter stepped up on the walk going north meeting us. I had asked Cobb about the difficulty with Carpenter, and he was telling me about it. He saw Carpenter coming toward us and Cobb drew his Colt pistol but had some trouble getting it disengaged from his clothes. Carpenter saw that he was trying to get his gun and turned to his right, jumped off the sidewalk and ran in behind a buggy parked by the walk. Cobb shot at him as he ran behind the buggy. Carpenter ran on north by the side of the walk and Cobb was trying to get another shot at him but Carpenter dashed across the sidewalk and ran in and through Bob Reed's store on out the back door and got away. As he crossed the sidewalk entering the store, Cobb took another shot at him but missed. There was an old lady who would have weighed about two hundred pounds sitting on a cane-bottomed chair against the wall of the store on the sidewalk. When she heard the first shot, she jumped to her feet and before she could get out of the way, Cobb turned his pistol down the sidewalk toward her and shot and she seeing it fainted and fell back in the chair. As soon as the excitement was over, someone saw her and got water and brought her back to reason and life.

Captain Lang, the uncle of Cobb, had a cattle ranch and had employed John Markham as one of his hands. Markham was a fine looking, brave and fearless man, and had killed two men, Merchant and Flippen, at Pilot Point before that. Carpenter knew it and naturally did not want to have any further trouble. Markham came in to town and with Cobb began to hunt Carpenter but the friends of Carpenter had him to leave town for a few

days until everything had calmed down. The County Attorney finally accepted a plea of aggravated assault and the matter was closed.

### ANOTHER NARROW ESCAPE

While I was prosecuting attorney of Wise County, the court house on the northwest corner of the Public Square of Decatur burned and we had to hold District Court in the Chas. Moore Opera House on East Main Street. It was up on the second floor over two stores below and had two entrances, one from the front on the north and one from the southwest corner down a flight of steps on the outside of the building. Three young men who worked most of the time at the City Water Works, Will Mills, Harry and Will Morris, brothers, burglarized the Lillard & Lane Dry Goods Store and stole a large quantity of goods and in trunks carried them out north of town and put them in a woman's home by the side of the road, and burned the building and the entire store as well as other store buildings. John Moore was Sheriff, he and Deputy Wes. Helms and other Deputies found out that they had left these trunks of clothes at this woman's house and watched the house both day and night and in about two days the three burglars drove up to the house in a buggy and got the trunks and were arrested with the goods in their possession. They were each indicted in three cases, theft, burglary and arson. Clarence R. Wharton, the historian and noted lawyer was my assistant and we both were prosecuting the cases. We would alternate, he closing one case and I the other. In prosecuting Mills I was addressing the jury in the closing argument, the jury facing the west just beyond the open door in the rear. I was just pouring it on Mills the best I could, and he being to my back became angered jumped up from a cane bottomed chair, took hold of the chair and started to strike me in the back of the head with it, but Deputy Helms who was sitting immediately behind him caught him by the hair of his head and pulled him back into his chair. Being at my back I did not see him except the jury was disturbed and there was great commotion in the house and the court rapped for order. I continued my speech not knowing what had happened, closed the case, and my friends gathered around me to tell me about what had occurred. Mills later said he intended to knock me down with the chair and run out of the open door and escape. The juries convicted all three of them, giving Harry Morris ten years, Will Morris twelve and Will Mills twenty years in the penitentiary. Mills was almost a giant in strength and would likely have broken my skull had he not been prevented by Wes Helms, the Deputy Sheriff. In the course of eight or ten

years they all were pardoned and I think I signed the application, feeling that they had been punished enough and would likely reform and make better citizens. But I never saw either of them after they left for the penitentiary. Years afterwards Mills sent me a fine walking cane made in the penitentiary. I guess I am fortunate and must be lucky.

### ATTENDING THE A. & M. COLLEGE OF TEXAS

In the summer of 1881 while working as a clerk in the Decatur Post Office for Postmaster Granger Salmon I read in the newspapers of a competitive examination soon to be held in Fort Worth to select three students for scholarships to the Texas Agricultural & Mechanical College near Bryan, Texas. The Legislature had passed a law allowing each Senator and Representative of Texas to appoint one student each to the College and made an appropriation to pay all their expenses. I discussed it with my father and older brother, John, and decided to enter the contest for one of the free scholarships. As there was no railroad from Decatur to Fort Worth, Brother John and I went down in our buggy and with about a dozen other applicants I stood the examination. The State Senator, W. R. Shannon, of Weatherford, and the two Representatives selected three school teachers to hold the examination. I was first and Senator Shannon appointed me, and the two Representatives appointed George W. Roach and Joe Crouch of Weatherford. My father who for some time had been in poor health had closed out his store and was collecting his debts and trying to get enough money to pay what debts he owed. To get me in college without any expense except transportation to and from college was a great relief to him and a source of much comfort and joy to him and my mother. Brother John was four years older than I and had often suggested that we get our degrees in Texas colleges and then go to Yale or Harvard and get our law degrees and we were bent on pursuing that course and then return home and practice law. My brother had gone one year to Southwestern University at Georgetown, Texas in 1879 and had returned home and was elected County Surveyor before he was 21 years old, but became 21 before he was sworn in as Surveyor. I remember well my brother's sound argument when he told me that in Wise County of more than 15,000 people there was only one other family, the Gose family, that was studying and making an effort to get an education, and that if we got degrees, as we had planned, we could return home and be leaders in our county instead of following along with the herd. While neither of the Gose boys and neither of us ever got college degrees, Dave and John Gose made lawyers and Coy and Joe Gose

became prominent doctors and Coy is now located at Sanger, Texas. Dave was elected District Clerk two terms and John was elected County Judge two terms. Dave read law while he was District Clerk and made one of the best lawyers in the county. The law firm of McGee and Gose decided to move their law office to a new building where they could have two or three rooms. I met Dave on the street and asked him if he had moved and he said, "Yes, all we had to do was to stick our pens behind our ears and walk over."

Much elated over winning in the contest for the appointment to A. & M. College, my mother and all of us made great preparations for my leaving for college. As the college furnished military uniforms for me to wear, I took only one suit of clothes. Everything we could think of what I might need was carefully packed into a small, very small, trunk by my mother, and early one morning Brother John and I hitched up our team to the buggy and off we drove to Fort Worth where I would take the train at night for College Station. It was just an ordinary coach on the Houston & Texas Central—no sleeper—in fact, I had never been in a sleeper at that time. This was the first time I had ever left home to stay more than a week except when we went on our buffalo hunt in 1876. Just before day was breaking our train rolled in to College. We had traveled all night and I coiled up in one of the seats and slept most of the way. But I met quite a few young men, some in uniform and some new students like myself. Among the new students were Roach and Crouch, of Weatherford, whom I had met in Fort Worth in our competitive examination. We got our checked trunks, sat down on them at the depot west of the college and waited for daylight. Soon to our east we could see the main building up above the eastern sky, large, imposing and to us majestic with its two spires pointing up toward the heavens. Soon the drayman came for our trunks and we were in the college for the first time in our young lives. We met several old cadets and asked them where we could room. They all evidently to have some fun told us that we could room in any room that was not occupied—"First come, first served" they told us. Roach, Crouch, and I had already decided to room together so we began an inspection tour and found an unoccupied room on the second floor on the southeast corner of the main building and we moved our trunks in and took undisputed possession feeling that we were most fortunate in getting such a nice cool room and the best room we thought in the building. We noticed old cadets would pass our door, look in and smile but we were green and unsuspecting. Finally Captain Silas Hare, the senior captain of the cadets, with Moran Scott, his roommate and the

officer of the day, came and very kindly notified us that that room was reserved for Captain Hare and we would have to get another room. We told them allright, that we had been misinformed, and we moved out. All the good rooms had been taken and we had to move up on the fourth floor under the right or south dome or cupola of the main building. We had two large rooms but six boys had to occupy the two rooms.

George Roach and Joe Crouch, of Weatherford, Texas, William Rylander and Lee Ragsdale, of San Marcos, and I—all five of us roomed together at first but later Ragsdale moved out and we took in Rube Gaines, of Clifton, Texas, and later on took Moran Scott, of Gainesville, who was a brother of Dr. A. C. Scott, of Scott and White Hospital at Temple, Texas. All of my roommates have passed on except Will Rylander, of San Marcos, who has made a useful and noble citizen. George Roach was Superintendent of the El Paso Schools but passed on in young manhood. He and Crouch were both fine characters. Many of my classmates and schoolmates were men of extraordinary ability who in after life made useful and outstanding citizens.

Senator Robert B. Green, a classmate, was Captain of the famous Belknap Rifles of San Antonio that won more contests as the best drilled company in national contests than any other military company in this union. He also served with distinction as State Senator. The Robert B. Green Hospital in San Antonio was named for him. District Judge John M. Green, of Cuero, Texas, was regarded as the best debater in either one of our debating societies, the Alamo and the San Jacinto. The late Judge Warren Moor, of Austin, Senator John M. Peeler, of Austin, Judge Lige Pennington of Brenham, Dr. — Kirkpatrick, of Lewisville, Texas, Dr. Robert Lipscomb, of Grapevine, Texas, who was captain of my company, Captain Searcy Baker and Judge W. H. Wilson were also schoolmates. Others were Dr. Geo. R. Taber, State Health Officer of Texas, ..... Brooks, Ex-County Treasurer of Wharton County, Judge Thomas D. Rowell, member of the Texas Legislature and several times county judge of Marion County.

Most of the cadets went home every weekend or so but as it was so far to Decatur and cost so much to make the trip, I always remained at College. One Monday morning Robert B. Green, who had gone home on the weekend and not studied his lessons for that day, to his dismay was called on by Professor L. L. McGinnis, whom we affectionately called "Old Pete." The teacher was at his desk in the extreme southwest corner of the recitation hall. There were long benches in the center and blackboards were all around on the walls. I was seated on the end of the bench near where Green was standing at the blackboard. The

problem he had been given was utterly unknown to him. He was unable to draw the figure much less work the problem. Seeing his plight I opened the geometry textbook at the figure out of sight of the professor. Green saw it and soon readily drew the figure on the blackboard hoping that he would not be called upon to demonstrate it. He was not called on and we both thought we had gotten by with our fraud. Just before the class was dismissed by "Old Pete", he stated in a soft voice and with a gentle smile, "Mr. Green, you and Mr. Terrell will take zero today." As we were dismissed all the classmates gathered around us and wanted to know what it all meant. Green said, "Terrell, you tell them." I unfolded our futile effort to defraud and volunteered the advice that it was no use, "You can't fool 'Old Pete'." I often think of that large advertising sign on the highways showing some dogs that had been chasing a car. They stopped and one of them said, "It's no use, you can't catch a V-8."

Our Senior Captain, Silas Hare, Jr., was a good soldier and made Grayson County a fine District Judge for many years. Whiprecht, of Bryan, and I were classmates. He was for a number of years financial manager of A. & M. College. Ed Rice, of Houston, was our Adjutant of College and he too became prominent as a business man of Houston and was Captain of the famous Houston Light Guards. .... Cravens, a prominent insurance man of Dallas, was a schoolmate of mine. Then there were the two Scotts of St. Joe, Montague County: Scott A. and Scott W. Mallow, Allen and Dysart of Collin County, Sidney Carroll of Denton, Dr. Giesicke, of New Braunfels, Dr. Knolle, of Brenham, as well as many others.

I often visit College attending football games and homecomings and it is with pride because of the wonderful progress and growth it has made. The year before I attended, there were only about 125 cadets but by reason of state students it grew to more than 300 and normally it now has twenty times that number. Notwithstanding, I always love to go there, it is attended with an element of sadness because of the old scenes and buildings, most of which are gone. Those that remain are three residences for the professors "down the Row." The Main Building, the Mess Hall, all the wooden barracks are gone and fine substantial and imposing buildings have taken their place. The stadium is also new. However, the drill grounds where I drilled as they do now remain as they were as well as the old depot west of the college campus. There is no one in any way connected with the college now who was there when we attended in 1880, 1881, and 1882.

With our government turning more and more to a military government, A. & M. College will continue to grow and expand

and the oil and gas money from its lands will make it one of the great colleges of our nation.

While I was State Senator in the 25th, 26th, 31st, and 32nd Legislatures I did all I could for A. & M. College and as a member of the Railroad Commission for fifteen years, I point with pride to our work conserving our oil and gas by wise proration orders that have so materially contributed to the upbuilding and advancement of A. & M. College, Texas University, and our public school fund.

Finance Committee 25th Legislature  
Senate.

1897



*[Faint, illegible text at the bottom of the portrait page, possibly a list of names or a caption.]*

After receiving the Democratic nomination for State Senator the Populist party that was very aggressive and strong in the District nominated .....Evans of Bowie, Texas. He was a Methodist minister, an able and good man. I started to campaign Montague County, put out my appointments and Brother Evans wanted to travel with me and have joint discussions at my appointments. I agreed and carried him with me in my buggy. We had been canvassing the Northern part of Montague County, going from West to the East in the towns, on the Katy Railroad. One hot summer day we had spoken at Bonito in the afternoon and were to speak at St. Joe at night, and all the County candidates were there to speak or make their announcements after we concluded our debate for Senator. We drove into St. Joe about sun down, tired, dusty and worn out. It was getting cool and as we drove out of the timbers on the west were some beautiful hills. It was such a change to us it made St. Joe look good to us. We had a large crowd to hear us. I spoke first and decided to make the people feel good so I mentioned the fact that St. Joe was a lovely and beautiful place and coming out of the timber to look at those beautiful hills was indeed inspiring and I congratulated the good people on being so blessed by living among such inspiring scenes. When Brother Evans followed he was a splendid talker fluent and elegant. He made one of the loveliest talks about St. Joe and those hills that I ever heard, and put it over good. When he concluded they called for the candidates for County Clerk, an old settler by the name of Davis to make his announcement. He was clever and he said "Do you know when I came here those hills over there that they have been talking about were not larger than my fist. This brought laughter and amused the crowd. Sterling Strong was his opponent and Strong was elected by a small majority, and afterwards became one of our most noted leaders in Texas for Prohibition. He lived and died at Dallas.

#### COUNTY ATTORNEY AND ELECTION TO THE STATE SENATE

In 1896 I had served four years as prosecuting attorney of Wise County and there being no District Attorney, it was my duty to prosecute all cases in the Justice, County, and District Courts. During my first term I selected Chas. L. Woody as my assistant. He is now an eminent attorney of New York City. During my second term I chose as my assistant Clarence R. Wharton, who later moved to Houston and became a member of the law firm of Baker, Botts, Andrews and Wharton, one of the ablest law firms of the south. They were both brilliant young

men and with their able assistance I managed to make a record that attracted favorable attention which was responsible for my election to the State Senate of Texas that year. I, therefore, owe much to Charley Woody and Clarence Wharton for my advancement politically.

During my last term we closed the last whiskey dive that has ever existed in Wise County, convicted the owners of the joint, and literally drove them permanently out of the county. We also broke up and convicted an organized band of cow thieves in the northern part of Wise and the southern part of Montague Counties, both of which accomplishments gave us quite a recognition as young vigorous prosecutors. My friends and the newspapers over the Senatorial District began to suggest my name for State Senator. Wise County had never furnished a senator for the District and seeing the opportunity I became a candidate for the Democratic nomination for State Senator of the 31st District comprised of Wise, Denton, and Montague Counties. Dr. .... Mitchell, the Mayor of Bowie, Texas, came out against me. There being only three counties in the District, I felt sure I would carry Wise and I assumed that Dr. Mitchell would carry Montague, his home county, and I decided that the battle would be in Denton County and that Denton County would decide the contest. We made speeches all over the county and personally contacted the voters, and I won in the primary in that county by a large majority that gave me the Democratic nomination and insured my election. The Peoples Party was very active and strong in all three of the counties, especially in Wise and Montague. That party nominated a Methodist minister from Bowie, Texas by the name of Evans. He was a good man, a splendid public speaker, and we campaigned most of the district together riding in the same buggy, each of us bearing half of the expenses. That was the year Governor Charles Culberson was elected Governor over Judge Nugent, and I swept the district carrying all three of the counties by a majority of over 5,000 votes.

I had never had any experience in lawmaking and when I was sworn in as State Senator from the 31st Senatorial District, I am sure I had had as little experience in making laws as anyone in the entire Legislature, and being a little retiring and too self-conscious, I really felt my want of ability to make a good Senator, especially in view of the fact that I was succeeding Senator Emory Smith of Denton, who was not only a great lawyer but one of the ablest statesmen and debaters who has ever served in the Texas Senate. However, my idea was to watch carefully, listen closely, and try to vote on every occasion for the best interest of all the people of Texas and my district. It was my idea then and still is that a public official should always vote his

judgment and follow no man unless he thinks he is right—that if one uses his own judgment after a careful investigation and has a good reason for his vote, he can always on the rostrum or in the newspapers anywhere defend his position and convince the electorate that he was right in his vote. While I have always believed that one should listen to men of judgment and experience and especially his constituents, yet I spurn the statesman (?) who listens with his ear to the ground and votes to try to be with the majority of the people instead of being right. I think a real statesman should study his problems and lead the people aright instead of trying to follow them when they are wrong. If a man is always sincere and true to himself and to his constituents, and makes a few mistakes, the people are always fair or at least want to be and when they learn the facts, they will be reasonable and will not condemn a man for sincerely trying to do his duty. Though some frauds succeed, sincerity has a true ring that cannot be counterfeited and it usually commands respect. It always wins in the end if its cause is true. Of course, on a great fundamental issue if a majority of a lawmaker's constituents want him to represent them and vote as their representative, he should either do so or resign and let them have a man who will voice their desires.

During my last term as State Senator at the close of Governor Thomas M. Campbell's administration as governor, he was to turn over the governor's office to Governor-Elect Colquitt. One of the Senators suggested that I go with him down to tell Governor Campbell goodbye which I did. After talking to the Governor for a few minutes, this Senator friend of mine told Governor Campbell goodbye and told him that he had voted with him on every proposition he had advocated. The Governor thanked him. I had not followed him quite that closely, so I took his hand and said, "Governor, I have voted for your propositions when I thought they were right and against them when I thought they were wrong." Then I told him goodbye.

Governor Campbell became a candidate for United States Senator a little later. This same Senator voted against him and I supported him and introduced him when he spoke at Decatur, my home town. He carried Wise County for United States Senator though was defeated in the State.

#### WORK IN THE STATE SENATE OF TEXAS

While I was comparatively a young man when I entered the State Senate in January 1897, I had served as City Attorney of Decatur for four years and as County Attorney of Wise County for four years. As County Attorney we had no District Attorney

and I prosecuted felonies in the District Court in addition to my other duties as County Attorney. Yet, I felt my need of experience and can now look back on my record and see all along many mistakes I made by reason of a want of experience, and I, therefore, am fully convinced that sending inexperienced young men to the Legislature to make our laws is usually a serious mistake. We need men of mature judgment, men of sufficient experience to know and fully understand the effect of a law, whether it will result in ultimate good or injury to the people of the state. In my opinion there is nothing that can take the place of experience.

When I took the oath of office as State Senator, there was one thing I decided to do and that was to study each bill carefully before voting on it and I also decided not to try to speak on every measure nor make any long speeches and wear myself out with my fellow senators, to try to be concise, to the point, and as interesting as possible when I did talk. I never wanted to talk to empty seats but wanted all to be anxious to hear what I had to say. The only long talk I ever made during my eight years in the Senate was for my Compulsory School Attendance bill, but fortunately all the senators present listened and many of them shot hot questions at me to answer. I do not believe that if a vote had then been taken on the measure, it would have received three votes in the Senate. Judge C. M. Cureton of the House had passed a local option attendance bill and he had asked me to help pass it in the Senate and I was working to that end, but we could never reach a vote on it. However, the next Legislature passed the present compulsory school law and both houses gave it a unanimous vote.

Failing to get a college education caused me to take great interest in doing all I could for the education of poor young men and women. It has almost been a hobby with me. I have favored every measure that I thought would tend to educate the masses because I believed then and now believe that the perpetuity of this government depends on the education of the people, the electorate, and I might add that a proper education and training of the people of the nations of the earth is the best way to ultimately bring about a lasting peace on the earth.

In the Twenty-Fifth Senate I joined with Senator O. B. Colquitt, afterwards Governor of Texas, in passing our uniform text book law. It was contested bitterly by the book trust, many teachers and quite a few school trustees. It has saved millions of dollars to the patrons of our schools in the continued purchasing of books at every term of school. Then again the state by buying the books by wholesale can buy them for much less money.

I also joined with the lamented Senator W. W. Turney of El

Paso and others in transferring from the General Fund all the unapportioned public domain to our Public School Fund, amounting to about 6,500,000 acres of land, 3,500,000 acres of which was the land recovered from the railroads by Governor Hogg while Attorney General. By reason of those wise transfers of this public domain, our school fund has become rich and is the largest oil and gas royalty owner in the world. When you add to this oil and gas royalties, the sale and interest on those lands, it is the richest public school fund of any state in this Union.

Our proration and conservation orders of the Texas Railroad Commission have added so much to this fund that we now have an apportionment of \$30.00 per student which saves much to the taxpayers of our state.

It was my pleasure to have introduced and passed through both houses of the Legislature a law raising the scholastic age for free tuition from 14 to 19 years but Governor Colquitt vetoed it. However, the next Legislature passed it to 18 years, the present law. It was my idea then and is now that any young man or woman desiring an education should have the privilege of attending our free schools without cost, that there should be no impediment thrown in the way of anyone who desires an education whether poor or rich, and that our state should in every way assist them in their worthy effort.

In the Twenty-Sixth Senate it was my good fortune to have introduced and passed the law establishing the North Texas State Teachers College at Denton, Texas which is the largest State Teachers College in the nation and while passing that bill, I suggested the location of the South Texas State Teachers College at San Marcos and helped enact that law establishing that college there.

Under the law when I was State Treasurer, I had two appointments as night watchman at a salary of \$25.00 per month each. The nightwatchmen had to sleep in the Treasurer's office at night and protect the vault of funds but had good lights and could study as long as they desired. My first appointments were Richard Blalock, of Marshall, Texas, who was while night watchman elected President of the Student Body of the University of Texas, and Reese Wade, of Rockwall County. There were so many applicants from young men in the University that it broke my heart not to be able to help all of them who wanted to get an education. Being on the State Depository Board and the Banking Board with Attorney General W. A. Keeling, later Federal District Judge, now deceased, I asked him if under the law I could divide

up a full-time job and let two students work each half a day and each receive one-half of the full day's pay. He very kindly looked up the law and told me it was legal and I could if I desired. I immediately gave to Miss Bess Jane Logan, now Mrs. Dawson Duncan, and Finis L. Kuykendall, of Austin, the first division of a job paying \$125 per month. This practice soon spread to all the departments of our state government and I informed Railroad Commissioners and Public Utilities Commissioners of other states and the wise practice has spread to every state in this union and to Washington and the result has been that untold poor young men and women in Texas and throughout the nation are getting an education who would not likely have done so had it not been for that beginning here in Texas.

#### FLOOD IN 1908

In the spring of 1908 Wise County and North Texas had the heaviest rain and the greatest flood since 1866. More than half of our steel bridges and culverts were washed away. I was County Judge and we had no road and bridge money, and no road gangs to restore the heavy damage. Many wanted to issue bonds and time warrants but we, our Commissioners Court, decided to not do so. We urged the farmers to make fords and do the best they could until we could give them relief. They gladly hauled the lumber for the bridges and culverts. We furnished a bridge foreman and they graciously helped to rebuild the wooden bridges. We received sealed bids to rebuild the steel bridges, and accepted the lowest and best bids. We then called in the accepted bidders and told them we had no money and would not have any until January or February following when we could pay them. They said their bids were cash bids. We said, yes, we have given you our contracts when we had cash and that a short delay would not injure them very much and it would be a great help to us and the county. Finally they accepted our plan and rebuilt the steel bridges. As a precaution we raised the level of the bridges some three or four feet.

When the new taxes came in we paid for the bridges and I am happy to say when I retired after four years as County Judge all our bridges and culverts were in good shape and each one of the four Commissioners had a road gang, well equipped with twenty good mules and we were out of debt. I give all praise to our Commissioners, Tom St. Clair, Mat Portwood, I. J. Hartsell, and G. W. Downing. They were all sincere, honest and able men and each one of them did his full duty. What a Commissioner's

Court! The best one Wise County or any other county ever had. I am humbly proud to have been associated with such noble characters.

#### WORK AS STATE TREASURER OF THE STATE OF TEXAS

At the expiration of my second term as State Senator of Texas in 1913, I returned to Decatur and moved out to my ranch six miles east of town and in a way looked after my ranch and continued to practice law by going back and forth to town. In 1914 World War began and as I had a son, Tully Vernon Terrell, who had had one year in A. & M. College, I knew he would be a soldier. He volunteered in a company organized by Captain Steve A. Lillard, Jr. at Decatur and was made a second lieutenant and being fresh from a military college drilled the company a great deal of the time until they were mobilized into the Army in Fort Worth at Camp Bowie. Governor James E. Ferguson being Governor, declined to give my son a commission and he was demoted to a sergeant. But later on he was recommended to an Officer's Training School and at Camp Pike, Little Rock, Arkansas received his commission as a Second Lieutenant and was sent to Camp Grant, Illinois near Chicago as one of the instructors in that Officers' Training School where he was on duty when the Armistice was signed and he was released and came home.

When he was demoted because I was a Prohibitionist, I went to Washington, D. C. to see if anything could be done in his behalf. Senator Morris Sheppard, Congressman John Nance Garner, afterwards Vice-President, and Congressman Marvin Jones were in the deepest sympathy with me and my son and carried me to Adjutant General Carter who heard my complaint and wrote to the General in command at Camp Bowie to promote my son the first time any promotions were made, but for some reason a large number of men were promoted and my boy was not on the list. I met Generals Hulen and Hutchings. They were both sympathetic but as my son was not under General Hulen, he could do nothing. General Hutchings referred me to his major, who talked nice, but never did anything. However, I guess it was all-right. He won his spurs, got his commission as he should have had when mobilized in Camp Bowie.

In 1917 I was appointed Chairman of the Wise County Exemption Board with Dr. L. H. Reeves and Brink Poor, of Bridgeport, Texas, where I served until after the war. Mr. Poor resigned and D. W. Frazer was appointed in his place. The work was hard and difficult but I am sure we were careful and fair and we received

thanks from the Adjutant General and from the President of the United States assuring us that we were soldiers in the service while discharging those duties.

After the war, I returned to my ranch and to private life firmly fixed in never again taking any active part in politics at least for myself. Texas was approaching an interesting and exciting election for Governor. I found that the early training in politics began to assert itself and I just had to try to help elect a good Governor of Texas. There were four candidates in the race: Ex-Senator Joe Bailey, Pat Neff, Speaker Eweing Thomason, and Judge B. F. Looney. They were all very capable and able men. At that time not one person from Wise County was an employee in any of the various departments of our state government at Austin. I saw my nephew, Captain Steve A. Lillard and Judge Mack Burch living at Decatur and suggested that we work together and elect a Governor who would at least consider our county when making appointments. We could not agree on which one of the candidates to support so we decided not to commit ourselves until after the State Democratic Convention met in Dallas to select delegates to the National Democratic Convention to be held in Baltimore, Maryland. All four of the candidates would be there and likely make speeches and we could then try to get together and support and elect a Governor. We all went to Dallas and I was nominated and selected as Democratic Presidential Elector for my congressional district. We heard the speeches of all four of the candidates and the first night in the convention hall all agreed to support Pat Neff. After we so decided, Governor Neff came into the convention hall alone and sat down in a seat immediately in front of us. I shook hands with him and introduced Captain Lillard and Judge Burch. The convention was not then in session and I told him that we were for him and that Wise County would be for him. Mr. Thomason had formerly lived in Cooke County and also Senator Bailey lived there. It being an adjoining county to Wise County, Governor Neff replied, "No, you cannot carry that county for me on account of its being so close to Cooke County." I then told him he would see, and Lillard and Burch also assured him that we would carry the county. His reply was, "I would be very happy to carry it but I am almost sure I cannot." We returned home and decided that most all of the good Baptists would support Governor Neff and we concluded to make Judge John G. Gose, former County Judge, chairman of the Neff county forces. He was a leading Methodist but his good wife was a Baptist. Lillard, Burch, and myself were all Methodists but did not work at the job as much as we should have. The cam-

paigned got warm. Congressman Guinn Williams who had served in the State Senate while Thomason was Speaker of the House of Representatives, was pushing him for Governor and we soon saw we had a hard fight on our hands. Judge Gose, our Chairman, went to Tennessee a week before the primary and we lost much of his influence. Friday night before the primary election on Saturday, the county and district candidates closed their campaigns in Decatur by all making speeches. Congressman Williams being as shrewd a campaigner as ever lived in Texas controlled the Democratic County Chairman who presided and introduced the various speakers. He managed to have Thomason there to our surprise and there must have been five thousand people present and it is my opinion that Thomason's speech was the ablest and the best vote getting speech I ever heard. He absolutely converted my good old mother and she voted for him. We had the county by at least 500 majority but after that great speech, we only carried the county for Governor Neff by a plurality of only 26 votes. But we carried it and did not fail to write Governor Neff of our, as we thought, great accomplishment. He in turn thanked us for the success. Senator Bailey was in the run-off with Governor Neff, and Wise County went for Governor Neff by a rather large vote, something like 1,000 majority. Governor Neff appointed Walter Boyd, of Decatur, Game, Fish and Oyster Commissioner, which place he filled with marked ability all through his administration.

During the second year of his first administration, the Chief Clerk of the State Treasurer's office got in the bad and State Treasurer Baker resigned to go into business for himself. The Governor at once appointed Gid Holton as State Treasurer. Holton was a Catholic and as the Ku Klux Klan was about to sweep the state, the Governor re-appointed him Fire Insurance Commissioner at a salary of \$3,600 a year when the State Treasurer's salary fixed by the State Constitution then was only \$2,500 a year. I was an ardent Anti-Klan man, did not then and do not now endorse it or any other secret political organization. If the Catholic or any other church is trying to get charge of our government or any part of it, I am opposed to it but believe we should make the fight in the open. Neither am I in any way prejudiced against the Jews, foreigners, or the colored people. Of course, raised in the South during the dark days of Reconstruction, I am not for social negro equality. I do not see how anyone could be in favor of amalgamation. We permit foreigners to come to this country and make them citizens. I can see no good reason for trying to injure them as a class without cause. How-

ever, I do not believe that any foreigner should be permitted to come here and live for any great length of time without becoming a citizen. For them to come and enjoy all the liberty, blessings, and freedom our country can give and when attacked during war not go with our boys and defend our country is unjust and unsound. While our boys are fighting under every kind of hardship being wounded, killed, and taken prisoners—all for \$50 a month—and a foreigner stays at home and makes money with every pleasure that our country can bestow upon him. It just don't make good sense.

When Governor Neff tendered me the appointment as State Treasurer of Texas, I first declined it but having a son and a daughter who were due to graduate the next June at the Decatur Baptist College, Mrs. Terrell and I were anxious for them to attend the University of Texas so I accepted the position in order to give them an education.

When I was sworn in as State Treasurer, there were only about fifteen employees in the department and I retained them all although I did not know any of them. The former chief clerk had been a defaulter and had gone to the penitentiary. I saw Governor Neff and told him of the vacancy and asked him if he had anyone in mind he would like for me to appoint to that place and he replied, "Yes, Yantis of Brownwood has a son-in-law, W. B. Cross, who wants the place" and suggested that I get in touch with him and if I thought he was qualified, he would be glad to see him appointed. I found him, Bun Cross, to be qualified and I promptly appointed him Chief Clerk which position he held as long as I was State Treasurer. At that time there was no auditor to check the work of the department so I asked the Legislature to give me an auditor which they did and I appointed J. E. Standley, now a banker of Cleburne, to the place. He resigned and moved to Cleburne and I appointed W. O. Bailey, of Decatur, as auditor. They were both capable and good men.

In August 1921 when I became State Treasurer, the depression had set in and many banks all over the country began to break. The State had many millions of dollars loaned to the various banks in Texas. The Legislature unfortunately had passed a depository law providing that the surplus money in the Treasury Department should be loaned to the bank that would in written bids pay the highest rate of interest for the money. This naturally caused the banks in a shaky condition to offer a higher rate of interest than solvent banks in order to be sure and get the

needed money. Many bid six percent, eight percent, and some ten percent and the Depository Board had no discretion under the law it provided that when the Department needed money, it should draw the money out of the bank paying the least rate of interest first but could not withdraw more than twenty percent of the amount borrowed by the bank in one day but in five days could withdraw the entire loan. This obviously was calculated to affect seriously any bank much less one bordering on insolvency and the wonder was that it did not break many more of our banks in Texas. I saw the condition and knew if the law were not amended, nearly all the banks that had borrowed our money would be seriously embarrassed if they did not suspend business. I became a member of the State Bankers Association and attended its meetings. On several occasions the Bankers Convention called on me for a short talk. I told them the trouble and suggested that each member of the Association get in touch with his Representative and we would amend the law and protect the banks and the people. The State Depository Board was composed of Attorney General W. A. Keeling, Ed Hall, and myself. We three also composed the State Banking Board. Judge Keeling furnished me one of his assistants, Judge Jack Meacham, to help me prepare a new law and cure the defects in the old one. We worked at night for several weeks and prepared a new law that provided that the Governor should appoint a board of three to fix the rate of interest all the banks should pay for these funds and the Department was required when it needed funds to withdraw from all the banks a like percent of the amount borrowed by each bank. This wise provision saved the banks and those unable to pay we made new contracts with them and their surety companies and I am glad to say we saved the wholesale breaking of these banks and of the millions of dollars loaned to them we collected every cent including all the interest.

Ed Hall resigned and J. L. Chapman, of McKinney, Texas, was appointed Banking Commissioner and to them and Judge Keeling, Attorney General, and the lamented Jack Meacham, and Eugene Wilson, of Gainesville, Assistant Attorney General, I give praise because of their able and valuable service to our State. The banks were all saved from bankruptcy and probably a million dollars in interest was made for the taxpayers of Texas without any loss on our loans. The new law provided that when the Department had funds on hand for our daily use, that we did not need, the State Treasurer could buy either state or national bonds with that excess and as we needed money, we could cash the bonds necessary to run the department. We bought several million



C. V. Terrell

dollars of Federal Government bonds and with their advance in value and the interest coupons, we made at least \$500,000 for the state by such wise investments.

#### JUDGES BROWN AND BLEDSOE INCIDENT

Judge W. H. Bullock formerly from Grayson County tells this interesting incident. Back in the Seventies and Eighties all of the Protestant Churches were fighting over forms of baptism and other church differences. The Christian Church was very aggressive and over some doctrine contended with all the other denominations and they held many church debates that always created hard feelings and enmity. I remember following a debate between a Baptist and a Christian minister on the steps of the Methodist Church where they held their debate two good women got into a fight and literally pulled each other's hair before they could be parted.

Judge Bullock said in the judicial district composed of Grayson and Collin Counties, Judge Tom Brown, of Sherman, afterwards an able Chief Justice of the Supreme Court of Texas and Judge Bledsoe, of McKinney, became contestants for the District

**Judgeship.** Judge Brown was an ardent member of the Christian Church and Judge Bledsoe did not belong to any church. They both were able men and made a close and bitter campaign for the office. Ordinarily Judge Brown should have been elected as he came from the more populous county, but in their joint discussions Judge Brown charged that Judge Bledsoe was an infidel and attempted to make votes by the charge. Judge Bledsoe denied the charge and said he believed in a Supreme Being but did not think he was worthy of being a member of any church and also stated that he had a thousand times rather be an infidel than a Campbellite. Notwithstanding Judge Bledsoe was from the smaller county, this prejudice elected him District Judge.



Top row: C. V. Terrell, Frank Cates and Preston Terrell  
Bottom row: Geo. Trenchard and Auther Cate

## Chapter IV

### WILD PIGEON ROOST

In the late summer or early fall of 1870 the wild pigeons located their roost in Wise County about ten miles northwest of Decatur on Sandy Creek not far from where the town of Alvord is now located. They continued to roost there until the early winter when they migrated back to South America or a milder climate. Wise County then had an abundance of post oak timber and the acorn and berry crops were unusually heavy that year. In fact, it was a real Paradise for wild pigeons because they, like hogs, lived and fattened on those acorns and berries. The wild pigeon was a migratory bird and like all migratory birds in the early spring would seek northern or cooler climates for feeding. And in those days when the acorns and wild berries became scarce and the cold weather began to approach, they always migrated south to milder climates and be able to feed on untouched crops of berries and acorns. However, the wild pigeon, unlike all other migratory birds, always roosted and traveled together in one large drove. But when they once located their roost, early every morning they would fly in separate large bunches in various directions spending the day in seeking food and water. As evening approached they would all return to their regular roost and spend the night. Many of our citizens in Decatur and surrounding sections took advantage of the occasion, and it was in fact the hunters' great opportunity, and they utilized it to the fullest as long as those birds remained in the country.

One evening about four o'clock our two hired hands, my brother John, and I hitched our two horses to our hack and with our three double-barrelled muzzle-loading shotguns drove up to the roost. It was a cloudy evening with low hanging clouds and before our hunt was over it began to mist rain. Soon in the distance to the west near the horizon we could see millions upon top of millions of those birds flying low coming to the roost after an active day of foraging. There were so many birds and they were so thick that they darkened the sky like an old time Texas blue norther or like an Oklahoma or West Texas dust storm. There were so many birds and they were so heavy that they broke many of the limbs from the trees where they roosted and often broke down the trees themselves. When they left for the South, the

trees were so stripped of their limbs and foliage that they looked much like where a large cyclone had passed, devastating the timber in its wake. As the hordes of pigeons approached, the sounds made by the fluttering and flapping of their wings and the intense continued chattering noises they made could be heard for at least half a mile away. As darkness approached they began to alight on the trees. With our lanterns we blinded their sight and then began to shoot them. As I was not large enough to shoot a gun, my job was to pick up the birds and put them in our sack. It soon became apparent that as the older boys had to reload their guns after shooting, it was entirely too slow and costly to continue to kill them that way, so we cut some long green shrubs or small poles, stripped off the limbs, and after blinding the birds' eyes, would knock off their heads with these poles. Soon we had all the birds we needed and we returned home with our fine bag of wild pigeons. As we had more than we needed, we gave them out to our neighbors, who were not fortunate enough to have visited the roost.

It was the most interesting and unusual hunt it has ever been my pleasure to have taken. Those pigeons were all of a dark brown color, and about two-thirds the size of our tame pigeons, but unlike them, they were tender and as delicious to eat as any plover or other wild bird we have in this country. Having always been passionately fond of hunting in all my experience that wild pigeon roost was easily the most unique and interesting scene I ever witnessed in wild animal life. It was more thrilling to me than when I killed my first bull moose in Wyoming or in 1876 in King County when I saw in one herd more than a thousand wild buffalo. But the pathetic part of this story is that the wild pigeon is entirely extinct, not one living in all the world and there has not been for many years. They are gone forever. Of course, we should have preserved and protected them as we have so wisely and effectively done and are now doing with all living wild life. With the wild pigeon we utterly failed.

Much has been written by those who have made a study of wild life as to how the wild pigeon became extinct. Some claim they were finally all killed by the eager hunter. This I do not believe, because no other wild game has been entirely destroyed in that way. It is true the millions of wild Buffalo were killed by the hunter for only one dollar a hide, but we finally woke up and saved them and we now have many large herds of buffalo throughout the western part of our nation. There is another theory that as the wild pigeon roosted and migrated together, a contagious disease spread among them and finally exterminated them. Another theory is that in attempting to fly across some

gulf or neck of the ocean, a violent and destructive storm caught them and they perished in the storm and waves of the ocean. However, one's guess is as good as another's. But there is one thing we do know without question, and that is that perhaps by our own negligence the choicest wild bird both to eat and for the pleasure of the real sportsman is gone and gone forever.

#### BUFFALO HUNT IN 1876 IN KNOX AND KING COUNTIES IN TEXAS

When a small boy living in the frontier town of Decatur, Texas, and seeing long trains of mule and ox wagons going to market at Sherman and Dallas with dried buffalo hides piled up on each other that looked much like large loads of loose hay, the sight aroused in me and other boys a desire to go buffalo hunting. In fact, it became a passion, because we talked about it by day and dreamed about it at night. My two older brothers, Lafayette, 20 years old, John, 18, and I, 15, began to plan and scheme a buffalo hunt. Lute Renshaw, a brother-in-law of ours, owned a cow ranch in Archer County on Bluff Creek and made arrangements for us to haul two wagon loads of provisions to his ranch. The buffalo range was about one hundred miles west of the Renshaw ranch. Two neighbor boys, Otis Ford and Charley Renshaw, 17 and 16 years old respectively, joined us in this daring and dangerous hunt.

Several years before that two of our neighbors on Denton Creek, the two Christals, went west with eight or ten settlers buffalo hunting and the two Christals went out one morning from their camp and were captured by the Indians and never returned. This and other brutal massacres by the Comanches caused our father to disapprove our going so far west buffalo hunting. We took an unusually large amount of ammunition, ostensibly to hunt deer and turkey around the Renshaw Ranch, as well as to protect ourselves in case of an attack from the Indians.

Early in October we five boys started on our long anticipated and dangerous buffalo hunt, well equipped with pistols, guns, saddles, and good horses to ride, with two wagons loaded with corn, groceries, and provisions for the ranch, and joyfully we drove west out of Decatur, Texas. Our father was a merchant, had three stores, one at Decatur, one at Henrietta, and one at the Government Mills near where Alvord is now located. At Henrietta we took on an extra amount of ammunition. The second night out we camped at the old abandoned Fort of Buffalo Springs in Clay County. The Fort was built in 1866 by the Federal Government at much cost for four companies of cavalry.

On account of an insufficient water supply, it was condemned in 1868 and moved to Fort Richardson at Jacksboro, Texas. In the summer of 1867 a protracted drouth set in, grasshoppers came by the millions, so thick that they darkened the sky, and the old Fort was abandoned. In 1876 when we camped there, the walls of the large old two-story building, the commissary, were still standing and many rock sheds for horses were in a fair state of preservation. The soldiers who had been there helped build a large wooden bridge across the West Fork of the Trinity River near where the town of Bridgeport is now situated. In 1880 a wooden bridge was built at the same place by private individuals out of large long logs, but in 1866 during the largest flood of water that ever fell in North Texas this old bridge was washed away. This bridge was, I am sure, the first bridge ever built on the West Fork west of Fort Worth and probably west of Dallas. Those soldiers stationed at Buffalo Springs also helped build the Fort at Jacksboro, Fort Richardson where they moved in 1868.

The first bridge built in 1860 was where the Butterfield Stages crossed the river on their way to the Pacific Coast, and the second bridge was where the Overland Stages crossed in going West to Forts Richardson, Belknap, and Griffin to San Francisco. To my surprise, I failed to find any account of that old historic fort at Buffalo Springs except in Sergeant H. H. McConnell's history, *Five Years a Cavalryman on the Texas Frontier*, written while he was stationed there. He gives a very graphic and interesting account of that old abandoned Fort.

On our way out to the West we camped one night on the Little Wichita River where we met about thirty buffalo hunters returning from their hunt to Dallas where they lived. They said that they heard there were about 500 Indians camped on the head of Pease River and we had better not go on buffalo hunting on account of the dangers from those Indians. But as we had planned to go, I doubt if anything could have changed our arrangements. In 1897 when I served in the State Senate of Texas, I became well acquainted with Bill Sterrett who was reporting for the Dallas News. He said he was with the Dallas hunters and remembered meeting us and that they were really uneasy for fear we would be massacred by those savages.

Finally we arrived at the Renshaw ranch, unloaded our provisions in a dugout where John J. Terrell was to live during the winter. We killed two wild turkeys, and without loss of time, drove on West for larger game. There was no one living in that section except a few professional buffalo hunters killing them not for the sport but for money. There was only a dim road made by the teamsters hauling buffalo hides east to the market. We

passed through "The Narrows," a high point in the road where water that fell on the north side of the road ran north into the Little Wichita and on into Red River and that that fell on the south side of the road flowed south into the Brazos River and on to the Gulf of Mexico. On we traveled through Knox County and into King County. No cow ranches. No cattle, but plenty of prairie dogs, skunks, and coyotes. The prairies were covered with the carcasses of buffalo and their white bleached bones. They were so thick that one could walk for miles on those bones without ever touching the ground—bones everywhere.

Except for buffalo hunters there were no settlers, cow ranches, nor anyone living in Texas west and northwest of Wichita, Archer, and Young Counties. There were a few cow ranches scattered through those counties run by Burk Burnett, Dan Waggoner, Glen Halsell, Bill Perrin, Lute Renshaw and a few others, but their cattle did not run or graze beyond those counties at that time. All the northwest of Texas—including the Panhandle and the Plains—nothing but buffalo to eat the grass. There was Fort Griffin in Throckmorton County and Fort Belknap in Young County occupied by Government soldiers. The Indians in large groups of three or four hundred spent much of their time killing buffalo in that section of Texas, especially during the fall, winter, and spring. Buffalo, much like wild pigeons, ducks, and geese, migrated. They would come south into Texas early in the fall, remain through the winter and migrate back north to the Dakotas, Wyoming, Montana, and other northern territory and on into Canada and spend the summer.

After we left the Renshaw ranch in Archer County the only people we saw on the trip were the three buffalo hunters with whom we camped in King County.

One morning John was riding on ahead on the extra horse. He came loping back to our wagons and excitedly said that he saw over the hill five big buffalo, and on in the distance a white tent near a pond of water. This was the first buffalo we had seen and we were all agitated over the prospects. When the buffalo saw or smelled us, they ran away. Not knowing who occupied the tent, and always expecting Indians, we were alert, each of us holding in our hands our loaded guns prepared for any emergency. As we approached the tent, we saw it was white and oblong and not dirty like an Indian tepee would likely have been, so we decided it was the tent of white men. Soon two white buffalo hunters came out and after introducing ourselves, we asked them if we could camp there at that water hole and hunt buffalo for the sport. They said yes they would be glad to have us

as we would be company as well as protection in case of an attack by the Comanches. However, they asked us not to chase or run the buffalo horseback within a radius of five miles. This we agreed, unloaded, pitched our tents, cooked our dinner or noon meal, and John and Otis Ford rode west, Charley Renshaw rode southwest, and I went south on our first real hunt for buffalo, and Lafayette stayed at the camp. I rode about five miles and saw across Croton Creek near the foothills of Buzzard Peak two large buffalo. In attempting to cross Croton Creek in a buffalo trail my horse snorted and whirled around with me and refused to go across. I knew that a horse unaccustomed to the smell of an Indian would become frightened. I felt certain that the horse smelled the scent of an Indian. I became a little alarmed and as it was getting late, I decided to return to the camp. As I rode up on the flat about a mile from the creek to my left about one hundred yards under a mesquite tree I saw an Indian sitting down. He saw me about the same time I saw him and he lay down on the ground as if to hide from me. My gun was in my scabbard, and thinking an Indian would not likely be by himself and fearing an ambush, I put spurs to my horse, laid down on the opposite side from the Indian, and was soon out of range of an arrow or a gun. When about three hundred yards away, I looked back and the Indian stood up and watched me run. Soon I was in camp and reported to Lafayette and the two hunters what I had seen. Renshaw soon came in, but John and Ford did not show up. We tied up all our horses close to our tents, ate our supper, and still they had not returned. Having seen the Indian and since it was now after dark, Lafayette took his double barrell shot gun, stood up in the spring seat of the wagon, and shot both barrels at once. We all watched and listened for a reply. About five miles to our north on a hill we saw in the darkness of the night flashes from their pistol shots answering ours. About every ten minutes we would shoot again until soon they rode into camp. They had gone too far north and were completely lost.

We remained there about four weeks and killed twenty or thirty buffalo but never saw or heard of any more Indians, so we came to the conclusion that the Indian I saw had been driven away from their camp by the chief and he was trying to make his way back to the Territory and his reservation on foot.

While out there, we ran out of groceries and Lafayette and Renshaw took one of our wagons with ten or twelve buffalo hides and went back to an old trapper on the Brazos River about where Seymour is now located and traded the hides for groceries.

Ford, John, and I decided we would go beyond the five mile

radius and chase some buffalo horseback. We saw two large bulls across a draw and started toward them. As my horse was not fast enough to outrun a buffalo, I told them to let me slip up on them and try to kill one of them and then they could come on and chase them. To this they agreed. After hitching my horse, I slipped within about forty yards behind a cedar bush and shot one of them. I could see the dust fly where the bullet hit and felt sure it was a fatal shot. But they did not run, and I stepped out and shot him again, when he saw me and charged me. I ran down the hill with the bull fast approaching me, but the boys saw my plight and they spurred their horses and began to shoot at him, and he turned and ran back up the hill. I am sure if they had not rescued me, he would have easily overtaken me. Chasing them about one-quarter of a mile one of them lay down and they ran on and killed the other one. I had hit this buffalo twice in the side, each being a fatal shot.

Early one morning I rode out in a wagon with one of the buffalo hunters. In the distance we saw a large herd of buffalo. When in about three hundred yards of them, he stopped his team and asked me to hold the lines until he motioned for me. He took his large eight-square needle-gun with a sack of cartridges and walked up in about one hundred and fifty yards from the leading buffalo, sat down and began to shoot them. They did not run, but after he had shot one or two of them, they began to mill around as if smelling blood until he had killed every one of them—fifty-three head. On account of the heavy mop of hair on their heads, they do not see well and from sight of anyone, they run only a few yards, but from smell, they often run for several miles. That afternoon all of us with sharp skinning knives helped them skin them, and we took about 2,000 pounds of the humps and hind quarters of fat calves and yearlings to camp, built frames and with buffalo chips smoked the meat and took it home with us and had as fine a lot of jerked dried meat as anyone ever ate. Our father gave the most of it to our neighbors at home who had never eaten any buffalo meat.

While we were on our hunt, some cruel person in Decatur circulated the report that the Indians had captured all five of us, but that two of us had escaped. This, of course, excited and worried our parents, relatives, and friends. Lute Renshaw, a brother of Charley, and Ford's father, Major J. B. Ford, came out horseback looking for us. We camped at noon one day on our return on Little Wichita River. Otis and I went out to try to kill some quail for our meal and left Lafayette and Charley Renshaw at camp. Lute Renshaw and Major Ford saw our camp fire from the road and rode out to see who it was and make inquiry

about us. As they rode up, they saw only two of us, Lafayette and Charley, and naturally they thought the story was true. Upon asking where we were, Lafayette told them that John was left at the ranch and that Otis and I were trying to kill some quail for dinner. They both agreed that it was the greatest relief they ever experienced. Otis Ford killed two deer on the hunt, the only ones killed, one of them about six months old. He shot it with his shot gun loaded with turkey shot about thirty yards away. It ran more than a quarter of a mile before it fell. While dressing it, we found only one shot had hit it and that shot had penetrated its heart about three-fourths of an inch and was imbedded in it. We barbecued the front quarters and the ribs of that young deer and all enjoyed that very fine barbecued venison.

The day we broke camp in King County I rode the extra horse on ahead of the wagons and saw at least one thousand head of buffalo in one herd, but as we had all the meat we needed, and I did not care to kill any more of them, I did not disturb them in their calm and peaceful grazing. However, I must say that of all my many hunts in Old Mexico, New Mexico, Wyoming, the Chisos and Davis Mountains, and in the Heart of the Hills country, I have never seen a more beautiful and animating scene of wild animal life.

Millions of wild buffalo were killed by professional hunters for one dollar a hide, and after the country settled, the pioneers collected the buffalo bones, carried them to the market, and made good money for their labor. When one thinks of all that fine meat wasted, I do not understand why our government permitted it. If we had that meat now, we would not have to freeze the price nor limit our meat rations for the duration of this war.

This is January 28, 1944, and this cruel world war is not over and but little indication of its ceasing soon. Last night I read in the papers of the well-planned scientific brutality of the Germans in killing and torturing the Russians, Poles, Norwegians, and others, not only men, but women and children, and today I read of the cruel Japs brutally killing helpless but brave American soldiers, and it made me sick at heart to know that nearly two thousand years have passed since the Savior of men lived and died for all humanity, and we are forced to kill each other in war. It does seem that His life and His benign precepts by this time would have softened the hearts of men, and all nations could follow Him and his precepts and "war no more forever."

When I call to mind the memory of that beautiful herd of buffalo peacefully grazing on those hillsides and when I think of

this wholly unnecessary and cruel war, I am reminded of one of the sweetest poems in all literature by Joaquin Miller:

"Is it worth while that we jostle a brother  
Bearing his load on the rough road of life?  
Is it worth while that we jeer at each other,  
In blackness of heart that we war to the knife?  
God pity us all in our pitiful strife.

Look at the roses saluting each other,  
Look at the herds all at peace on the plains,  
Man and man only wars with his brother  
And laughs in his heart at this peril and pain  
Shamed by the beasts that go down on the plains.

Were it not well in this brief little journey  
On over the isthmus down into the tide  
We give him a fish instead of a serpent  
Ere folding the hand to be and abide  
Forever and aye in the dust at his side?"

Returning home to the old frontier town of Decatur, I now know, brought joy and delight to the troubled hearts of our dear mothers and fathers, because, I am sure, five thoughtless boys must have caused them many sleepless nights praying for our safety and return. But it was an unusual and delightful hunt, and one never to be taken again by anyone because all the wild buffalo are gone. Only limited herds are left and they are scattered over the nation in private pastures and in government reservations where they are all protected from slaughter by our wise laws.

It must be most interesting to know that in this year 1946. in the very same section of King County where we hunted buffalo in 1876, one hundred years after the Declaration of Independence, enterprising Texans have discovered oil fields that helped to supply oil and gasoline for our mechanized forces that were across, and on the seas that so bravely won World War II for the liberty of humanity.

#### HUNT IN THE INDIAN TERRITORY ON CASH CREEK IN 1892

One of the most delightful outings that it has ever been my pleasure to have taken was a hunting trip we took in 1892 in the Indian Territory on Cash Creek. About eighteen of us, four

or five of us taking our wives with us, left Decatur in two hacks and two wagons. In the group were Will Renshaw and his wife, Miss Opal Kenney, who is now Mrs. Jack Cates, Miss Depora Kenney, later wife of Dr. Brownlee Ferguson, Arthur Soward and his wife and an adopted red-headed boy about twelve years old, Floyd Kenney, Jim Taukersley, Judge Charles Soward, June Farmer, Bob Tilghman, Tip Rush, and Mrs. Terrell and I. We took two colored boys as our cooks, Walter Arthur and Lee. On one of our hunts we went to Chico, Texas, and got a pack of hounds from Attorney J. T. Buckaloo. The hunt was arranged in April at a time when the plover were migrating north so we would be sure of having plenty of fresh birds to eat. They were everywhere and we lived largely on those splendid eating birds. We killed turkey, prairie chickens, quail and doves and caught all the fish we could eat. We unanimously agreed that the plover was by far the best eating bird that we killed on the trip. They were very fat, so fat that they would fry themselves, without lard or bacon and were delicious. Many of them were so fat that when we would shoot them on the wing, they would burst open when they struck the ground.

After we had located our camp and put up our tents, there came about a four-inch snow and we took our pack of hounds and trailed coons in the snow and killed so many that we called it off and quit because we were afraid they would kill some of our dogs. They invariably would run to the nearest hole of water, and one coon in the water was able to fight off several dogs and it was most difficult for the dogs to kill them. It rained and the snow melted and Cash Creek rose to about half bank full. As we were forced to cross the creek in order to return home, we were waterbound there for several days. We ran out of bacon and lard. We were camped in the old Suggs Ranch and they had many hogs running wild. It being a necessity we killed a fat one that weighed about 150 pounds, skinned it, cut off its feet and head, and told the women who superintended the cooking that it was a deer. In order to cinch our story we stationed Tip Rush out of sight above the camp to tell the boys as they came in from their evening hunt to ask who killed the deer, that they saw where one had been killed. All the ladies fell for it except Mrs. Arthur Soward. She said it was the first deer she had ever cooked that fried itself and that she believed it was a hog. Finally the stream ran down so we could cross at the ford and get into the regular highway for home. Soon we ran up on one of the Suggs Ranch houses and we decided to tell them about killing the hog and offer to pay for it. Tom Simmons had some good whiskey that he had carried along for colds and snake bites. We went in to

see the boss of the ranch and to make our confession. Tom introduced himself and tendered the ranchman a drink which he drank and smacked his lips. Then we told him about killing the hog and offered to pay for it but he declined the money. He went into a separate room and brought out a nice cured ham and a half side of bacon and made us take them. This food lasted us until we arrived home. I have never been altogether clear as to whether it was his generosity or the whiskey that caused him to be so kind to us. It may have been both, but we all appreciated it and regarded him as our benefactor and a good sport. Finally we gave him a bottle with about four fingers of whiskey in it and left him happier than we were.

In returning home we attempted to cross Red River at a crossing near Vernon called Charley. The stream was about 200 yards wide but only about one foot deep. Out in the middle of the stream someone had stuck up a stick in the water evidently to guide drivers of wagons out of the quicksand, but we had no way of telling whether we should go above the stick or below it, so our first wagon with the ladies in it drove above the stick and hit the quicksand and bogged up. Both horses bogged up to their bodies and could not get out. We were afraid they would drown and we rushed to them, unhitched them from the wagon, took the harness off and finally dug them out with a spade that we had with us. Then we carried the ladies out and our bedding floated out the wagon bed. We tied a long rope to the tongue of the wagon and by digging the sand away from the front of the wheels we hitched the team to the end of the rope and pulled first the front wheels out and then the hind wheels. The next wagon and the hacks were driven below the stick and made it without any difficulty as the ground was firmer. It was quite an experience for us all, especially the women. In fact, it was serious because if the water had been a little deeper, we would have lost our team.

On our hunt we had killed plenty of wild game to eat, several nice turkeys, but no deer. Before the snow and rain came, we found a hole of water in the creek about one hundred feet long and about twenty feet wide filled with nice large buffalo fish. We baited our hooks and as the water was perfectly clear, we would drop the hook and bait down in front of the fish and they would pay no attention to it. Then we tied four hooks together with the barbs extending out and we caught one by jerking the hook quickly, but it was too slow so we had a fish net that we put in the water and with sticks drove the fish to one end of the hole of water, threw our net across the hole, fastening it at each end. Then we got into the end of the hole of water where

we had driven the fish and drove them into the net. We caught eight or ten weighing six or eight pounds each and had all the fish we could eat for several meals. In fact, we threw some of them back into the hole of water.

This trip was filled with much joy and pleasure. At night after eating we would sit around our campfire and our usual yarn telling would begin and our laughter was always unrestrained. Tip Rush, a very bright and lovable character, was a mimicker of unusual ability and was also most entertaining. We had a male quartet among us and sang all the old songs. Arthur Soward and his wife had adopted an orphan, a red-headed boy about twelve years old. His complexion was very fair and not being accustomed to the wind and sun, his lower lip was badly cracked, so much so that when he would laugh, it would bleed. Mrs. Soward spent a great deal of her time doctoring his lip. The boy thought Tip Rush's jokes were very funny, and Tip would tell them in order to see him laugh and break his sore lip. After Mrs. Soward had doctored his lip with mentholatum and other salves and prepared him for bed, Tip would spin his yarns and Mrs. Soward would have to redoctor the poor boy. Tip was a cow man and told this western yarn, a happening that had occurred in Clay County where he was running cattle. He said he and George King, another cow man, had been hunting cattle all one summer day and it was about one o'clock, dry and hot, and they were hungry and had started back to the ranch for dinner. George King, remembering that they were out of eggs, told Tip they had better stop at some of the farm houses on the way home and buy some eggs. They passed by an old one-roomed house where an old lady was sitting in the door knitting trying to keep cool by getting all the breeze possible. They rode up to the house and lifted their hats to the lady and asked her if she had any eggs to sell. Tip would imitate the woman as she would knit and she would take a stitch with the knitting needle every time she spoke a word. Continuing to knit, she replied, "No — it — has been — so dry — laterly — that — all — the hens — have — checked up — laying."

Tip would mock the woman and it was really amusing to everyone, particularly the boy.

While we were waterbound on Cash Creek waiting for the water to recede so we could cross the creek, I took my fishing pole and hook and went up the creek alone and sat down on the south bank trying to catch a fish for our noon meal. I had been there only a few minutes when I heard a grunt and looking up saw an Indian standing directly in front of me about seventy feet away just across the water. He had stealthily slipped down

to the water's edge and I had not seen nor heard him until he grunted. Notwithstanding the fact that the Indians up there were tame, this frightened me. He spoke broken English and gave me to understand that he wanted twenty beeves for us to cross with our herd of cattle. He thought we were driving cattle. I told him we had no cattle but were hunting and fishing. My explanation seemed to satisfy him and he left us unharmed.

#### DEER AND BEAR HUNT IN THE DAVIS MOUNTAINS IN 1898

By brother, John J. Terrell, was appointed Chief Clerk in the General Land Office of Texas and soon had a wide acquaintance in Texas. Among his friends were many cowmen and ranchmen in the Davis Mountains. In the fall of 1898 he and I were invited by Joe Irwin, Jim, John, Bow, and Bennett McCutcheon, of Alpine, Texas, to be there guests on a deer and bear hunt in the Davis Mountains. The date was fixed and they were to meet us with a conveyance at Toyah, a station on the Texas & Pacific Railroad, and carry us to their ranches. Brother and I met at Fort Worth and took the train for Toyah arriving there early in the fore noon. Up to this time I had never killed a deer nor a bear and had never been on a bear hunt. Hence my joy in having the privilege of taking the hunt in the best game country in the Southwest. As our train pulled into the small town of Toyah, we were met by one of the ranchmen with a hack and we immediately started for the ranch of the McCutcheons in the Davis Mountains. When we approached those Davis Mountains, it gave me the thrill of my life. It was an unexpected indescribable scene of majestic grandeur. I stood for minutes and looked at them with awe and admiration and remarked to myself, "I wonder how any mortal can look up to them and not humbly worship Him who created them."

We soon approached the John McCutcheon ranch at the foot of the mountain. There was a large spring just above the house and the clear running water flowed through his yard on down to his barns and corrals. That evening our horses were saddled by the Mexican cow hands, a wagon was filled with cooking utensils, provisions, tents, bedding, and everything necessary for our comfort and convenience on the hunt.

We camped far up the canyon, as far up as a wagon could be driven, on a clear running mountain stream of water. Early next morning before daybreak our breakfast was prepared, we

ate, and mounted our horses for the long and much anticipated bear hunt. With a pack of thirty or forty dogs following, we rode on up the canyon. Soon after the break of day one of the dogs that would only follow the trail of a bear found the fresh trail of a bear. Immediately all the dogs were in hot pursuit of the bear and at a fast run all of us were just behind the dogs running over rocks, through the brush, up and down trails that were almost straight up and down. I was used to riding a horse and was just behind John McCutcheon who took the lead. I did not see how a horse could possibly stand up and not fall. My heart appeared to be almost in my mouth, it looked so dangerous, but I decided that if those cowmen could run over the trails, I could, too, so I kept close up behind John McCutcheon. We could tell that we were close up to the dogs from their barking. Suddenly John McCutcheon stopped and threw up his hand, which was a signal for us all to stop. He drew his pistol and shot quickly without close aim and we rode around a cluster of brush and there lay a large black bear that he had killed. All the dogs were there trying to get to the bear and tear him to pieces. McCutcheon made the dogs leave the bear and at once the cowboys took charge and soon had him skinned. We took a small part of the hind quarter to the camp in order to cook it and have bear meat for lunch. Killing this bear was done so quickly that I did not even see the bear before he was killed and did not know what McCutcheon was shooting at. We made another run the next day but failed to kill a bear. We saw one across the canyon nearly half a mile away and several of the boys shot at him but he really was out of our range and we failed to hit him.

The third day we went back to the beautiful McCutcheon ranch home, and the next day went down into the foot hills on a deer hunt. We saw many black-tailed deer and shot many times at them but always at long range and we failed to kill any. That day I rode and hunted with Bow McCutcheon, and as I had never been lucky enough to kill a deer, he was unusually anxious for me to get a big buck. In fact, all the ranchmen and my brother were extremely anxious for me to kill a deer or a bear. The fourth day we left the McCutcheon ranch in a hack with Joe Irwin for his Leon Cedar ranch about twenty miles from Alpine. This ranch is now owner by the Kokernot family. Joe Irwin, Brother John, and I arrived there in the middle of the afternoon. We ate our lunch, and Mr. Irwin had his Mexican hands get us three horses, saddle them, and we rode Northwest into the foot-hills. Mr. Irwin said that every time he rode up in that section he saw an unusually large buck with as fine a spread of horns

as he had ever seen. We were a little late in getting up there but just about sundown my brother saw a deer or something he thought was a deer. We stopped and all decided it was this large buck standing about four hundred yards away to our left and south of us. We all dismounted and Mr. Irwin took the reins of our horses and told us to walk quietly up the ravine out of sight of the deer and try to kill him. He said he would hold the horses and try to attract the attention of the deer so we could slip up close to him. We walked quietly up to where we thought we were in about one hundred yards of him. The big buck still stood looking at Mr. Irwin and the horses. While working on a cow ranch in 1876 in Archer and Wichita Counties my brother had killed many deer, so he told me to shoot first and if I failed to kill the buck, he would shoot at him as he ran. We stepped up on higher ground and the buck, still looking at the horses almost facing us, did not see us. I shot and the deer turned to run but was staggering. My brother said, "You got him." We ran down to investigate and found that he had fallen dead about twenty yards from where he stood when I shot him. It happened that my brother had also shot but I did not know it. He was so anxious to kill the deer that he could not wait to see if my shot had been effective. Mr. Irwin brought the horses up and we took the horse he was riding and tried to put the deer across the saddle on the horse. We were all young men and each of us was a man of much strength, but we were unable to put the deer on the horse as he was so heavy. We then dragged the deer with a rope tied to the horn of the saddle. We went to the edge of a ravine, led the horse into the ravine and in that manner pulled the deer across the saddle and tied him fast to the saddle. We were soon back at the Leon Cedar Ranch with the finest specimen of a deer any of us had ever seen. The cow hands who dressed this big buck all said it was the largest deer they had ever seen. They discovered that two bullets had struck the deer about two inches apart and said that either one of the bullets would have killed him but Brother John always said that I had killed the deer.

I had the head mounted and kept it for many years but the taxidermist did not do a very good job and the hair began to come out. When I moved to Austin in 1921, I left it in the basement of our home in Decatur. Afterwards I found that I could take the fine antlers and put them on another deer head but when I went back to get them, someone had carried the head away and I lost the largest and finest pair of deer horns I ever saw.

### HUNT IN DAVIS MOUNTAINS IN 1899

In the fall of 1899 John Means, Evans and his sons, invited by brothers, John and Preston, and me to another deer and bear hunt in the Davis Mountains. Means lived about five miles north of Valentine on the Southern Pacific Railroad. We accepted the kind invitation and as agreed all of us met them at Valentine soon after daylight and in their hack they carried us to the Means Ranch where we ate breakfast and began arranging to go to the Rockpile Ranch in beyond Sawtooth Mountain and at the foot of Mount Livermore, the highest peak in the southern range of the Rockies in the Davis Mountains. Mean's home was known for its hospitality and he was an old-time Westerner and as fine a character as one ever meets. He was the real leader of that section as well as the leader of our hunt. His main assistant was Joe Evans, his nephew, Joe's father having married Mr. Means' sister. After breakfast Brother Preston, who was a splendid musician, especially on the piano, seeing the piano, without invitation, sat down and began to play to the delight of the two single daughters of Means, Miss Barbara and her sister, who had attended Baylor University and they both sang beautifully and played the guitar and the piano well. We all began to sing old-time songs and had a general good time. That was the first time I ever heard the song, "In the Good Old Summertime."

Soon everything was ready and our horses saddled. All of the Means and Evans families went with us on the hunt including all the ladies. Each of us had guns in scabbards buckled to our saddles, pistols in our belts around us, leggings to protect us while running through the catclaws and brush, spurs, and everything necessary for a good hunt. Brother Preston, who was a hardware man, was unlike Brother John and I, had never ridden horseback much. As he mounted his horse with his armament that he showed he was not used to carrying, he turned to Means and asked if he did not think he looked like Sam Bass, the noted bandit. Means' reply was "Yes" and from that moment on Preston was called only "Sam Bass." There were at least thirty of us in the party and we arrived at the Rockpile Ranch about one o'clock in the afternoon. There was a large two-roomed house where the women slept and we slept out under the stars. The Mexican cooks had preceded us and had killed a fat yearling and had him drawn up with a rope and pulley to a limb up in a tree. As this was in October and the mountain air was cool, no flies were about and the meat would not spoil and we ate it as we needed it.

There were several other cowmen who came and hunted with us. John T. Cowden, Sr., and his wife, of Midland, were with us. Mr. Prude who had a ranch just south of our camp came out, and so did John Holland of Alpine who brought with him an old-time fiddler who added greatly to our entertainment.

The first day we started early on our bear hunt and after we struck the bear trail, we always divided, part of us following dogs after the bear and the other bunch taking a stand in the gap of a mountain where the bear would more than likely run in trying to escape from the dogs. That day I was with those who took a stand. The crowd killed the bear before he reached the gap in the mountain where we had taken a stand. We heard the shooting and soon the blowing of the horn calling the dogs all together. We knew they had the bear. We soon rode to the tree where they had killed a very large black bear. Brother Preston not being used to riding horseback had fallen far back behind and in our excitement we ran off and left him. After the bear was killed, we blew our horn, shot our guns, thinking he might hear us and come to us but all in vain. We returned to camp about one o'clock, ate our well prepared meal with ravenous appetites. Still uneasy about "Sam Bass" as we called Preston, we decided to organize a party to hunt him feeling sure he was lost and unable to find the camp, but as we were getting ready to hunt him about four o'clock that afternoon, he came slowly riding in. He was utterly lost he said and he thought camp was one way and his horse wanted to go the other way. He said he knew that his horse had more sense about the country than he did so he gave the horse his way and the horse brought him safely in. He knew he was lost and said he rolled a cigarette and got out one of his two matches to light it with but he decided that if he had to stay out all night in the mountains, he would have to have a fire to keep from freezing so he threw away the cigarette and saved his two matches.

The next day we killed a large black bear that had two cubs about six months old. I had the same bad luck that day, as I was with the party that followed the dogs, and it was the party that took the stand that got the bear. Sam Bass was so sore from riding that he did not go with us that day but walked up on one of the nearby mountains to see if he could kill a deer. He said up on top of the mountain he was slowly walking and a large beautiful black-tailed buck jumped up and stood broadside looking at him about thirty yards away. He said he attempted to throw a cartridge into the barrel of the gun to shoot him and the lever hung. The deer ran off while my brother was working to get his gun unhung and he never saw him anymore. He said

he knew no one would believe him and he just brought his gun to show us that it was hung and that it was not "buck ague" that saved the life of the deer. Mr. Means took the gun, gave the lever a quick jerk, threw the cartridge into the barrel, and it was ready to shoot, and said, "Your gun was not hung, you just had the 'buck ague'." The crowd all laughed and Sam Bass said, "I'll be darned!"

On the following day we left camp before daybreak. I was riding in front with Means. Old Rock, the bear dog that would not run any trail except a bear, was in our front. The other boys were to our rear holding the necked dogs back. We were not much over a mile from camp when I thought I saw a black bear in front and to our left in the distance coming down the mountain, I stopped and showed it to Means. He put this field glasses on it and replied, "Yes, it's a bear." He yelled to the boys to come on, that we saw a bear. He said, "If we ride fast, we may get to where he crosses the trail in front of us and have a sight run for him." The bear, however, beat us a little and crossed the trail about three hundred yards ahead of us. When Old Rock crossed his fresh trail in the damp frosty morning, he began to bark and turned west up the mountain. The boys turned all the dogs loose—about fifty-three in all—and they immediately hit the trail and we sat on our horses and watched the bear about one-quarter of a mile in front of the dogs climb the sloping mountain. The dogs—some of them solid red and dark and some of them spotted—were all doing their best to get to the bear first, and each one of them was giving us the melody of his familiar bark. Evans decided we would take a stand on the other side of the mountain, and Joe Evans and Brother John follow the dogs. They overtook the bear and dogs just as they went over the mountain, the dogs being hot in the pursuit of the bear. On seeing the men on horseback, the bear attempted to climb a tree, but one of the dogs caught him by the hind leg and pulled him back to the ground. He turned and slapped one of the dogs against the ground and broke his back. Brother John dismounted and shot the bear in the head. He fell as if dead, and Brother John ran up to him and Joe Evans yelled to him to go back that the bear was not dead. The bear trembled a few seconds and revived and they both shot and killed him. The wound in his head had only dazed him and the bullet did not enter his skull but glazed around it.

The next day we decided we would hunt bear south of the camp in a canyon north of Mt. Livermore. Sam Bass having rested for two days decided he would go with us that day. We soon struck the trail of a bear and we ran him south and around

Mount Livermore and brought him back to the canyon where we started him. The bear was thin in flesh and could climb the rugged cliffs while the dogs had to go around. My brother not being able to keep up had gone on his horse in south of the canyon and as the dogs brought the bear around the mountain, he saw Sam Bass in front of him and the dogs close behind him. He climbed up a tree about two hundred yards in front of Sam Bass. As we rode over the foothill following the bear and dogs, we saw Sam Bass, the bear and dogs. We stopped and Means took his field glasses and gave us the following report:

"The bear is climbing a tree. Sam Bass is galloping up toward the tree. Sam Bass is dismounting near the tree that the bear is in. He takes his gun out of the scabbard and is taking aim at the bear. He lowers the gun, puts it on the ground, goes to his horse and is taking something out of his saddlebags behind his saddle." I said, "It's his kodak." Means said, "Yes, he is taking the bear's picture." He lays the kodak down on the ground, picks up his gun, shoots at the bear, the bear falls to the ground and the dogs all cover him. We at once ran our horses down there and found that Sam Bass had rolled a cigarette, lighted it and was smoking, standing by the dead bear with one foot on the bear. As we rode up, Sam Bass directing his remarks to Means said, "If you d— fellows could keep up, you would be able to kill a bear."

The fourth day we again went bear hunting to our west toward Sawtooth Mountain. Several of the ladies had their horses saddled and went with us. Soon we struck the trail of a bear. The bear was thin and long-winded and could climb over the high cliffs that the dogs had to go around and thereby they lost distance. Ten of the cowboys in the party and I cut across, rode fast and took a stand in the gap in the mountain while the ladies and the others in the party followed the trail of the dogs and bear. As both of my brothers had fortunately killed a bear on that trip, they were all so generous that they wanted me to get one also. After we had dismounted, tied our horses, and taken our stand on the cliffs overlooking the pass where we expected the bear to cross, one of the crowd suggested that they all refrain from shooting and let me have the first shot and if I did not kill him, they would. This was agreed to by all except one who was slightly deaf and did not hear the agreement. Soon we saw the bear some two miles off followed by the eager barking dogs. In a few short minutes the bear started across the gap directly in front of us about two hundred yards away. The boy who was hard of hearing, not understanding our arrangements, began to shoot and as the bear did not stop, we all began to shoot at him and had ample time to empty our guns. A Mexican cook had shot two

cartridges out of my gun and I did not know it so I had only three shots and the others had five each making fifty-three shots fired at that running bear, each of us claiming we hit him. But the bear never stopped nor faltered but ran on out of sight to the north. We all went down where the bear had passed and we found no blood nor the slightest sign that any of the fifty-three shots had hit him, and finally he outran the dogs and was never seen by any of us again. The ladies were with Mr. Means and several of the men about a mile away and heard our cannonading. They found out that we had failed to hit the bear and when we rode up, one of the ladies stated that they heard our shooting and thought it was a Japanese and Russian battle, those countries being at war at that time.

In five days' hunt we killed six bears. One day we got an old one and her two cubs about half grown. So it was not only a very successful but delightful hunt as all were out for a good time and our hosts were vieing with each other to see that we were entertained.

In addition to our violin and guitar music and singing old-time songs, we had a colored boy and one of Mr. Means' sons who danced for us. They danced in unison and gave us as fine a show as one rarely sees in our modern movies. The sad part of our hunt was breaking camp telling all goodbye as we knew that many of us would never meet again and renew our pleasant friendships.

John Means and Evans, and I think their wives, are all gone, but such noble, thoughtful, and interesting characters will long live in the memory of all who were fortunate enough to have known them, and especially those who shared their friendship on that pleasant and interesting hunt.

### HUNT IN THE CHISOS MOUNTAINS IN 1903

Joe Irwin, Judge Wm. Hawkins, Justice of the Supreme Court of Texas, W. B. Anthony, former Sheriff of Baylor County, brother John, and I had a very enjoyable hunt in the Chisos Mountains in the Big Bend Country where our National Park is located. This was in the fall of 1903. We drove from Marathon one morning south on the road to Boquillas. The first night we camped at the Double Windmills near Santiago Peak. We were all anxious to kill a bear but had no dogs. Irwin, Brother John, and Judge Hawkins took the buggy and drove to a ranch to get some dogs with which to trail the bear and said they would be back that evening as it would take all day to make the trip. Up to that time I had never been able to kill a bear and had only killed one deer and I was anxious to get one of each. Anthony and

I early that morning on foot as we had no saddles walked south to try to get a deer. We soon separated, he going to my right and west of me. After having walked about three miles up on a foot hill where I could survey the open pine country below, I sat down on a rock, pulled off my hat and began to fan myself as walking up the long hill had warmed me. I soon heard something running across the rocks in the distance below and soon saw a large drove of black-tailed deer. They ran to within about three hundred yards of me and stopped. There must have been thirty deer in the drove. I had an old army Springfield rifle and had only eleven cartridges with me. I began to shoot and soon noticed that I was crippling them but not killing them so decided I was shooting too low. I then aimed a little higher and shot all of my eleven cartridges. I was still sitting on this rock and I noticed that I became very nervous and about that time a large doe ran up within ten feet of me and stood with her beautiful ears advanced looking at me. I threw my hat at her and she ran. Going down to where they had been I found I had killed two bucks and one doe. At that time we had no game laws and hunters could kill a deer and as many as he could without regard to whether they were does or bucks. I marked the place, returned to camp, ate lunch, and we put blankets on our work horses, got our ropes and rode up to the deer. We loaded one buck and one doe on the horses and led the horses back to camp. Irwin, Brother John, and Hawkins returned that night but the ranchman they had gone to see had disposed of his dogs so we had to go on with no hope of killing a bear.

The next day we drove on to the Chisos Mountains and camped at a spring. Just below a high cliff to our west there was camped an old Mexican sheepherder with his large herd of sheep. We attempted to talk to him in English but his only reply was "No sava." Irwin began to talk Spanish to him and he would reply in Spanish. Soon Irwin had him talking in English and we who could not understand Spanish talked to him in English and found that he spoke it fairly well. The Mexican told us that almost every morning he could see a large black bear up on the ledge of rock on the high crag to the west. We decided to drive up as far as we could and then walk and try to find the bear. After we passed on west of the crag, we separated and I went on foot up a deep canyon leading east and toward where the Mexican said he had often seen the bear. I soon found many bear signs and began to trail him up the dark and brushy canyon. Night was approaching and being several miles from our hack and buggy, I decided I had better return for fear of getting lost. I have always believed that if I had had enough daylight, I could have gone on and found the bear. I am sure he had his den further up in the canyon.

I wanted to stay and try to find the bear but Irwin's time was limited so we had to return. We drove down toward Boquillas, then returned to Marathon, and on home.

### CHISOS MOUNTAINS, OUR NATIONAL PARK

It has been my privilege to have travelled through most of our forty-eight states and on about five different occasions I have made hunting trips into Northern Mexico. In the summer of 1929 we drove in a large bus to Glacier National Park in Montana, stayed at the Prince of Wales Hotel in southern Canada and saw the beautiful Lake Louise and many other calm blue lakes at the foot of green mountains, tops of which were covered with perpetual snow. In hunting in Wyoming and visiting during the summers I have seen nearly all the famous scenes through the Rockies. I have also visited the Black Hills in South Dakota and have been many times to the Davis Mountains in Texas. But to me the rugged Chisos Mountains in the Big Bend Country of Texas compare most favorably with many of the above-mentioned scenes. On hunting trips for deer and bear I have seen most all of the Chisos Mountains. There are scenes down there that are unequalled in beauty and grandeur by any section it has ever been my pleasure to have seen. One October many years ago four of us, D. W. Frazer, Dee McCracken, brother John, and I in a hack drove around on the southeast side of the Chisos Mountains up about six thousand feet above sea level near the highest peak of the range. Those foothills and slopes were covered with cacti, daggers, and century plants most of which were in full bloom. Those Spanish daggers standing immovable like silent sentinels guarding an old fort gave one a somber and weird feeling, a feeling of both awe and admiration. Above those white blossoms on the smaller plants could be seen as far as the eye could reach thousands of century plants in full bloom as white and as beautiful as the lilies on a lake. They were from twenty to forty feet high and their lovely blooms at the top were many of them as much as twenty or thirty feet across. And to add to their loveliness and charm they filled the air with as sweet a fragrance as one rarely breathes. There is another section in Old Mexico in the Burro Mountains on the ..... River that winds itself through the gaps and canyons of those mountains to the Rio Grande River that was so beautiful. The river is a lovely clear blue stream about waist deep and about fifty or seventy-five yards wide abounding with speckled trout and other game fish that could be seen most everywhere. In many places there are waterfalls and cascades with white splashing water making rainbows of distinct hues that delight the eye and charm the traveler. In several

places we saw from faults in the rock bottom of the stream large springs of water gushing up above the water ten or fifteen feet high and at least ten feet in diameter. In several of those valleys by the side of the river covering at least one thousand acres covered with shrubs and bushes as high as a man on a horse all in full bloom beautiful pink plumes everywhere with lavender leaves in the background was to me one of loveliest and most delightful spots I ever saw. Those scenes on each side of the Rio Grande should be made into parks and made more beautiful and more accessible so that those of us who are weary and depressed may go and enjoy to the fullest those scenes that were surely made by our Maker for the pleasure, the happiness, and the glory of man. To view them will cause anyone to forget his troubles whether real or imaginary. It will cause one to take new courage and again to have faith and confidence in himself. After visiting those scenes made by our Almighty for the glory of mankind, one will return to his work and toil with renewed courage and a rekindled flame of love for his home, his country, and his Maker.

Of course, they should be made into National Parks without delay so that all alike, the poor as well as the rich, may share and share alike their grandeur and blessings.

Since this was written, our Federal Government has taken over the Chisos Mountains and will make a national park out of them which I think is a wonderful achievement for the pleasure and happiness of our people.

### HUNT IN WYOMING IN 1933

In June of 1933 four of us decided we would take a bear hunt in the Shoshone National Forests of Wyoming out from Cody about thirty-five or forty miles—Clarence English and C. P. Burton, of Dallas, R. C. Bechtel, of Houston, W. R. Bowden, of Midland, and I. C. P. (Pete) Burton flew to Cody and the rest of us drove up in a car. We could hunt only bear at that season of the year. Bechtel killed a nice small brown bear and had the hide mounted and I now have it on the wall in my little den of hunting trophies in my home here in Austin. It is a beautiful specimen and I appreciate the gift. It was very cold up there and it snowed most of the time. We were unable to travel horseback where we wanted to go on account of bogging up in the snow in trying to cross draws where the snow had drifted. Bowden got a shot at a large black bear, hit him, but failed to get him. On that trip I saw my first moose and elk. However, they were poor and the season was not open to kill them.

One morning my guide and I went up the mountain northwest of our camp and when high up on the mountain through our field

glasses we saw a large bear on an open glade across the canyon some three miles to our northeast. We decided to try to get a shot at him but had to return to camp before we could get to him. We returned, ate our noon lunch and started northeast up the creek toward the bear. We rode up the creek to about even with where the bear was. I wanted to ride on up the ridge where we had seen the bear but the guide for some cause said it was best to go up the divide just south of him, locate him and slip up on him. As I had then never killed a bear, I consented. With much difficulty by reason of the snow bog and fallen trees we were delayed in reaching the elevation of the bear. We located the open green glade but the bear had gone. It was intensely cold and we decided to hitch our horses and build a fire and get warm. After my guide had thawed out, he suggested that I stay with the horses and he would walk up the divide and see if he could locate another bear. I lay down with my feet to the fire, my overcoat on, and threw my slicker over my body and soon fell fast asleep. In perhaps thirty or forty minutes I awoke and looked over to the green open glade where we had first seen the bear and there I saw a large brown bear. It was about five hundred yards across a canyon. Soon I saw a black cub playing around the old bear. Soon I could see another cub about the same size but it was evidently a brown or cinnamon cub. Soon my guide returned and he too had located the bear with his field glasses and through them one could easily see that one of the cubs was black and the other brown which was most unusual. It was impossible to cross the canyon and go directly to them. We had to return to the creek and go up it to the divide or ledge where the bear was grazing. It took some little time to ride down to the creek and then up to where the bears were. When we came to within three hundred yards of them, we dismounted, hitched our horses, and walked up to the edge of the glade but to our dismay they had gone. We followed their tracks in the snow for some distance but soon the mountain was too rugged and steep and we had to abandon our trail. I am confident that if we had gone up the divide as I had suggested where we saw the bear, we would have gotten the old bear and captured the two cubs. My guide and those other old hunters never before had seen a bear with a brown and a black cub following her. I was unusually anxious to capture them because it would have been a real curiosity in wild animal life.

Pete Burton flew up to Cody and came out to where we were hunting and he and I rode out one morning and it began to snow. Large flakes of fast-falling snow across the canyon with a solid green background of pines presented a very unusual and beautiful scene. We tried to go on but in crossing draws and ravines

our horses would bog up in the snow and we had to return to camp. Those spruce trees many of them one hundred and fifty feet tall and only two feet at their base were so symmetrical and beautiful that there is no wonder we all admire nature and worship Him who grew them so lovely.

While this our first hunt in Wyoming was not very successful, we thoroughly enjoyed it and it paved the way for many very successful and enjoyable outings later on.

R. C. Bechtel killed a nice brown or cinnamon bear.

#### HUNTS IN WYOMING IN 1934

In the fall of 1934 Clarence English, R. C. Bechtel and myself with a large crowd from Fort Worth, Dallas, and Weatherford, went on a fine hunt in Wyoming. On this trip we drove to Cody, Wyoming in an automobile and then on out about twenty-five miles to the Higgins Ranch, spent the night, and left on horseback across the divide about thirty-five miles to the Teton Forest. The season opened on September 16 on all large game including moose, elk, deer, antelope and bear. We camped in tents near the southeast corner of the Yellowstone National Park. Each of us got an elk and a moose and several of the boys got bears and antelope. My greatest thrill was killing a large bull moose. Two of us had to have a guide, and English and I rode together with our guide. Moose usually graze down in the swamps on low lands where the grass stays green and they often wade out into the water of the streams and stand in the water eating moss for hours at a time. One evening we saw five or six moose grazing down in the flat or bottoms of the river. We hitched our horses and walked down close to them keeping out of their sight behind shrubs and bushes. About three hundred yards to our right stood a large bull moose and a cow moose and off some 400 yards two or three cows and a moose calf and yearling. English was so kind that he agreed to let me get the first shot and said he would walk out on the rise and attract their attention so we could slip up on them and kill the bull moose. The guide and I walked out behind the brush to within about eighty yards of the bull and cow. The guide stopped and told me to slip up on higher ground and shoot. The bull was standing looking at English with his head toward me but at an angle. I raised my Springfield rifle and shot, hitting him just behind the shoulder the ball ranging back. He fell but immediately jumped up and turned to his right running angling from me. I threw another cartridge in my gun, shot again, and hit him in the flank on the opposite side from where I had first hit him. The ball ranged close to his heart and he fell in his tracks. We all walked up to where he lay. He was a large

moose weighing about eighteen hundred pounds and had large symmetrical horns. I did not notice it at first but as we stood by him, I found that I was unusually nervous. It was a beautiful moose and a great thrill to me.

On that hunt one day one of the boys felt ill and stayed in camp. We had two large eating and cooking tents and six or eight smaller tents where we slept. One afternoon a large bull moose crossed the creek at the camp and ran between the eating tents and the tents where we slept. This sick member of the party got his gun and killed the moose right in camp. He too was a fine specimen.

After I had killed the moose with English and our guide, we started back to camp some five miles away. I was very anxious for English to kill a moose and as he so kindly yielded to me to kill the first one, I naturally wanted him to get one also. The guide suggested that we return near the river and he might get a shot at another one in returning to camp. After we started, I suggested that as I had already killed my limit, I would ride out something like half a mile in the foothills and breaks and might get a shot at an elk or a deer as we would likely not see any down close to the river. English said it was alright and I rode off telling him I would stay in hearing distance and would drop down and meet them in the course of a mile or two. Our guide was a good old man but peculiar and must have been a little cranky. I rode on not thinking I was violating any rule or law. After our hunt English told me that it was all he could do to keep the guide from following me and arresting me for hunting without a guide, he being a deputy state game warden, and that finally he became so mad over it that he started to follow me and that he, English, then told him he would not let him and would prevent him by force if necessary. As we had to hunt with this guide for several days more, English did not tell me about this until after our hunt was over.

The next year in the fall of 1935 Horace Staggs and Clarence English made arrangements to take another hunt with the Siggins at the same place. We went in an automobile, they meeting me at Texline. Our party including guides, cooks, and hunters amounted to twenty-three men. We left the Siggins Ranch on horseback with pack horses travelling across a dangerous trail over the mountains and on over the divide to the hunting camp that had already been arranged. As we advanced up the mountain, it began to snow and before we reached the Divide, the snow was four or five inches deep and it was a bitter cold snow storm. The trail was crooked and dangerous. In many places if a horse had slipped and fallen, he and his rider would have fallen a

thousand feet or more. As I was used to horseback riding, I soon took the lead and knew the trail. English and Staggs followed to the rear. We were well wrapped but it was so bitter cold that we became thoroughly chilled. Ice would form on our eyebrows and on the mustaches of those who wore them. We went on over the Divide about 12,000 feet above sea level. We were about one-half mile in front of the main group of hunters and guides. About a mile below the Divide we entered the timber line on the mountains and saw several dead fallen pines. A suggestion was made to stop and build a fire and get warm. The pine burned nicely and the flames would leap twenty feet high. We were soon thawed out and comfortable. We waited until the main crowd rode up, threw fresh limbs on the fire, mounted our horses and I told the boys as they rode up that we had built that fire especially for their benefit and turned it over to them who were also numb from the cold snowstorm. They all waved to us and thanked us and said, "Good."

During the evening after we ate our evening meal they found out that I was Railroad Commissioner from Texas and they all said in humor that they were for me for Governor because of that good fire we had built for them. One fellow said, "Yes, for President." They were all fine fellows and we enjoyed their good humor and flattery. On this hunt all with us were fine men. Among them were N. J. Gourley, of Fort Worth, and the two Quante boys of Weatherford.

That year we had arranged in advance by letter with the Siggins that we would not hunt with that same guide who had been with us the year before. They replied that it was alright as unfortunately this old guide had passed away during the year. It has often occurred to me that we should have been more forgiving because of his age and bad health which accounted for the unreasonable course he pursued or wanted to pursue on our hunt. Our guide this time was Ray Siggins, a son of the owner of the ranch. He was as fine a young man as it has ever been my pleasure to meet, a fine companion, a splendid guide, and an artist of much note. He was one of the artists at the California Exposition and the Dallas Centennial and helped sculpture and paint much of the fine buildings at those expositions.

We hunted with the Siggins in the Teton Forest, with Ray Siggins as our guide. Siggins, English and I camped high up on the river some ten or twelve miles from the headquarters camp. One morning we all three rode up across the Divide and went down the canyon on the opposite side of the mountain. Our guide got a shot at a running elk but missed him. We took our cold lunch with us and after we had passed across the Divide to the north, we sat down by a spring of water and ate our lunch. While eating, our guide, Ray Siggins, said we could stay in the locality



First row: Walter Gerron, C. V. Terrell; C. V. Terrell and R. C. Rehtel.  
 Middle row: C. V. Terrell, Deer and Antelope.  
 Bottom row: Clarence English and large Elk. C. V. Terrell, Harry Brown,  
 Mrs. Harry Brown, Mark Marshall, and catch.

and hunt until about four or five o'clock that afternoon when he would return as he wanted to go to a ranch about ten miles away for some groceries he had failed to provide, particularly for some honey for a bear to eat with the hope we might get to kill one. Up to that hunt English nor I either had ever killed a bear.

Soon after Ray had left us, we heard high up on the mountain to the southwest the bugle call of an elk. We took our guns and walked up on a little higher ground to the south and soon another elk answered this call to our left and southeast of us. They continued to answer each other's call and we walked on south to where we thought they would soon meet. Soon a beautiful bull elk showed up about two hundred yards to the southwest high up on a ridge. I stepped over to the left intending to try to kill the one approaching from the southeast. I had walked about fifty yards when English shot his elk but failed to kill him, and he ran on down toward us and again English shot. This shot was successful and English had killed his first elk. My elk was closer than I thought and when he heard the first shot, he ran and I shot at him about one hundred yards away as he ran directly away from me, but I missed him clearly. I went over to where English was and found he had killed his elk. Either shot would have been fatal. I am confident if we had stayed together and waited, they would have locked horns and we could have easily killed both of them, and if our guide had been with us, we would have pursued that course and gotten two instead of one. We dressed the elk and took the edible meat to camp with its head and horns to be mounted. Our guide soon came and complimented us instead of condemning us for hunting in his absence.

That night we took our can of honey and about two miles from our camp where they had killed a cow elk as bait for a bear and put honey over the elk and on the two logs nearby hoping we would be able to get a good bear. Early before day English and I saddled our horses and while Ray Siggins was getting breakfast, we rode up to where the bear bait was located, hitched our horses about two hundred yards away, slipped up a ravine to within about eighty yards of the bait, and there we saw a bear. English again yielded to me and let me kill the bear. It was a very large black one that would weigh five or six hundred pounds. I hit him the first shot but as he did not fall but was wounded and unable to run, as we approached I shot him again. Ray heard our two shots, got on his horse, and was soon on the scene. We skinned the bear, took about fifty pounds of fat to render for greasing harness and saddles and a part of his hind quarters to eat. I had the hide properly mounted or dressed and have it on the wall of my den of trophies at home here in Austin. I value

it highly as it was as large a black bear as I ever saw and it was the first and only bear I ever killed. On this hunt we killed an elk and a bear in the absence of our guide. That night it turned a little warmer and as I slept in my zipper bedding on an air mattress I got a little too warm and it made me nervous and I woke up and thought I had heart trouble, caused I thought by the high altitude as it was about 9,000 feet above sea level. I told English and Ray that I would return down to the head camp where the altitude was much lower. I suggested that they remain there and try to get a bear for English. I arrived at the head camp just before noon and several of the boys came to me to find out what luck we had had and they were delighted at our success. They, too, had been very successful and had killed several elk, a bull moose or two, and a large grizzly bear and her two cubs. But when they told me the sad story of J. H. Quante, who had dropped dead on the hunt two days before. His two sons were going on the hunt and as he was an old-time hunter and engineer of about 75 years old, active and in good health he persuaded his sons to let him go with them. The first day's ride on horseback across the Divide about thirty-five miles in a snowstorm was a very hard day's work. The next day he went out on the hunt but did not stay long and soon after eating the noon meal, he started to his sleeping tent and fell dead with heart trouble. It was thirty-five miles across the Divide on a rugged, rough and dangerous trail to the ranch where they could reach an automobile. There was no road, only a dangerous mountain trail. They decided to get one of their best pack horses, put a mattress on the horse, tie it down and put the remains on the mattress properly strapped to the mattress and lead the horse across the Divide. It was the only way to get him out of the forest and the boys did not want to bury him in the forest. So the next morning the two sons and several of the hunters and guides started on the sad and long funeral march. They arrived at the ranch and then telephoned for a hearse and carried him in to Cody and placed his body in the City Cemetery to be removed at a later date to Texas. So he temporarily sleeps in the beautiful City Cemetery of the little mountain town of Cody, Wyoming named for Buffalo Bill Cody, the town where he lived and died and the citizens have built a very fine museum in honor of Bill Cody with his saddles, clothes, and equipment and many of his guns and trophies on exhibit for the public. Before we left Cody, we visited this noted Bill Cody Museum which is most interesting to anyone who ever lived in the west or is interested in wild animal life and frontier history. Today's paper states that the Shushone Dam, one of the highest dams in the world just above Cody, Wyoming has been changed to the name of "Bill Cody Dam."

All the hunters in the crowd insisted on the boys returning because they had hunted only one day and it had been a rather long and expensive trip to make for only one day's hunting. So they were induced and I think properly so to go back and finish their hunt. Of course, it was sad for them and we all noticed it had affected them deeply but like men they stoically faced their sorrow. That sad misfortune had its effect on me as I was a little older than he was and I imagined the altitude was affecting me, so I told the boys I would on the next day return back across the Divide for the ranch. They said several of the guides were returning and I could ride with them. Just before we left, after our noon lunch, English and Ray Siggins came riding in with his elk head, my bear hide, and the hide of a large brown bear that English had killed.

We drove up to Cody with Horace Staggs, of Dallas, and he, too, got a fine elk. The next day they came on down to the ranch and we left in our automobile for Texas with three elk heads and two nice bear hides that we later had mounted.

#### GRIZZLY BEAR STORY

One of the boys on the hunt, who had never killed any kind of large game killed a very large grizzly bear and two cubs. Naturally he was thoroughly thrilled and elated over his good luck and all of us envied him over his success. That night two of the hunters that were young oil operators in Texas hunted together began to discuss which direction they should go the next day. One of them said "Bill lets go up on the mountain where the grizzly bear was killed and we may be able to get one." Bill replied "No I don't want to hunt any grizzly bear. I'm afraid of them." His companion replied that there was no danger, that a grizzly bear could not climb a tree. Bill replied neither can I climb a tree. This was the first time I ever knew a grizzly bear could not climb a tree. They claim their claws are not made long enough to hold on to the bark of a tree.

On one of our hunts in New Mexico we had quite a few oil men with us and one took his wife along who loved to hunt and was a very fine shot. The first night out at the camp after eating our evening meal in a large tent from a long eating table I suggested we get up a bridge game that I thought it a very scientific game, and that I liked to play though not an extra good player. I asked the lady if she played and she replied that she and her husband both played but no one else could play. Then I suggested that we get up a game of pitch or a game of poker. However, I remarked that I never played for money but only for fun with matches or beans. One of the other oil men who was married but

left his wife at home said I would not get any more thrill out of playing poker for fun than I would kissing my own wife. All of us laughed except the lady present. She didn't even smile, but she looked daggers at this young oil man.

### HUNT IN THE DAVIS MOUNTAINS IN 1936

In November 1935 a crowd of hunters went into the Davis Mountains on a hunt for black-tailed deer. The crowd consisted of Sam Perkins and Clarence English, of Dallas, Leonard Brown and Manzy English, of Houston, Frank Parker, of San Angelo, Frank Tenney, of Royal Valley, Mark Marshall, Walter Gerron, and I from Austin. We were hunting on the Jones Brothers Ranch at the foot of Sawtooth Mountain out some twenty or thirty miles from Valentine on the Texas and Pacific Railroad. My recollection is that it was the most successful hunt it was ever my pleasure to have taken. Every one of us got a fine black-tailed deer.

Early one morning I got on my horse and rode up on the foothills or a smaller mountain and jumped two large black-tailed bucks. My horse was not very gentle and would not stand when I got off to shoot. He would not run off and I could always catch him but I was always uneasy and would lose much good time in going after him. Before I could dismount, those two deer ran on west up the slope of the mountain in the open timber and out of sight. Instead of following them direct I rode around to the right and after going about a quarter of a mile, I turned directly to my left and south and as I rode up on the flat, one of these same deer jumped up and I got off my horse and shot him, and he fell in his tracks. When I shot, the other one jumped up and ran southeast angling from me. I shot him and knocked him down but hit him in the hip and he got up and ran on off. I knew I had fatally wounded him from the way he ran. I followed him on my horse and went east below him. He had lain down and when he saw me, he jumped up within about thirty yards of me and ran south. I jumped off my horse and shot at him twice as he ran by me with his broadside to me. As he did not fall but kept running, I decided that I must have missed him. My gun was a Springfield Army gun and the shot should have knocked him down. I was disgusted with my poor markmanship and hard luck, so I got on my horse and went back to where I had killed the deer. After dressing it, I pulled it under the shade of a large tree and decided to return to camp and get a gentle pack horse and bring my deer in. However, I decided I would ride along the south ledge

of the mountain some three hundred yards from where I last shot at the other deer and I might get another shot at him. In about two hundred yards from where I shot him the last time, I found him lying under a tree dead. When dressing him, I found both of my shots had hit him. Either one would have been fatal. I do not now understand why he did not fall when I shot him. Each of the bucks had ten nice points and their antlers were as beautiful and symmetrical as any I have ever seen.

I gave one of the deer to one of my dearest friends Leonard Brown and have the other one mounted in my little den of wild game trophies at home.



Leonard Brown, member of the State Liquor Board.

### FISHING AT GALVESTON AND AT DON MARTIN LAKE

I have always enjoyed outdoor exercise and all kinds of sports. I love to attend relays, track meets, golden glove boxing tournaments, baseball, football. I love to fish but am sure hunting large wild game is perhaps my greatest hobby. I have fished a number of times at Port Aransas, Galveston and other places in Texas on the Gulf Coast, and at Don Martin Lake in Old Mexico. On two very successful fishing trips to the red snapper reefs out about fifty miles from Galveston we had a most enjoyable time and caught a large number of red snappers each time. One of the

outings was considerably marred by the fact that everyone of us except the owner of the boat became seasick. We fished with a line that had two hooks and a weight on it. As soon as the weight would hit the bottom, we would draw up the line as fast as we could and we would have either one or two fish on the hooks or else our bait would be gone.

The most enjoyable fishing trip I ever took was at Don Martin Lake in Old Mexico about eighty miles from Laredo, Texas. By engagement Mark Marshall, who was head of the Motor Transportation Division of the Railroad Commission, and I met Mr. and Mrs. Harry Brown, of San Antonio, and a lady friend of Mrs. Brown's, at Laredo. We drove down to the lake about an hour by sun in Mr. Brown's car. We immediately hired a boat owned by a Mexican and his son. Each of us had a rod and reel with artificial bait on our hooks. The Mexican drove in his boat out to the fishing grounds, slowed up, and we put out our hooks. The two ladies first had the best luck and made several catches before we could but a little later Brown and Marshall began to reel in nice bass. We must have fished for half an hour before I had a strike. Finally, one struck my hook and I began to reel him in. I had never fished much with a reel and the fish came toward the boat and then made a dive back and it was with such force that my hand slipped off the handle of the reel and the blow knocked the blood out of my thumb nail. I then caught hold of the string with my hand and received a good burn from it. Finally the Mexican boy came to my rescue with gloves on and enabled me to regain possession of the knob of the reel and gradually I brought the fish in. It turned out to be a 7½ lb. bass, the largest one caught on that or any succeeding trip to that lake.

We fished again the next morning and afternoon and returned home with at least one hundred pounds of as nice a catch as I ever saw.

A year of two later a crowd of us went again and had good luck but the fish did not bite as ravenously as they did on that first trip. On our last trip we put out a baited trotline and caught a barrel of fine catfish weighing from two to fifteen pounds each. We put them in a barrel with ice and shipped them home by express. I do not believe there is any finer fishing anywhere than at Don Martin Lake in Old Mexico.

#### A VERY THRILLING FISHING TRIP

A few of us, including Laten Standberry, went to Port Aransas in 1937 hired a motor boat, and an experienced fisherman to run the boat and superintend the fishing trip. After fishing for Tarpon ..... awhile with no luck except we caught a few

sharks that were worthless to eat we saw in the far distance far out in the Gulf a motor boat in distress signaling for help. The boat was two or three miles from us. We at once drew in our tackle and started to their rescue. Soon we arrived by its side and took on three men, one being our friend Will Hughes, formerly of Hillsboro and now of Corpus Christi. They had run out of gas and were fast drifting out into the Gulf. We took all over board except the owner of the boat and he remained at the steering wheel while we tied on to his boat and towed it safely back to the port where they got another supply of gas and returned to their fishing. They were all badly frightened and gave vent to great rejoicing when rescued. They were unusually grateful and said they would never forget us. As we returned to the fishing we saw a large Jew fish feeding in the water where the clear blue water and the cloudy shallow water met. We had nothing with which we could catch him so we returned to the port got a harpoon and a rifle and returned to try to catch and kill the big monster. He was still there quietly feeding near where we first sighted him. We tied our large rope securely to our boat and with a harpoon on the other end of the rope eased our way up close to the fish and harpooned him. He at once started out in the Gulf with us. He must have carried us four or five miles out while we were all the time trying to get a shot at him with our none too powerful gun. Often he would swim back under our boat and then dash forward and try to break the rope or get loose from the harpoon. We all the time endeavoring to follow him with the boat so as to lessen the sudden pull on the rope. Finally after worrying with him for more than an hour he dashed back under the boat and then with all speed he had swam on out the other direction when the rope broke and he was gone from us to our great disappointment. He looked to be over 30 feet across and would have weighed several tons. It was an interesting and thrilling chase even though it was a futile one.

#### HUNT IN WYOMING IN 1937 WHERE TEDDY ROOSEVELT USED TO HUNT

The last hunt I had the pleasure of making in Wyoming was in the fall of 1937. As the game season opened there the 16th of September, we agreed to be there on that date. I arrived on the train in Casper, Wyoming where I met R. C. Bechtel, who had been visiting with his wife's family in that section of the State. In an automobile we drove to Dubois on into a snowstorm and took pictures while the snow was falling. The next day we rode horseback about thirty miles across the Sheridan Pass to the hunting camp. Everything necessary for taking care of hunters

was already provided—tents, bedding, food, and cooks. They gave me a splendid saddle horse and an excellent guide. Before I left Texas, my friends had given me a fine Remington gun with a telescope sight. At daybreak my guide and I started up into the mountains in search of elk and bear. We carried a cold lunch with a view of spending the day hunting if necessary. Up to noon our hunt was a complete failure. We saw nothing. We sat down by a mountain spring and ate our noon meal. We had an apple for dessert which came in nicely. The guide suggested that we let our horses graze and that we take a short nap before starting out on our afternoon hunt. Being accustomed to riding horseback I enjoyed the outing and particularly the beautiful mountain scenes. At my suggestion we rode higher up into the mountains and saw plenty of signs of elk but nothing more. Late in the afternoon I asked my guide if he could bugle like an elk and he said that he could. I asked him to send out a call for one which he did. We stopped our horses, sat listening for an answering bugle call from an elk. We heard none. I asked him to call again which he did and in a few seconds we heard distinctly in the distance to our west the bugle of an elk. It must have been nearly a mile away. We spurred our horses and rode in the direction of the call. Soon we approached an open glade on the east that was about three hundred yards long east and west and about one hundred and fifty yards wide. Just before the entrance of the glade a pine tree had fallen and we stopped our horses behind this tree that afforded good protection from the sight of an elk should he enter the glade. The guide bugled again and immediately the elk answered him evidently coming closer to us. The guide said, "I'll take our horses back out of sight so if he comes, we can get him." Soon the guide returned on foot and the elk bugled again—this time not more than three or four hundred yards from us. The guide answered him and soon one of the most beautiful bull elks appeared about two hundred yards from us immediately in front and west of us. He stopped with his head aloft with as fine antlers as I ever saw. The guide told me not to shoot until he ordered me to. I said O.K. The elk stood still for a few seconds and then majestically started on toward us, but he could not see us as we were hidden securely behind the fallen tree and the pine bushes. He came on down to about one hundred yards of us and I asked the guide if I hadn't better shoot and he told me to wait. The elk came on to within about eighty yards of us and without orders from my guide I pulled the trigger and shot. The elk was standing broadside to me and I missed him clear. I knew I shot over him. He turned and faced us. I threw another cartridge in my gun but a small pine bush was directly between the elk and me. I knew the slightest twig would deflect a bullet so I eased

over to my right about six inches and took a correct aim, fired, and the real monarch of the glen fell in his tracks to the delight of my anxious guide and to my joy as it relieved by crushed vanity over missing him the first time. Every sportsman when he misses a shot has a good and sufficient alibi or excuse whether true or not, so I had a real true one for this failure to hit. I was not used to shooting through a telescope sight. However, several years ago I had hunted with a gun that had a telescope sight and it had two fine wire lines one running horizontally, the other vertically and they crossed each other in the center of the globe or sight and one placed the cross of the two lines on the target desired to be hit, pulled the trigger, but this telescope on my new gun that I was using that day had one line running horizontally and a small projectile running up from the bottom of the globe crossing the line in the center and extending slightly above the horizontal line. The gun was trained for one to aim from the top of the projectile instead of where I aimed—where they crossed. As a result it raised the end of the barrel and I overshot the elk. With my second shot I aimed from the top of the projectile and killed him. This specimen was such a fine one I wanted a picture with me standing by with my gun in hand and my foot on the elk, but had left the kodak at camp and could not do so. We dressed the elk at once and returned the next day to get the meat and the head and horns which I have mounted in my little den at home.

All sportsmen fall in love with their gun and I liked mine but it was not until two days later that I really had occasion to place the proper value of my new gun. On that day we drove our car to the Pitchfork Ranch to hunt. Dr. Carpenter was in charge and with another guide we rode out to kill an antelope. We saw a lone buck antelope about four hundred yards away so we hitched our horses, slipped up to about three hundred yards and the guide said we could go no closer without his seeing us and running. I took close aim, shot, and killed the antelope with the first shot. He was lying down serving as a lookout for about one hundred antelope that were down in the draw behind the hill. When I shot, they all ran out and away. The best hunters of large wild game will tell you that they fail to kill more shots than they kill because it is so often that the game is a long way off or is running and I do not care how good a shot a man may be, game running or at long range is most difficult to hit. This antelope's head and horns I have mounted in my den and I value it very highly because of its beauty and the further fact that it was killed on the Pitchfork Ranch where the immortal Teddy Roosevelt used to hunt.

Antelope are different from most wild game. They always have a buck to stand on a high plain or hill as a sentinel or guard over the herd and signal to them in case of the approach of hunters or danger.

This was my last hunt in Wyoming and I perhaps may never again have the pleasure of visiting that beautiful section again. The outings we have taken there and the intimate associations of friends while hunting has been one of the bright spots in my life. I love to hunt. I love my friends and wish I could go once again.

## Chapter V

### LEASE LAW

In the early development of Texas one of the hardest fought battles in our legislature halls was fought during Governor Ireland's administration over what was then known as the "Lease Law." It was bitter and much like the recent fight in Congress over the "Lend-Lease Law." The champions and contestants were able men and the contest in the Legislature extended over many weeks. Vitriolic denunciations were freely hurled at each other. Irony, sarcasm, eloquence, logic, sophistry, pathos, and humor held sway for days and those fortunate enough to hear the debates were entertained and interested because the press reports were fair and complete. When Texas was admitted into the Union, unlike other states, she retained our public domain, and since that time it has been wisely set apart by law to our public free school fund, the University of Texas, and Texas A. & M. College. Before the passage of this "Lease Law", all this land as open range was used free of charge by the prosperous cow men of the West. A great many of our statesmen living in south, east, and middle Texas favored leasing this land to the cattle men using it at two and three cents an acre per year, this revenue to be applied to the available public school, University, and A. & M. College funds. The bill was championed by Judge A. W. Terrell then Senator from Austin, backed by a number of the ablest statesmen in Texas. Judge W. O. Davis, of Gainesville, led the opposition to the bill largely on the ground that the pioneer cattle men had endangered and endured the hardships of the unsettled West, pushed back the Indians, and had developed that section and were entitled to the fruits of their labor and should not be taxed for the use of this unfenced domain. The debates on the floor of the Senate on this measure between Judge Terrell and Judge Davis and other senators comprised the ablest and the most intellectual conflicts that have ever been waged in the legislative hall of Texas. I wish I had access to those speeches because they would illuminate and adorn the pages of any history. Finally, the bill was passed and signed by the Governor and the school children of the State became the recipients of great public funds from the leasing of this land.

Soon all the public domain was placed on the market for sale to the actual settler for fifty cents and one dollar per acre. Under

that law the land was advertised to be sold on a fixed day and the applicant who applied for the land first on that day to the County Clerk's office of the county where it was located was awarded the land. The result was that the rich cowman who had the land leased and in his possession had his cowhands, Mexicans and all to file for him and being responsible for the election of the County Clerk, either fairly or otherwise, acquired the land, particularly all the watered sections, and the real actual settler, in many cases, was unable to file and purchase the land.

My brother, John J. Terrell, in 1903 was elected Commissioner of the General Land Office of Texas and seeing the injustice being done to the actual settler and the great loss to our school fund, had introduced in the Legislature a bill amending this unfair and unwise law providing for sale of this land after advertising it to the highest bidder but fixing a minimum price below which it would not be sold. The bill was defeated in the lower House by only one vote but at the next regular session it was passed and by it has been saved to our public schools more than \$30,000,000.

In today's papers I notice a statement from our Land Commissioner, Bascom Giles, that the advertised sale of vacant land belonging to our public school fund on May 2, 1944 will bring to our school fund nearly \$500,000, which is a result of this wise law.

### THE LEND-LEASE BILL

The spirit of 1776 does not exist today as it once did. At least the flame is not burning in the hearts of all of us as it did when Washington and his band of patriots made America glorious at Valley Forge and at Yorktown. The spirit of Patrick Henry when he voiced the true sentiment and feelings of all loyal Americans when he said, "Give me liberty or give me death!" Of course, there are many now who are just as patriotic as the people were then. We love our country and would die for it if necessary but we have enjoyed such a mode of living and freedom for so long and so unmolested that we can hardly realize that our freedom is in serious jeopardy. We have unfortunately become self satisfied and have such high and exalted ideas about the greatness of our country that it is hard for us to see how any nation or group of European nations could in the least disturb or destroy the blessings we have so long enjoyed. But when one sees what has been done in Europe, when he reads of the fall of Austria, Czechoslovakia, Poland Denmark, Norway, Finland, Holland, Bulgaria, and France, those Democratic liberty-loving people—surely it is enough to cause us to think and properly weigh the strength of those tyrants that have wrought such great destruction and desolation, and when a large majority of our ablest lead-

ers in America see and point out the danger, why any patriotic citizen would oppose the lend-lease bill before Congress is a mystery to me.

If England finally wins, no one questions any danger to this country, but if Hitler and Mussolini should win, everyone fears the result. Why then delay helping England? Time is an important factor with England and it seems to me those who are protesting and fighting the measure are working in the interest of Hitler and Mussolini.

### RAILROAD STRIKE AT FORT WORTH

During Governor John Ireland's administration as Governor of Texas in 1886 organized labor, comprising the "Big Four", Conductors, Engineers, Brakemen, and Switchmen, demanded of the rail carriers higher wages which was refused and Labor in turn called a strike and refused to work. All kinds of transportation in and out of Fort Worth were tied up. The carriers employed non-union or "scab labor" and began to run their trains out of Fort Worth. At that time Fort Worth was the railroad center of North Texas, and the strike created great excitement throughout the state and nation. Several of the non-union employees operating trains out of Fort Worth were shot and wounded and one or two of them killed while in the discharge of their work. It was reported that threats were made that the Union depot would be blown up by the strikers. All of this increased the tension, and the Governor called out all of the state troops or state militia in Texas to report at once at Fort Worth and protect lives and property and see that the trainmen while on duty were not molested. In response to the Governor's call, all the state troops mobilized at Fort Worth as soon as they could possibly get there.

Captain Tully A. Fuller was captain of the Decatur Rifles and as we were only forty miles from Fort Worth on the Denver railroad, we took the first train for Fort Worth in obedience to the Governor's call and arrived in Fort Worth at three o'clock on Sunday afternoon. The Fort Worth Fencibles commanded by Captain Will Ford had been on duty all night guarding the Union depot and other property and were relieved by patriotic public citizens composed of doctors, lawyers, merchants, and men from the various walks of life. They were patrolling the depot with guns in hand and keeping back a curious and threatening crowd of many thousand people preventing them from entering the depot and grounds. Being the first company there, we relieved those citizens and placed patrols around the depot and switch yards of the various railroad companies. Soon after our arrival

came the Dallas Rifles and the Gainesville Rifles. From some cause one of the majors of our regiment did not come and Captain Fuller, being the senior captain of the regiment, was ordered to act as Major, and I being First Lieutenant of our company, was ordered to take charge and command the company. A certain number of each company were detailed to duty at the Union or Texas and Pacific depot and the various freight depots and the yards of the various railroads in the city. Our company was ordered to protect the Missouri Pacific yards. We were provided with good meals at the nearby cafes and hotels and slept in the hotels and boarding houses near the Union Depot and the railroad tracks and yards. While we were on duty and marching to and from where we were on patrol, strikers in houses in the doorways and windows would curse and abuse us but I had ordered the men of our company to not resent any abuse that might be given us. We arrested one man who had his pockets filled with dynamite. He was drinking and we turned him over to the Commanding Officer. The next morning which was Monday Governor John Ireland came up and commanded the troops in person. He was the first live governor I had ever seen and it gave me and our boys quite a thrill to see him. He was tall, some six feet or more in height, dark hair, mustache, and whiskers, and weighed about two hundred pounds. He wore a black Prince Albert coat and a black "bee gum" silk hat. He was rather handsome and looked much like a statesman or what I then thought a statesman should look like. I had seen ex-Governors Richard Coke and J. W. Throckmorton but at the time Coke was United States Senator and Throckmorton was a private citizen. Belonging to the Decatur Rifles was a group of four or five men who also belonged to organized labor and as a precaution Captain Fuller called each of them to his office where I was present and reading law, and separately told them of our going to Fort Worth to protect lives and property from the angered strikers and that if they preferred, he would excuse them and not force them to go if they so desired. Each one of them replied, "No, I believe in law and order and want to go and discharge my duty to my state" which they did wholeheartedly and fearlessly. Captain Fuller congratulated them on their lofty stand and their decision to discharge their duty as soldiers and good citizens.

#### RATHER AN UNUSUAL INCIDENT

While I was a member of the Texas Railroad Commission and serving with Clarence Gilmore who was chairman, we were requested to hold a hearing for the Interstate Commerce Commission at Plainview, Texas and hear and make a record of the

testimony in regard to application of the Fort Worth & Denver Railroad, the Quanah Acme and Pacific Railroad and other railroads to run trains to Lubbock, Plainview, Floydada, and other points on the Plains. Chairman Gilmore at first thought it best for us not to accept the offer but I insisted on the grounds that we could meet the people along the various routes, learn their needs and views and if we desired, could suggest to the Interstate Commerce Commission the best thing for them to do in the interest of the people of Texas. He agreed and we did recommend to the I.C.C. that the Denver and the Quanah, Acme & Pacific lines should be granted the right to run their roads to the towns on the Plains, which has had much to do with the development of those fertile plains, especially Lubbock, Plainview, Floydada, and other towns in that section. While we were in Plainview holding the hearing, Colonel W. P. Smythe with whom I had served in the Texas Legislature and who was a Colonel in the Spanish-American War, was living in Plainview, and General John A. Hulen, who served in the Phillipine Islands during and after the Spanish-American War and later in the World War in France as a Brigadier General, and who was superintendent of the Burlington system of Railroads, attended the hearing representing the Fort Worth & Denver Railroad. One day as we adjourned at noon, Col. Smythe asked me to eat with him stating he had a private boarding house where good homecooked meals were served. I accepted and got in his coupe by his side and while waiting for the street to be cleared, he saw General Hulen and called to him inviting him to eat lunch with us. He accepted and got in the car to my right placing me in the middle between two good and great soldiers and citizens. With my arm around the backs of each of them, I thought of their great service to our country as soldiers and remarked that I was sure they didn't know it but I was once a "tin horn" soldier and commanded a company, the Decatur Rifles, at the strike in Fort Worth under Governor Ireland in 1886. Colonel Smythe modestly remarked that he was there also as a sergeant in the Cleburne Company and then General Hulen said he was there as a private in the Gainesville Company. To have the privilege of associating with such men and knowing that they were my friends—such charming characters, men who had done so much for Texas and our great country—really honored and exalted me.

While a member of the State Senate of Texas from 1896 to 1900, I was chairman of the Committee on Military Affairs, and during the Spanish-American War, Governor Charles A. Culberson tendered me a major's commission in the Army, but as I was married and had one small child, I did not accept the appoint-

ment. I have always regretted that I did not accept and serve. I often tell my friends that if I had accepted and served, they would by now have been calling me "Colonel."

### OLD TIME CONVENTIONS

Since the election of Governor Richard Coke over Governor E. J. Davis in 1873, the Democratic party has uniformly controlled the policies of the state and elected all state officers. The liberties of the people during the dark days of reconstruction were so ruthlessly abused by the Republican and "Carpet Bag" leaders that most all the people naturally became Democrats. Up to that election, the South's civil war veterans were disfranchised, and that added to the flames. Until 1906, all state officers were nominated by Democratic Conventions, and they elected at the general elections following. During Governor Lanham's administration, the Terrell election law was enacted; and Democratic candidates for state officers had to submit their names to the primary elections; but failing to receive a majority vote, no nominations were made, and the state convention then had to nominate.

After Governor Coke's election, our state rapidly grew in population, and in every other way; and our conventions likewise grew in importance, and soon became most interesting and exciting. Those wholesome contests in open forum naturally encouraged public speaking, and soon developed here in Texas as brilliant debaters and statesmen as we had in this nation. It is conceded that when Senators Bailey and Culberson were our United States Senators, we were better represented than any other state in the union. Senator Culberson was a leader in the Senate until his health failed. In the campaign between President Hoover and Governor Smith for President, Senator Bailey made speeches for Governor Smith, and Senator Borah for President Hoover. When I heard Senator Borah speak in Dallas, he opened his remarks by saying: "When I first entered Congress thirty-five years ago, Senator Bailey was easily the ablest debater in either House of Congress; and I have not yet heard his equal." In our first primary election held in 1906, there were four able contestants for Governor T. M. Campbell, Judge M. M. Brooks, Governor O. B. Colquitt, and Judge C. K. Bell. They each made active and vigorous campaigns, but neither indulged in any kind of vituperation or "mud-slinging." Governor Campbell, while he was Receiver of the I. & G. Railroad, during the sessions of the Legislature came to Austin, and lived in the company's fine pullman car, on either side of which was painted the words, "Cherokee".

They all received a substantial vote. However, Governor Campbell led by a small plurality and the state convention had to nominate. It convened in Dallas and was a large convention. As Governor Campbell led in the primary, it was thought he would be nominated; but an effective combination could have defeated him. Before the convention was permanently organized, the delegates began to call for Senator Bailey to address them. The call became so insistent that he appeared on the platform. He was then in the zenith of his popularity. He was not a supporter of Governor Campbell, but in his address he started to quote an old poem, and when he said, "The Campbells are coming," nothing further could be heard. It electrified the convention. The Campbell men took advantage of the incident and soon he was nominated. That was the last real exciting convention to nominate state officers ever held in Texas.

Governor Campbell made us an able and safe governor. Following much in the footsteps of Governors Hogg and Culberson. He was opposed for his second term by a large part of the corporate interests, as well as the saloons and breweries. Honorable R. R. Williams, a blacksmith of Cumby, Hopkins County, was his opponent. Mr. Williams was a good and capable man. He was affectionately known by his friends as the "Village Blacksmith."

Governor Campbell was nominated and elected. His second term was marked as the beginning of the bitter controversies to regulate the open saloon and state wide prohibition.

The first State Convention I remember was when Governor R. B. Hubbard and Governor J. W. Throckmorton tied up the convention and a "Dark Horse", Governor O. M. Roberts, was nominated.

The Bars of the various counties usually were selected as delegates to our Judicial conventions and we invariably nominated our ablest lawyers for our Judges. In the convention at Dallas that nominated Judges for the First Civil Court of Appeals for that district, we nominated and elected Judges H. O. Head of Sherman, I. W. Stephens of Weatherford, and B. D. Tarleton of Hillsboro. While we have had some very able courts in Texas, yet I am sure that that Court was at least the equal of any of our great Courts since the days of Hemphill, Lipscomb, and Wheeler.

Many of us lament the passing of our old time conventions; they had their faults and there were many, yet they were exciting, filled with humor, eloquence, and all kind of thrills. Our primary system is about as fair as any plan we may ever be able to devise. If we could control contributions, and place the honest poor man on an equal footing with those that are not so honest, and those that have funds, it would be better. The main trouble

with our primary elections is not the systems, but the electorate. Sometimes we become stampeded over music and sentiment and sometimes we mix "church and state" to such an extent that we lose sight of qualifications, and the important services to be rendered. However, our greatest mistakes are usually due to lack of interest and want of information on the part of the voters.

### GOVERNORS COKE AND ROBERTS AND EARLY TEXAS POLITICS

It was my good fortune to have known personally and most of them intimately every Governor and United States Senator of Texas including Governor Richard Coke on down to the present time. I also knew Governor J. W. Throckmorton and Governor Frank Lubbock who served as Governors before I could remember or took any interest in politics or governmental affairs. Governor Lubbock was later elected and served as State Treasurer from 1879 to 1881.

When I first came to the State Senate in January 1897 Governor Lubbock was still living and owned the Lubbock Mansion just north of the Capitol on Congress Avenue, and he and his wife roomed and boarded there. Ex-Senator W. L. Dean of Huntsville who was then a member of the House, Tully A. Fuller, Assistant Attorney General, and Mrs. Terrell and I also roomed there. Governor Lubbock was then living with his fourth or fifth wife, she being a great deal younger than he was. The Governor was a great talker. His wife, being active, took unusually good care of him. At night she would heat a brick from the fire in the fireplace and wrap it in a blanket and put it against his feet when he would retire. I remember that while she was heating the brick for him, he told all of us sitting before the fire that he had a great woman, that she was a "hot brick woman." He was a very enthusiastic man, an ardent anti-Prohibitionist, and took an active part against Prohibition in our campaigns that followed. At the Anti Rally in Fort Worth during the statewide campaign in 1887 he made a speech and read a letter against Prohibition from Ex-President Jefferson Davis, who was still living in Mississippi.

Governor J. W. Throckmorton, who was elected over ex-Governor E. M. Pease, Governor in 1866, was deposed by the President on July 30, 1867 during Reconstruction and Pease was appointed in his place. Governor Throckmorton was a doctor and lived at McKinney, Texas. He was one of the few delegates attending the Secession Convention that opposed the Secession of Texas at the beginning of the Civil War. He was making a talk opposing Secession and the vast crowd booed and hissed him. He drama-

tically replied that "when the rabble hiss, patriots may well tremble." Like General Robert E. Lee he joined the Army and commanded a brigade of soldiers during the War, and was stationed with his troops at Fort Richardson at Jacksboro, Texas.

Governor Throckmorton was rather tall, angular, and thin. He always wore whiskers and mustache. I heard him make many able talks for Democracy. In the old Cates Opera House at Decatur in 1882 I heard a joint debate between him and ex-Lieutenant Governor Wash Jones, of Bastrop, Jones advocating the Greenback Party or Fiat Money and Governor Throckmorton defending Democracy. Lieutenant-Governor Jones was one of the ablest debaters I ever heard. In my opinion he ranked with ex-Senator Joseph W. Bailey and Cone Johnson. In this debate the crowd was largely Democrats and while Governor Throckmorton was unable to answer some of the logic and reasoning of Lieutenant-Governor Jones, yet he captured the crowd with his homely applicable and amusing yarns.

A short time before that I heard at Bryan, Texas a joint discussion between Senator Roger Q. Mills and Ex-Lieutenant-Governor Wash Jones. It too was a great debate. Mills was both eloquent and able. I was a student in A. & M. College and went to Bryan to hear the discussion. I regarded it as an unusual treat especially as I was studying and interested in the science of Government.

In 1873 Governor Richard Coke defeated the Reconstruction candidate, the Republican, Governor E. J. Davis. Davis declined to turn the office over to Governor Coke and called on the President of the United States to hold him in office, but President Grant refused to interfere and disturb the plain expressed will of the people. Governor Coke, with the newly elected members of the Legislature and a few brave Democrats with guns in their hands went into the Capitol at the front door intending to take charge by force, but Davis seeing the situation, he and his followers went out the back door of the Capitol. This ended the Republican rule in Texas and it has gone Democratic ever since. Governor Coke served Texas ably until he resigned to become United States Senator December 1, 1876. His administration as Governor was filled with wholesome laws that were sorely needed after the people had gone through the dark days of Reconstruction from the Civil War. He organized many Ranger companies throughout West and Southwest Texas and that stopped the savage depredations of the Indians and enabled all those sections to be filled with worthwhile immigrants who helped to develop the state. And by reason of his great service to the people as Governor he was elevated by them to the United States Senate

where he remained as one of the leading members of the Senate until March 3, 1895.

Governor Coke was a rather large man over six feet tall and would have weighed well over two hundred pounds. He came to Decatur in about 1875 and made a political talk to a large political gathering at Cold Springs picnic about one and one-half miles northeast of Decatur. He was not a platform orator but was logical, forceful, and easily carried his hearers with him, because they all had confidence in him. They knew he was sincere, courageous, and honest. Throughout the nation he was regarded as an able and most useful United States Senator and his friends by reason of his sound judgment and wisdom affectionately called him "Old Brains."

At a Democratic Convention held in Dallas Senator Joseph W. Bailey, then a Congressman from the 5th District where I lived, introduced me to him and we had quite a talk on governmental affairs and I was always a great admirer of him. When Richard Coke went to the Senate, Lieutenant-Governor R. B. Hubbard became Governor and held the place until after the election in 1878 when Governor O. M. Roberts was elected. In that race for Governor before the Democratic Convention, there were several candidates but the two leading ones were Governor Hubbard and Ex-Governor J. W. Throckmorton. The friends and followers of Governor Hubbard claimed he was entitled under Democratic precedents to a second term. The friends of Governor Throckmorton claimed that he was fairly and overwhelmingly elected Governor in 1866 but deposed by the Republican President in 1867 and Governor E. M. Pease appointed in his place, and that he should be elected as a vindication and to repay him for such mistreatment. The Convention tied up and neither could receive enough votes to be nominated, and finally they nominated a "Dark Horse," Judge O. M. Roberts who was then serving as Chief Justice of the Supreme Court of Texas. It has been related, and I am sure it is correct, that Governor Roberts was in Tyler when he was nominated and they wired him notifying him of his nomination and asking for his acceptance before the Convention adjourned. The wire was given to him on the streets of Tyler and he had no change to pay for answering it and he went into a saloon and borrowed fifty cents from the bartender, a friend of his, to pay for the wire accepting the nomination.

#### THE GREATEST STATE CONVENTION EVER HELD

The greatest state convention ever held in Texas or perhaps any other state was held on the 2nd and 3rd of August 1898 in Galveston when Joseph D. Sayers was nominated for governor

without opposition. Unquestionably, there were more great statesmen and more brilliant orators taking part in that convention than has ever been assembled together in Texas, either before or since, and I very much doubt if anyone now living will ever be able to see such a notable collection of intelligent Texans as were assembled upon that occasion.

My older brother, John J. Terrell, then chief clerk of the school land department of the General Land Office under Land Commissioner A. J. Baker, asked me to help elect George W. Finger of Tarrant County as Land Commissioner. We carried Wise County for him and both attended the convention as delegates. Mr. Finger was easily nominated and elected and he in turn promoted my brother to be chief clerk of the Land Office, which place he held until he was elected land commissioner in 1902.

It was in that memorable convention that Judge Walker Hall, later Chief Justice of the Court of Civil Appeals at Amarillo, nominated John W. Robbins for State Treasurer, and electrified the convention by his humorous and interesting address. His time was limited to five minutes but the delegates were so anxious to hear him that they voted to extend his remarks five different times. His plea was for the Panhandle, which, he said, had been so grossly neglected. He said his candidate "was the only bona fide farmer that ever knocked at the door of a state convention." That Robbins "had corns on his hands instead of his tongue." Speaking further he said, "You know the women put a fluffy substance on their pies called 'Merang' (but spelled differently): that's what we have been getting, now we want some of the pie." He continued: "We asked you for an irrigation law, and you said no. We asked you for bread and you gave us a bone. Dust thou art and dust thou must remain. Our candidate comes from where the people live on water, mesquite beans, and ozone, where the jack rabbits kneel on the back of their heels and fervently pray for rain."

The Wise County delegation evenly divided our eleven votes between the three contestants, Robbins, Mills, and Garrison, and selected Judge Charles Soward, who presided at the famous trial of Satanta and Big Tree at Jacksboro, chairman of our delegation and Tom McMurray to cast the vote of our delegation. Many ballots had been taken with the three candidates running neck and neck. It was late in the evening, everyone was tired and wanted to go home. Senator J. P. Hayter and I went to Tom McMurray and suggested that he stampede the convention by changing the Wise County vote to Robbins. His reply was, "Well, you'll have to keep Judge Soward off of me." The clerk was calling the roll of the counties and when he called Wise County, Mc-

Murray, who was an unusually fine looking man, over six feet tall, stood up in his chair and in a loud and musical voice said, "Wise County changes her eleven votes to John W. Robbins of Wilbarger County."

Every delegate present heard him and almost as one man rose to their feet yelling for Robbins. Immediately Grayson County changed her vote to Robbins and the stampede grew in volume. One county after another changed to Robbins until he was nominated on that ballot. Judge Soward, an elderly man, came in during the tumult and threw his umbrella at McMurray, but Mack thoughtfully got out of his way. It was too late. Our strategy had gotten results.

The Spanish-American War had about come to a glorious conclusion and our nation was aflame over the question of expansion. Former Governor Hogg was still the dominant leader in Texas politics. No one, except on rare occasions, could be elected to any office unless he was a Hogg man. It was then and had been for the past decade Hogg and anti-Hogg, as it was during the decade following, Bailey and anti-Bailey. Such conditions are not always conducive to good government, but I know of no way to prevent them. Yet, I am certain, it is never good for the people to lose sight of merit and qualifications and be swayed by bias and prejudice. The issue in that convention was whether our nation should take in Cuba, Puerto Rico and the Phillipine Islands and the great debates of the convention were upon that issue, but the underlying and never-mentioned issue was whether Governor Hogg and his followers should continue to control Texas, or should Senator Bailey and his followers take charge. Bill Starrett, the noted reporter for the Dallas News in giving an account of the convention said: "What a fight? How great was it? Well never in the history of the state has there been such a contest between brilliant men. There must have arisen in the breasts of all a pride that at this hour so important in the life of this land, Texas has such children that she can call her own."

All the great and near great statesmen and political leaders were there to take part in the fray: Governor Hogg, Senator J. W. Bailey, Senator Chas. A. Culberson, Senator Horace Chilton, General M. M. Crane, General T. W. Gregory, Congressmen Thomas H. Ball, Sam Bronson Cooper, Robert L. Henry, R. C. DeGraffenreid ("the black eagle from East Texas"), Judge Tom S. Henderson, Col. William L. Crawford, Col. John M. Duncan, Col. T. N. Jones, Judge Cone Johnson, Col. Gus Shaw, General Jacob F. Wolters, Senator W. A. Hanger, and a host of others.

Former Governor Thomas M. Campbell was chairman of the committee on platform and resolutions and signed the majority

report. Senator Bailey, Robert T. Milner, James B. Wells, R. L. Carpenter, J. R. Gough, H. H. Wallace, F. F. Hill, S. B. Cooper, and Hardy F. O'Neal filed a minority report opposing the acquisition of any territory whose people were incapable of self government, that the right of local self government was the basic principle of a republic, quoting the declaration of Thomas Jefferson that all governments derive their just powers from the consent of the governed. The majority report was adopted by the convention by a vote of 721 to 334 and the minority report was tabled.

Governor Hogg, Senator Bailey, Senator Culberson and other notable speakers were heard during the great debate. Hogg was a large man and wore a black alpaca coat. While speaking he made one of his famous gestures. Leaning over he shouted: "By gatlines, we have already expanded." Just then his coat bursted in the back exposing his white shirt. The laughter of those at his rear interrupted his address. All the speeches were unusually fine, yet, I thought that Senator Bailey's oration was perhaps the ablest and most inspiring address I ever heard.

Governor Hogg and his followers won out, but the federal government turned down the policy of expansion and espoused the policy advocated in the minority report. I voted for the minority report, but since there have been so many changes in the world with radios and planes almost eliminating space, I am not now altogether clear on the question. I am sure we now need and will continue to need air bases all over the world for our own security and to insure a lasting peace. We must be interested in world affairs. We cannot afford to permit another unnecessary war, and they are all unnecessary.

#### EARLY POLITICS OF WISE COUNTY

When I was a small boy of ten or twelve years, Decatur was a small frontier town, but all of the ablest statesmen of the state came there every two years and made speeches and discussed political issues. The people would hold picnics and reunions with basket dinners and practically all the citizens of the country and often many of those living in adjoining counties would attend those vast gatherings. Governors Throckmorton, Coke, Sayers, and Lanham, Hon. J. Wash Jones, Senator Sam Bell Maxey, Congressman Olin Wellborn, Jerome Kirby, Barney Gibbs, and many others came and discussed pending issues, and later on Governors Hogg, Culberson, Lieutenant-Governor Hammond, Joe Bailey, Stump Ashby, Cyclone Davis, M. M. Crane, Senator Gore, and on one occasion General Weaver, of Iowa, presidential nominee of the Greenback Party, made a great speech for the Greenback Party in Decatur. At all of these speak-

ings my brother, John J. Terrell, and I were in attendance. My father being postmaster there for a long time, I stood at the post office window and gave out mail to the people, and not being kept busy all the time, I read the best papers and magazines that came to the office and I soon took a feverish delight in reading everything I could pertaining to politics and our government. And from hearing those great speeches and debates and reading such editorials as those of Morse, Henry Watterson in the Louisville Courier-Journal, of Clerk Howell in the Atlanta Constitution, and those in the St. Louis Republic, I must have been fairly well grounded in our form of government, and I had at an early date a fixed belief in and was a follower of our great Democratic Party. Hence, my belief now in organized democracy. I guess I am a "brass collar Democrat", as I have never scratched a Democratic ticket. I believe in thorough party organization and that when the party by a majority speaks either on issues or nominees, I subordinate my views and likes and dislikes to that of the majority. I have always believed that there could be no reason for holding primary elections and conventions if every man or woman who participated would or could bolt the party. With the coming of the various isms, as Fiat Money, Greenbackism, Government ownership of all utilities, secret political parties, Ku Klux Klan, persecution of races, as the Jews, foreigners, those not born in this country, religious sects, and colored people, I was prepared at once to take a bold stand against those unsound issues as being undemocratic, unamerican, and unwise, for I knew they would finally destroy our liberty and our government. And now when I hear anyone trying to overthrow this, the greatest government on earth, I at once denounce them and firmly believe they should be promptly kicked out of this country and sent back to the country from which they came. Having come here to evade persecution, hardships, and slavery in Europe to this land of opportunity and liberty, if they do not appreciate it enough to make loyal patriotic citizens, they should not be permitted to live here any longer. They are not good citizens and can only be a menace to our country. This nation is and has always been an asylum for the oppressed of all nations, but when they come and do not sufficiently appreciate the wonderful blessings given to them and are not sufficiently grateful to defend that liberty and freedom, they are not the kind of citizens we should permit to live here. That is not only just and right to them, but it is a wise protection to this country against their remaining here as spies and traitors in time of war and distress. When we get rid of that class of people, we should do our utmost to provide work for the poor and assist every man with a family to own a home.

A man who is unable from any cause to provide for his family, to clothe and educate his children, and who does not own his home and has no hope of ever owning one, surely is not in a position nor in a mood to enjoy the happiness and the liberties extended to him by our government and I very much doubt if it is possible for him to make as patriotic a citizen as he would make if he were more favorably situated and owned his home.

Where a man has a home and it is paid for, no power on earth should be able to take it away from him except the voluntary act of himself and his wife—in other words, he should not be required to pay any kind of taxes on that sacred home. In addition to that, our laws both State and Federal should in every way possible aid and encourage all men of a family to own their homes, and I believe our Federal Government is moving in the right direction in giving aid to them in the Federal Housing Act. It has been said that no man will defend with his life his landlord or boarding house, but if he owns a home although it may be humble, of little intrinsic value—it may be a log house with a chinked fire-place, the dirt for a floor and a quilt for a door, the rain and snow may pour through the roof, yet if he owns it, it is his castle, it is his home, and he will die to defend it and his country. What a happy country and world this would be if every man owned his home! After all, love of home, love of wife, and children is patriotism and patriotism is love of country.

"Tis sweet to hear the watch dog's gentle bark  
 Bay deep mouthed welcome as we draw near home  
 But tis sweeter still to know that an eye will wait our  
 Coming and grow brighter when we come."

#### HOGG AND CLARK CAMPAIGN

In about 1868 or 1870 my father Samuel L. Terrell had a general merchandise store on the east side of the public square of Decatur and one evening a young man about 17 years old came into the store seeking work. He introduced himself as John Hogg. My father at once asked him if he was related to General Hogg who was a distinguished Confederate General. He replied that he was his son. My father hired him and put him to work with brother John J. Terrell gathering and selling his cattle that ran on the fine open range in Wise County. He lived at our home for several months, until he secured a place with Sheriff Geo. Stevens as a Deputy, when he moved in the sheriff's home. He became a member of the noted "Minute Company" that did so much in protecting the settlers from the much raided County by warring Indians. Later on he was elected Sheriff, served four

years, then County Clerk, and Postmaster under President Cleveland. He married Eva Renshaw, a daughter of one of the most prominent physicians in that section, Dr. William Renshaw. My oldest sister Belle Terrell married Lucian Renshaw, one of the doctor's sons which coupled with the fact that he and brother John J. became the very closest friends caused us when James Stephen Hogg announced for Attorney General of Texas to actively support him for Attorney General of Texas. Judge..... Clint of Dallas came out against Governor Hogg and it looked like it would be a real "horse race". Judge W. H. Bullock, a prominent attorney of Decatur, married Miss Josie Renshaw another daughter of Dr. Renshaw and he was perhaps the best political organizer I ever knew. We at once began work for Governor Hogg, for Attorney General and carried the county for him at an early date. He had another brother Tom Hogg and a brother-in-law, Clay Ferguson, living in Denton and that county also instructed for him, following that Smith, Wood and a large number of East Texas Counties, where he lived went for him and before the convention convened in Galveston it was apparent he would be nominated and Judge Clint withdrew from the race and Governor Hogg was nominated by acclamation. Brother John J. and I were delegates to this convention in 1886, the first state convention I ever attended. Governor Hogg as Attorney General had Commissioner W. L. Hall to appoint my brother John J. State Surveyor and State Classifier of the public lands in Texas, and later Gen. McGoughey as Land Commissioner appointed him Chief Clerk of the School Land Department and later Commissioner Geo. W. Finger and Charley Rogan made him Chief Clerk of the General Land Office which place he held until he was elected Land Commissioner three terms without an opponent. Attorney General Hogg made a jam up good Attorney General. He recovered from the Railroads three and one-half million acres of public domain that was held illegally by them and in 1897 while I was a member of the State Senate we transferred that three and one-half million acres and four million more from the General Fund to the Public School Fund. Oil and gas has been discovered on that land and has made our school fund the richest royalty owners in the world. If Governor Hogg had done nothing more for Texas, than that one accomplishment it would have made him the greatest statesman our state ever had. He was as Attorney General active, aggressive, honest and fearless in the discharge of duty, and soon won the approval of a great majority of the people of Texas. A swelling demand of the common people began to urge his nomination for Governor of the State. He announced and was easily elected governor on the platform calling

for a Railroad Commission for Texas, and other reforms controlling and regulating the corporate interests of the state. Bills were introduced in both Houses for a Railroad Commission. General M. M. Crane was a member of the Senate from Cleburne, Texas, and represented Governor Hogg in passing this bill. Judges Tom Brown of Sherman and A. W. Terrell of Austin, were his leaders in the House. The carriers and most all corporate interests joined the Railroads and bitterly fought the measure—Finally, the Governor called in his leaders and they rewrote the bill, and it was introduced in the House and passed as the Terrell substitute, and was signed by the Governor and became a law, so Texas was one of the first states in the nation to pass a Railroad Commission law as it was the first to pass a Motor Transportation law. Governor Hogg immediately asked United States Senator John H. Reagan to resign and accept the Chairmanship of the Commission. To this he consented and was the Chairman of the first Railroad Commission of Texas. He also appointed Hon L. L. Foster and Judge W. P. McClain the other two Commissioners. They were all able, patriotic public servants and insured the success of the new law. During Governor Hogg's first term he urged and had passed many important reform laws, including the most of our "Jim Crow" laws, preventing aliens from holding land in Texas, reduced the minimum legal rate of interest from 12% to 10%.

Created the stock and bond law protecting investors. Also many other wise and wholesome measures that pleased most of the people. He announced for his second term but had antagonized most all of the large corporations of the state and they led by the Rail Carriers brought out Judge Geo. Clark of Waco who had been Attorney General of Texas under Governor Sul Ross. He was an able lawyer and claimed he was attorney for all the railroads in Texas except two. He was unlike Hogg, small of stature and his friends called him the "Little Giant". He was also affectionately called by his admirers the "Warwick of Texas" because his influence had elected several governors of the state. The railroads, and most all large corporate interests got behind him. The daily newspapers all supported him, and most of the people living in the larger towns and cities were for him while the country press and the small towns and country people were for Governor Hogg. Governor Hogg would often say in his speeches that the white collared bunch may not be for me but the boys from the forks of the creek are behind me. The Clark men's slogan was "turn Texas loose" and not drive capital from our state, but let them come and develop the great untouched resources of Texas. The Hogg slogan was regulate and control

corporations and not let them oppress the people. The campaign grew in excitement and bitterness and long before the Democratic Convention convened in Houston to decide the contest it was by far the bitterest campaign ever waged in the state either before or since. In many instances brother was arrayed against brother and father against son. I was a young lawyer at Decatur and was from conviction for Governor Hogg. I believed that the people were unduly oppressed and greatly needed relief, especially from the abuses of the railroads. However, if their claims had been equal on account of favors extended my brother, I would have supported Hogg. He was a dynamic character, not an eloquent orator, but a forceful public speaker. He reasoned clearly, hit sledge hammer blows and clinched his points well. He was spectacular and knew just how to catch and carry his hearers with him. He could say and do more unusual things that would attract the crowd than any man I ever heard speak. The Dallas Morning News was rather bitter against him but as it has always been fair in its publications of the news it sent a reporter with Governor Hogg to report his speeches. As I recall his name it was George Bailey, a very bright, capable and honest reporter. He and the Governor soon became very close friends, and the Governor called him "Whistletrigger" and when the Governor would make a telling point he would always turn to the reporter and say "Whistletrigger put that down". Amid the cheers of the crowd. Several joint discussions were held between the Governor and Judge Clark, but as the campaign became more bitter and we had no loud speakers, many could not hear them and there were so many fights over the campaign they both decided to call the joint debates off. In one of these debates Governor Hogg being very large had exerted himself unduly and was freely prepiring and his throat became dry and he sorely needed a drink of water, there was a cedar bucket of water on the stand in front of him and a small dipper in it. He began to drink out of the dipper but his needs were so great and it occupied too much of his allotted time to drink, he threw the dipper down on the table with both hands took hold of the bucket and held it aloft and drank out of the bucket amid the cheers of approval of the vast crowd. It was published in the daily press so after that those arranging for the speakers would put a bucket of water on the table in front of him and no glass or dipper and soon the crowd would yell "drink out of the bucket" which he did to amuse his friends.

The various counties in the state held their conventions and sent delegates of their choice to the Houston Convention, as I had taken an active part in the county campaign for Governor Hogg I was made a delegate and with many other Hogg sup-

porters from Wise County attended the great convention. The Houston people seeing that it would be by far the largest state convention ever held in Texas, had no auditorium or hall large enough to accommodate the vast crowds. They got a large car shed, and put a platform on the north side of it about five feet high with steps leading on it and provided seats throughout the rest of the car shed for the delegates. The Clark followers had erected several large goods boxes directly in front of the platform where the presiding officer stood, for their floor leaders to stand on. Long before the time for calling the convention to order by the State Chairman all the seats were occupied and many could not get in the hall. Each side had held caucuses and selected their floor leaders. Senator A. L. Matlock of San Antonio was the floor leader for Judge Clark and Judge Tom Brown of Sherman was the floor leader for the Hogg forces, and the managers on each side were plenty able and alert and prepared to take advantage of every break for their candidate. Judge Webb Finley was the chairman of the Democratic Executive Committee and called the convention to order, being favorable to Governor Hogg, he first recognized Judge Brown instead of Senator Matlock, the Clark leader. Matlock nominated Jonathan Lane, temporary chairman and Brown nominated Judge Shepherd of Camp County. Many called for a vote by counties. Matlock wanted a viva voice vote. Brown raised a point of order and demanded a call of the counties. Matlock appealed from the chair's ruling to the convention, but chairman Findley paid no attention to Matlock's motion but continued to vote by counties.

I happened to be seated near where the Clark leaders were and heard one of them say lets capture the platform, and they in a body started toward the east steps. I ran down the aisle in front of them and met Judge Clay Ferguson, a brother in law of Governor Hogg, and told him and others what they were trying to do and we got on the crowded steps and held them and would not permit any of them to get on the platform. They then turned to the west steps and by that time they too were blocked and they then returned to their goods boxes. The convention was proceeding as Judge Finley and the managers for Governor Hogg planned. The Clark men decided to hold their convention around their goods boxes and two Democratic conventions were being held in the same hall, at the same time. Each selected a temporary chairman, Lane for the Clark convention, and Shepherd for the Hogg convention, and each appointed their committees, and adjourned to meet the next day. The Hogg men in the same hall and the Clark men in the city hall. The Hogg convention nominated Governor Hogg and an entire state ticket and the Clark men

nominated Clark and an entire state ticket, both claiming to be the Democratic nominees, and each determined to run on to the Regular General Election in November. I was selected by the 31st Sectional District as a member of the committee on permanent organization. We met and elected R. E. Steel chairman of the committee and I was elected its secretary. We recommended Judge W. S. Fly of Gonzales County for Permanent Chairman and he was elected by the main or Hogg convention. The heated and bitter contest waged with increased interest and fury. The Republicans had a nominee in the person of Col. A. J. Houston, a son of General Sam Houston, and later he was appointed by Governor Lee O. Daniels as United States Senator succeeding the lamented United States Senator Morris Shepherd, but he only received 1322 votes, showing that the bulk of the Republican vote went to either Judge Clark or Governor Hogg. Governor Hogg received 190,486 votes. Judge Clark 133,395, and Judge Nugent the Peoples' Party, nominee, got 108,483 votes, and 1,605 for D. M. Prendegast, the Prohibition candidate.

In this memorable campaign each side indulged in every thing they thought would make votes, and some muck-raking was indulged in. The Hogg men accused the Clark men of pandering to the Republicans for votes. The Clark men selected a very bright copper colored man by the name of Cuney to corral the colored Republican vote. The Hogg men styled them "Clark Cuney and the Coons". The Clark men retorted "Harrison Hogg and Hell". The Hogg men also employed a very bright ebony colored man, a preacher in north Texas known as "Sin Killer Griffin" to work for them and I guess got as much of the colored vote as did Judge Clark. The effect of this the bitterest campaign ever waged in Texas remained with the people and it was for several decades after no one could be elected to office either in state, district or county who was not for Hogg.

#### THE CHARLEY CULBERSON ERA OF TEXAS POLITICS

It has been my good fortune to have lived during the past four score years—the most eventful age of all time. More progress has been made and more wonderful achievements have been accomplished than in any other like period, or perhaps in all history. I have known personally every governor of Texas from Richard Coke on down to the present, including Throckmorton and Lubbock. In my opinion, the three greatest Texas governors, ranking in the order named were: Jim Hogg, Richard Coke and Charley Culberson. This is based on services rendered. "By their fruits ye shall know them" is just as sound today as it was two thousand

years ago. We have been blessed with many high-grade and able executives, but the times and conditions were not the same. The opportunity to put into effect important reforms were not the same. Often a governor makes the best official by preventing useless legislation and by defeating the enactment of unwise and vicious laws. The record shows that Culberson vetoed more bills than any other Texas governor, before or since.

Charles Allen Culberson, a promising young lawyer from Jefferson, was elected attorney general of Texas when Hogg was first elected governor. He was Hogg's right hand man and legal adviser throughout the tumultuous fight creating the Texas Railroad Commission. Unlike most great men he was a distinguished son of a distinguished father. David B. ("Honest Dave") Culberson, his father, was a rugged and able leader in Congress for 22 years. Governor Culberson, educated at the Virginia Military Institute and every thing he did was done well and with system and order. It has been said of him that he always knew where he left his hat. When I first met him he was attorney general and I think the finest looking man I ever saw. He was six feet tall, erect and graceful, black hair, blue eyes, ruddy complexion, with two rows of as smooth and white teeth as you often see in the charming smile of one of our beautiful majorettes leading a parade. Brilliant, but unlike most brilliant men, he was cautious and unassuming, apparently unaware of his superior ability and versatile attainments.

As attorney general he brought many anti-trust suits, the most famous being the suit to ouster the Waters-Pierce Oil Company, which finally the state won, and its right to do business in Texas was forfeited. At the close of Hogg's term, Culberson announced for governor, with Judge John H. Reagan and Congressman S. W. T. Lanham as his opponents. Free silver at the ratio of 16 to 1, versus the gold standard, was the issue. The people of Texas were overwhelmingly for free silver, as were all three of the gubernatorial contestants. The state convention met in Dallas, August 14, 1891, and the delegates were about equally divided between the three candidates. The custom had been for our conventions to nominate the candidates and then adopt a platform. But for some cause this convention adopted its platform first, which at best, was a straddle on the silver issue. The gold men claimed it a victory and a gold platform. The Populist leaders said it was a gold platform, as did Judge Reagan, who denounced it, refused to run on it and withdrew from the race. Being from East Texas, most of his support went to Culberson and he was nominated. The charge was made that it was a deliberately laid scheme to nominate Culberson. The Populist can-

didate, T. L. Nugent, took advantage of the opportunity and made every effort to win the free silver Democrats. But Culberson saw the situation, took the stump and ably claimed it was a free silver platform and in full accord with his oft expressed views and he was elected.

In line with Hogg's administration, he inaugurated many reforms. Delinquent taxes were collected, stronger anti-trust laws were enacted and a law was passed to arbitrate disputes between capital and labor. He called a special session of the legislature and stopped the proposed prize fight at Dallas between Robert Fitzsimmons and Jim Corbett for the heavyweight championship of the world. This and other acts aroused much opposition, but the moral and religious element were mostly for him. Some of the papers became bitter and in derision called him "our young Christian governor," and some were even more harsh. In his campaign for re-election to the governorship, the Populist party nominated Jerome Kearby, but after a hard campaign Culberson was elected by about 50,000 majority. This sounded the death knell to the Populist party in Texas. The Culberson administrations, 1895-1899, were characterized for rigid economy and I am sure were the most economical of any that we have ever had. At the close of the Twenty-Fifth Legislature was passed the appropriation bill and adjourned. Culberson claimed it would create a deficit of about \$300,000, vetoed the bill and called a special session requesting us to reduce the amounts appropriated, which we did; and all of the state expenditures for two years were run on less than four and a half million dollars.

In 1899, without opposition, he was elected to the United States Senate, where he served ably for 24 years. He passed away in Washington, D. C., but we buried him in Fort Worth with many of his loving friends from all over the state gathered around his bier. Had he lived in the north or east he would likely have been a Democratic nominee for President. Had he lived during the days of chivalry when knighthood was in flower he would likely have been a gallant knight of the round table and spent his life in search of the Holy Grail. But he lived in Texas, and my old law partner, the brilliant historian, Clarence R. Wharton, in his History of Texas, quotes the following editorial from the New York World: "Charles A. Culberson for 40 years was the darling of Texas politics. More than Bailey and longer than Houston, he was the beloved leader of the Lone Star State, and might have remained in the senate forever had he been able to attend to the duties of the office."

## GIANTS IN THOSE DAYS

From Dallas Morning News, Feb. 8, 1943

To The News:

The convening of this, the Forty-Eighth Legislature of Texas, brings to mind the organization of the Twenty-Fifth Legislature in 1897, just forty-six years ago. Fifteen of us new members were sworn in at one time—all of us young men—and I was without any legislative experience.

In that Senate were many able men, among them Gov. O. B. Colquitt, Congressman Jack Beall, Judge J. B. Dibrell, Judge J. E. Yantis, Judge Waller Burnes, Judge George C. Greer, Judge Perry Lewis, Lieut. Gov. George D. Neal, Bob Stafford, W. W. Turney, Jim Gaugh, O. P. Bowser, William J. Bailey, Heber Stone and the two Linn brothers, Ed and John. Gov. George T. Jester, the father of Beauford Jester, our present able chairman of the Railroad Commission of Texas, was Lieutenant Governor and presided over that Senate.

Of those thirty-one Senators only two of them are now living, William J. Bailey of Fort Worth and myself. All the others have passed on to their reward. There is only the other ex-State Senator living who served in the Senate prior to that time. He is Gen. M. M. Crane of Dallas. Another interesting coincidence is that there are only five ex-members now living who served in either house in 1891, when the Texas Railroad Commission was created, and they are General Crane, then of Cleburne; Barto Hood of Springtown, now of Weatherford; Judge J. M. Melson, Sulphur Springs, now of Austin; C. W. Martin of Coleman and John H. Kirkpatrick of San Antonio. The two latter were flitorial and local Representatives, respectively. Both were from Decatur, Wise County.

Governor Hogg selected General Crane to lead the fight in the Senate for the Railroad Commission. The measure was bitterly contested by the rail carriers and many other corporate interests. The great debates over its passage were perhaps the ablest ever held in our Texas Legislature. Those who took an active part in those debates were statesmen of keen minds and great ability. Among them were General Crane, Cone Johnson, Judge A. M. Carter, Judge H. M. Garwood, J. G. Kearby, George Glasscock, and Bill Pope. General Crane led the fight and finally passed the important measure. As a reward for his splendid services, he was made the running mate to Governor Hogg as Lieutenant Governor and was elected.

During those days it was the custom for statesmen to hold joint debates and educate the electorate and lead the people safely

instead of confusing them with hillbilly music. We then had great statesmen and leaders. Perhaps the greatest debates ever held in Texas were those between Governor Hogg and Judge George Clark in their memorable race for Governor of Texas. The two joint debates over prohibition between Roger Q. Mills and Dr. B. F. Carroll at Waco and the one at Denton between Senator Joe Bailey and Cone Johnson were memorable, particularly the latter, as friends claimed that during it each statesman converted the other. Soon after the debate each one changed his position on that question.

General Crane was elected and served with ability two terms as Attorney General of Texas. I know of no abler man who has ever served as a member of the Texas Legislature than General Crane. During the trying days of the old Greenback and Populist parties, when our Democratic party was sorely tested, General Crane was easily the leader of democracy in Texas. He fearlessly, brilliantly and successfully upheld the banner of the party and saved it from defeat. He met in joint debates all over Texas the great leaders of the opposition, including Jerome Kearby, Senator Gore, Cyclone Davis and Stump Ashby. I heard two joint discussions between him and Cyclone Davis, and it is my opinion that those debates were at least the equal of any ever held in Texas.

There is no man in this state that our great Democratic party is more indebted to than General Crane. Having served as a member of the 25th, 26th, 31st and 32nd Senates, I regret that I did not introduce and pass a resolution authorizing the hanging of General Crane's portrait in the chamber of the Texas Senate, along with those other great Democrats. I am sure it would have been a justly deserved tribute to that brilliant and able statesman and patriot. Certainly the passing of such a resolution by any Senate would reflect credit on such a Senate.

Since the above was written and published in the Dallas News, three of those then living that served in the 22nd Legislature when the Railroad Commission was enacted have passed on viz: Gen. M. M. Crane, Barto Hood and J. M. Melson, leaving only two members of that Legislature still living, who helped create that important law. C. W. Martin of Coleman, Texas and John Kirkpatrick of San Antonio. They both were members of the House from Decatur, Wise County, Texas. Having served in 1892, they served at an earlier date than any other members now living. As important information bearing on the creation of the Railroad Commission law I am giving a letter I received from General M. M. Crane, after the above publication and just before his passing, that I know is accurate and is unwritten important history of the enactment of that wise law.

February 9, 1943

"Dear Judge:

I thank you for your communication in yesterday's News. It was exceedingly kind of you to call the attention of the public to my services rendered the state during the period mentioned. Your statement is entirely accurate. The fight on the Commission really began after much time had been wasted.

There are a few items of unrecorded history in that connection. George Pendleton was the Lieutenant Governor and a candidate for Congress in the Belton district. Cone Johnson had married into an influential family in that vicinity. I had served with Governor Pendleton in the House in 1885 in the 19th Legislature. I had with B. D. Tarlton earnestly supported a railroad commission bill modeled after the Georgia Railroad Commission Law, the powers of which were very similar if not identical with it. That bill was defeated on constitutional grounds. Those objections had been removed by a constitutional amendment before I went to the Senate. Governor Pendleton and I were friendly, but his interests were best served by supporting Cone Johnson. For all of that I held no grudge against him. He also knew that Cone was from Tyler and supposed no doubt that Cone would support Governor Hogg on that point most loyally. He therefore appointed Cone, Chairman of the Committee to which the railroad bills were usually referred. He appointed Senator Simkins and me on that Committee. The committee was slow in its movements. I, after the lapse of sometime, moved that a subcommittee composed of members of the Committee of Internal Improvements be appointed to confer with a similar subcommittee of the House so that action might be had as soon as reasonably possible. The motion was adopted without debate and Cone as chairman appointed the subcommittee but he did the unusual in failing to appoint the Senator making the motion to create the subcommittee a member of it. He appointed my friend Senator Simkins on it.

The subcommittee made a report which was accompanied by a suggested bill that was an absurdity in that the powers to be conferred on the Commission were wholly inadequate. I saw the substance of the proposed bill and was surprised that my friend Simkins had disappointed my fondest hopes. He and I had started on a walk, when he disclosed the fact that he had not participated in the discussions of the committee—indeed that on ascertaining the views of the subcommittee he had quit attending its meetings. I told him that I would fight the bill on the floor of the Senate. He answered that I would find it a difficult task—that he understood that Governor Hogg favored the bill suggested by

the subcommittee. I answered that the people would not stand for it, that it was simply a cheap betrayal of their interests. Just at that time we met Governor Hogg in the corridors of the Capitol. In his brusque way he asked if we had seen the report of the subcommittee. I answered in the affirmative. He asked how I liked it. I expressed my disgust. He answered: "By Gatlins, I am against it and from now on I am in this fight. I want to meet you two Senators one night and Judge Terrell and Judge Brown the next night, and continue these meetings until the bill is satisfactory to us". Judges Terrell and Brown were members of the House.

In accordance with his wish these meetings were held, Judge Simkins and I discussing with him in detail the several provisions which were afterwards adopted and became a part of the Railroad Commission Law. Judge Terrell who had long advocated a valid Railroad Commission Law in Texas, had not agreed with us that the Railroad Commissioners should be appointed and not elected. He yielded that point however and the substitute bill which Governor Hogg, the two members of the House, Judge A. W. Terrell and Judge T. J. Brown, Senator E. J. Simkins and myself had framed was in all important details substantially enacted by the Legislature. Judge Terrell on account of his long and useful services in railroad regulation was given the honor of offering the substitute in the House, where it was overwhelmingly adopted and was sent to us in the Senate for our approval. There we had a bare majority of original commission men.

Several Senators gave us much trouble in debate. But we finally succeeded in securing its passage. It was promptly approved by the Governor. The fight was in some respects a bitter one. Judge George Clark was at the head of the lobby and signed his communications as representative of all the railroads in Texas but two. He having been Attorney General in Governor Coke's administration and later a judge of the Court of Criminal Appeals and still later a candidate for governor against Governor Hogg made it easy for him to rally all of those opposed to a Railroad Commission. Moreover he was a gentleman of good ability, pleasant address and had a strong personal following.

I am pleased to add that I treasured no resentments or ill feeling of any kind against our opponents in that fight.

You will remember that sometime thereafter I became a candidate for Governor and later withdrew before the primaries were held. In withdrawing I was moved by a personal motive. I had served four years as Attorney General on a salary of \$4,000 per year. The Governor got no more than that. I had a large family that I desired to educate and concluded that on the

Governor's salary of \$4,000 per year I could not live in the Governor's Mansion however economical I might be. Certainly I would go out of office much as Governor Hogg did without a dollar and embarrassed by debts. That belief made it imperatively necessary that I withdraw from the Governor's race though I thought my chance of being elected was still good. This I did.

Of course I took an interest in electing the best men to various positions. I have never been reconciled to your defeat for Railroad Commissioner. You had filled the office well, your decisions had been fair. Sinister influences prevented your re-election. Of this I am sure you are fully advised. However it is better to be beaten by the wrong doers than to join their crowd and become participants in their wrong doing.

One sad thought in connection with this matter, you were present at my debate with Cyclone Davis at Decatur and if I mistake not you accompanied me to a nearby town for another debate that night. That was a long time ago. You and I are among the very few survivors of either of those crowds and I am forced to admit to myself that I am a little older than I was then. But such is life.

Hoping that we will meet many times before the end and that we will continue to be partisans for the right and opponents of the wrong as we have always heretofore been and hoping that you and yours will be prosperous and happy, I beg to remain

Your friend,

M. M. Crane."

## TWO EXCITING COUNTY SITE CONTESTS IN WISE COUNTY

I have often heard my father tell about a County Site election held in Decatur between Decatur and Halsell Valley, a point about two miles south of Decatur, near the exact center of the county. Chief Justice Oates ordered the election and every voter in the county attended the exciting and important contest. Those living south of a line through the center of the county voted for Halsell Valley and those north and east went for Decatur. From some cause my father was detained at home, twelve miles east of Decatur until late in the afternoon of the day of the election. As he approached the town the men for each side saw him ride over the hill and they ran horseback with all speed to him and began to urge his vote for their respective locations. He frankly told them he was for Decatur and would so vote. As the vote was small they had counted the supporters of each side and knew the vote was a tie. They all rode back to town and he cast the decid-

ing vote and Decatur was the County Site, and has remained so through all the years.

I recall at an early day citizens of Bridgeport after they had opened up the coal mines under the leadership of Captain Bob Stephens, of Gainesville attempted to change our county seat from Decatur to Bridgeport. A petition was presented to the Commissioners Court and a county site election was ordered. On account of the fact that Decatur was within five miles of the center of the county, Bridgeport in order to affect a change had to get two-thirds of all the votes polled. We induced Paradise and Chico to become candidates but Judge Patterson, Milt Shoemaker, and all the influential citizens of Decatur began to plan for the campaign. It first looked rather bad for Decatur but as their plans began to unfold, it became apparent that Bridgeport stood no chance. Decatur got more votes than Bridgeport and as Chico and Paradise both had good votes, Bridgeport failed to get a plurality much less a two to one vote of all the votes cast. It was one of the prettiest and most exciting contests ever held in Wise County and perfectly managed for Decatur by those able leaders.

During the pioneer days of Decatur we had many men of outstanding tact and ability who did much for the upbuilding of the town, and I think it proper to mention a few of them because of their effective work. Among them were Judges J. W. Patterson, W. H. Bullock, George B. Pickett, Charley Cates, Glen Halsell, and Milt Shoemaker. It is my opinion that Shoemaker was one of the smoothest and most effective workers I ever knew. He was a good organizer, planner, and knew how to put his plans into execution. In fact his fine personality and his knowing just what to say and what not to say enabled him to put over any undertaking he attempted. He was also one of the most handsome



First Court House of Wise County

men I ever saw. He was six feet tall, had light brown hair and blue eyes, was straight, graceful and possessed a commanding appearance. He was without a college degree but his grammar was perfect and his manners courtly and refined. He knew how to approach men and was equally able to handle them adroitly without their knowing he was doing so.



Present Court House of Wise County



Riley Clements and Milt Shoemaker

Again in 1893 when the Baptist people decided to establish a Baptist College in North Texas, the same public-spirited men without regard to church affiliation took hold of the matter and made a wonderful fight for Decatur and won. Milt Shoemaker and Charley Cates, though Methodists, made the fight as delegates to the Baptist Assembly that decided the contest. They met at Wichita Falls and there was great rejoicing when Decatur won the college. Both of these successful contests meant a great deal to Decatur, Wise County and North Texas. A loss of the county site would have been disastrous to Decatur. While our Decatur Baptist College is a junior college, it has been one of Texas' leading institutions of learning, especially since Dr. Lawrence Ward has had charge of it as its president. It has educated many men and women who have made outstanding citizens of Texas. I am deeply grateful to the college because my son, John Preston Terrell, and daughter, Margaret, graduated there.

The following have been the presidents of the Decatur Baptist College: B. F. Giles, 1898-1900; J. L. Ward, 1900-1907; J. B. Tidwell, 1907-1909; W. C. Carver, 1909-1914; J. L. Ward, 1914. Dr. Ward has been its president since 1914 and it has been very successful ever since he took hold of the college and it is today the oldest Junior College in the world and I know of no junior college that has done so much for Decatur and North Texas than this splendid institution. Many, many poor young men and women

have received good education there and too much praise can not be given to Dr. Ward, the entire faculty and the Baptist Association for their untiring labor in behalf of education and the Christian character.

#### ANTI PROHIBITION RALLY AT FORT WORTH IN 1887

Near the close of the campaign for state wide prohibition in Texas the Antis held a rally at Fort Worth under some trees where North Fort Worth is now located. They gave a free barbecue, free beer and the railroad gave cheap excursion rates and I attended with many thousand other citizens. It was in fact the largest crowd ever assembled in Texas up to that time, and I do not recall a larger gathering since. Ex-Governor Frank Lubbock made a red hot Anti speech and read a letter that electrified the vast crowd from President Jefferson Davis urging Texas to vote against the Constitutional Amendment. I recall that at night from the porch on the south side of the present courthouse Cone Johnson then a young man made one of the greatest speeches he ever delivered and he knew how to make them if anyone did. Tom Bonner and Bill Herndon of Tyler were speaking for the Prohibitionists. Our train left a little early and we left the speaking and were at least 150 yards up Main Street going to the depot. We stopped and listened and not withstanding they had no loud speakers we distinctly heard him say "Tom Bonner and Bill Herndon say they have lost confidence in the ballot box." He said "That's not the trouble fellow citizens, the ballot box has lost confidence in Tom Bonner and Bill Herndon." It must have been several minutes before he could proceed with his speech on account of the cheering from the crowd. The Prohibition Amendment lost by about 100,000 majority.

#### CAMPAIGNS OF MRS. FERGUSON AND FELIX ROBISON

The recent death of Governor James E. Ferguson and Judge Grayham Gillis of Cameron, Texas, brings to mind one of the best and most effective addresses I ever heard made for Mrs. Ferguson by Judge Gillis here in Austin at Wooldridge Park to an enormous crowd just a few nights before the closing of the heated and bitter campaign. The main issue was the "Ku Klux Klan", a secret organization that had endorsed Judge Robison for Governor, and those opposed to the Klan supported Mrs. Ferguson, the wife of former Governor Jim Ferguson. Both sides were militant and bitter. It was a great address made to a vast crowd of mostly supporters of Mrs. Ferguson. I remember his closing statement. Dramatically he said, "Fellow citizens they

say if we elect Mrs. Ferguson Governor of Texas, Old Jim, meaning Governor Jim Ferguson will steal the Capitol of Texas here in Austin and move it out on his Bosque County ranch and chain it down. I would rather a thousand times he would steal our great Capitol and take it to his Bosque County ranch. I would rather he would steal every state building we have here in Austin and take them all to his ranch than for the "Ku Klux Klan" to seal my liberty." It was a climax of eloquence that stirred his hearers to almost a frenzy of excitement and admiration. It was truly a great speech and no one present can ever forget it and I'm sure it contributed much to Mrs. Ferguson's election as Governor of Texas.

#### DECATUR A REAL WILD PIONEER TOWN

In giving many of the most important events occurring in Wise County and Decatur, I think I should give a few on the other side of the picture. If Decatur was noted for any one thing more than another it was because there were at an early day more killings there than any town in Texas or perhaps any other state. It is true most all frontier towns were wild wide open and in that day had many more killings than they now have. No one knows the cause but I rather believe that there were more gambling and drinking then than now, and men were not morally trained then to respect the law and the rights of others like they are now. Again most every one carried a pistol to protect themselves from the Indians, and it occurs to me that men generally had a high regard for their character and good name and would often die to defend it. They may have had a little more courage than we have now. At any rate in counting up the killings in the little town of Decatur I can recall at least fifty men who died with their boots on. At an early day the ..... dead were interred in the Sand Hill Cemetery about three miles south of town, where the churches always held their camp meetings. As the town grew they established the City Cemetery north of town. It so happened that one of the first buried in the new burial ground was a man that was killed in town, and the people always said Decatur was so healthy that they had to kill a man to start a grave yard. It was also told that we had more saloons in Decatur than we had grocery stores, and every saloon carried with it a dance hall and gambling dives.

#### TWO IMPORTANT DEMOCRATIC CONVENTIONS

Two exciting and important Democratic State Conventions in Texas. One may 1888, and the other September 1944. The first held in Fort Worth, and the other held in Dallas.

In the summer of 1887 Texas had one of the bitterest campaigns ever held in the state, on the question of adopting a Con-

stitutional Amendment for State-wide Prohibition. In that campaign two of our greatest younger statesmen and orators began their noted and brilliant careers, Joe Bailey of Gainesville and Cone Johnson of Tyler. At Denton they held a joint debate that attracted state and nation wide attention. Bailey for the Prohibitionists and Johnson for the Antis. Soon after this debate each of them changed their positions on the question. Bailey became an ardent Anti and Johnson as zealous a Pro. A number of years later they became candidates against each other for Delegates at large to the National Democratic Convention, and both campaigned the state, Bailey winning by about 20,000 majority. After this great debate at Denton each of them said it must have been one of the most successful debates ever held anywhere, as Bailey converted Johnson and Johnson converted Bailey. However, those who were fortunate enough to have heard the discussion, all claim it was one of the greatest contests ever held in our state or nation. In that same prohibition campaign another great debate was held at Waco between Roger Q. Mills for the Antis and Dr. B. H. Carroll for the Pros. This debate excited much attention and greatly enthused the people of the state on each side of the issue. Carroll quoted a short poem or doggerel in which he said Roger the Dodger, wriggled in and he wriggled out, but he finally would not dodge the devil. This made Mills mad and he replied in this rejoinder that Hell was full of such preachers as Dr. Carroll with their feet dangling out of the windows. The Antis carried the state in that election by about 100,000 majority, and were so enthused and embittered after the election that the extreme Antis openly demanded what was then known as the "Heart of Oak" plank be placed in the Democratic Platform, declaring that the Pros were not Democratic and should be read out of the party. The next state convention was held in Fort Worth May the 22, 1888, to select delegates to the Democratic National Convention. Democratic Elector Henry Exall was Democratic State Chairman. All of the ablest statesmen of Texas attended the Convention prepared to make the fight of their lives for and against the proposed "Heart of Oak" plank in the platform. The Heart of Oak men held their caucus to map out the battle and the following able leaders were present: Geo. Clark, D. C. Giddings, W. L. Hall, Bryan T. Barry, Horrace Chilton, Cone Johnson, W. H. Pope, W. T. Burgess, Bud Connor, Geo. C. Pendleton, Sawnie Robertson, W. W. Spivy, Ex-Attorney General McLeary, and perhaps 200 others. Those leaders opposing the "Heart of Oak" plank were W. S. Herndon, Tom Bonner, Joe Bailey, S. B. Maxey, the Crawfords, Bill and Mut, Tom Brown, and a host of others. Governor T. J. Throckmorton was elected

Temporary Chairman and Geo. W. Finger, Secretary. The three usual committees were appointed.

A. W. Terrell, a member of the Committee on Platform and Resolutions was one of the leading Antis in the campaign, and had made many speeches against the Pro Amendment. While the committees were out at work the delegates began to call for Joe Bailey to address them. He was then a young man and not well known over the state, except in North Texas. He declined to respond and the delegates became more boisterous and unanimous for him. He still refused to go to the platform when Cone Johnson and a delegate from Gainesville literally picked him up and carried him to the platform and amid the tumultuous approval of the delegates. He was young, handsome, attractive and a great orator. He eloquently eulogized Cleveland and denounced Blaine and the Republicans and said there is not a man in this vast convention without regard to whether we adopt a "Heart of Oak" platform or endorse the Pros, but what will march up to the polls as one man and vote the Democratic ticket. He said the national contest was one for American honesty against Republican audacity. This speech of Bailey broke the ice and poured oil on the troubled waters, and far advanced the trend for a peaceable and harmonious convention. Calls were then made for and each responded in making good talks. Seth Shepherd, Horrace Chilton, W. W. Spivey, W. H. Pope, Temple Houston, Bill Burgess and several other leaders.

A. W. Terrell brought in the report on Platform and Resolutions and read the platform and made a stirring talk urging its adoption. Instead of the "Heart of Oak" plank he read the following:

"We accept the result of the vote on the proposed amendment to the Constitution on the question of State Prohibition, at the election held on the 4th day of August 1887 as a finality, and the Democratic Party of the State of Texas deprecated and will oppose any movement looking to the reopening or further agitation of the question of State Prohibition." The Antis and Pros alike accepted the report of the Platform Committee gracefully and when the vote was taken on the adoption the delegates, every delegate rose enmasse for its adoption. It was a happy conclusion of the contest and the delegates then unanimously elected A. W. Terrell an Anti and Joe Bailey a Pro as electors at large.

They campaigned for the National Democratic ticket and Cleveland rewarded Judge Terrell by appointing him as Minister to Turkey, and the people rewarded Bailey by electing him to Congress in the old Fifth District and later to the United States Senate. So after this bitter contest and the one following the

Hogg-Clark campaign were settled at the ballot box as all good Democrats unitedly fell in line for the good of the state and our great country. Since that great convention many very interesting and exciting Democratic Conventions have been held in Texas, and I have attended nearly all of them, but none more important than the last one held in August 1944 at Dallas. As a Democrat I attended the Precinct Convention in my ward here in Austin and was a delegate to the county and state convention held here in May, but on account of illness of my brother I had to go to Houston and failed to attend the state May convention where the Roosevelt Democrats bolted. Had I been present I do not believe I would have left the convention although an ardent advocate of President Roosevelt. However, I was in the deepest sympathy with their objects sought, and achieved. Neither a majority nor a minority has the right morally as they did in the May Convention to deprive the Democrats of Texas who wanted to vote at the general election for electors, who would cast their vote for the Democratic Candidates for President and Vice President the right to do so. This is a Democratic Government and no man nor woman should be deprived of the inalienable privilege of voting his or her convictions on any question. This the May convention did. No one could under that convention's act vote for the National Democratic nominees, Roosevelt and Truman.

That convention not only deprived Democrats from voting for the Democratic nominees but prevented our soldiers and seamen in the service from voting the Democratic ticket. For seventeen of the Presidential electors selected by a so-called Democratic convention held in May, asking and expecting all Democrats to vote for them because they were the Democratic nominees, when they themselves openly refused to vote for the Democratic nominees for President and Vice President. Asking something of the people they themselves were refusing to do. There is an old law maxim. "He who asks equity must do equity."

When one asks justice he should come with clean hands himself. This they did not do, so I again attended the precinct and county conventions and was a member of the Committee of Platform and Resolutions in the County Convention and was selected as a delegate to the State Convention held in August 1944. If that convention failed to undo and correct the mess the May convention had gotten us into all good Democrats in Texas who wanted to vote for the Democratic nominees for President and Vice President would have been disfranchised, so I attended the Dallas convention and stayed there two days and did all I could to undo the unfair work of the May convention. The Dallas convention was widely attended and the delegates were selected

on the one issue that of supporting our Democratic National Nominees. It was bitterly contested both by the Regulars or Anti Roosevelt and Truman delegates as well as those who were for Roosevelt and Truman. There were a number of contested delegations including Tarrant, Dallas, El Paso and several other counties. Those opposed to Roosevelt and Truman had control of the machinery and most of the members of the executive committee were against our nominees, so they decided in favor of the Regulars in most all of the contested counties, and when the vote was called by counties the chairman permitted an unheard of and unfair thing to be done. He let the Anti Roosevelt delegates cast the vote of the contested counties when in all conventions I ever attended or heard of where an honest contest was made in good faith neither of the delegates could vote until the convention seated the delegates. Senator Page said in the convention that it was like trying a criminal and the court would let the defendant vote, on his own guilt. This gave the Anti Roosevelt delegates something like 300 votes more than they were entitled to. This made the contest very close and while the ballot was being taken I remarked to a friend by me that it looked like the Regulars had us defeated, but a young lady sitting by us said "No we are about forty-five ahead." The chairman refused to declare the result and held the convention more than an hour before he declared the result so that they could have time to wire or phone and try to change some of the counties which they did and cut down the majority to twenty-nine majority. When the convention organized and seated the proper elected delegates from the contested counties, we controlled the convention by four or five hundred votes. Those electors who were selected at the May convention who declared they would not vote for the Democratic nominees, Roosevelt and Truman, were by this convention removed and loyal Democrats put on as nominees of the convention for electors who were for Roosevelt-Truman, and our Secretary of State ruled for the Regular Electors. The question as to who were the Democratic nominees was carried to our Supreme Court and it promptly declared the electors selected at the August Dallas Convention as the Democratic nominees and these names were placed on the ticket as such. In the general election for President those who opposed Roosevelt and Truman placed a list of candidates for electors on an independent ticket known at the "Regulars". After a heated campaign Texas gave the Democratic nominees Roosevelt and Truman about 75% of its vote, and the Regulars did not receive as many votes as the Republicans or Dewey electors. All Democrats and good citizens owe a debt of gratitude to our leaders in the August Convention

at Dallas who took charge of it and corrected the unfair and unheard of proceedings of the May Convention in Austin. As leaders of the Dallas Convention I mention the names of Ex-Governor James V. Allred, Ex-Speaker Bob Calvert, Herman Jones, Tom Tyson, Ex-Senator Fleetwood Richards, Charley McDonald, R. Lee Bobbitt and a host of others just as loyal and true to our great party and our beloved country. As a private citizen not desiring nor asking any favors from our government, except good government, I was deeply interested in the election of our Democratic ticket. I believe it was the most important election ever held anywhere any time for the good of this nation and the freedom of the oppressed nations of the earth. As I see it the only issues were, win the war and a lasting peace. All other questions were as nothing compared to them.

The United States made a colossal mistake at the close of War I when we elected Harding and they repudiated the League of Nations, which in turn brought on War II. A wise man when he makes an important mistake never makes the same mistake twice. Then why should we as electors repeat and make the same mistake again. We made a change at the close of War I and lost —why repeat and take a chance. We escaped from the untold terrors of this war by the "skin of our teeth." If the good Lord had not put into the brain of Hitler so much egotism and self-conceit and had him attack Russia instead of invading England, we would have been in a plight and our lovely cities bombed from all sides and perhaps Texas invaded through Mexico. If we should have another war and God forbid, it will be so devastating and terrible that this war compared with it will be "child play". We should have no more wars. Germany and Japan should be taken by our Allied Forces and never again be permitted to re-arm and by force if necessary never again be permitted to manufacture any kind of implements of war and we should teach them to be free, happy and peaceable nations of the earth. This leads up to a very tense and important matter now pending and being widely discussed by our people and the press that of the discharge of Dr. Homer P. Rainey, President of the University of Texas.

I am only casually acquainted with Dr. Rainey and know our Governor and Lieutenant Governor and each of the Trustees of the University, but as a native citizen of Texas as well as a small taxpayer, I am deeply interested in the greatest of all our institutions of learning in Texas. I have a son and a daughter who attended the University, but not under Dr. Rainey, but I am an ex-student of Texas A. & M. I am also interested in "fair play" and a "square deal". I never see a big dog jump on a small one but what if I can I protect the small one. It grates on my nerves

to see a big man impose on a smaller one because he has the power, and the only fight I ever had since manhood was at college in protecting a room mate from abuse of a bully. When Will Hogg, a regent of the university, said that he would "go to Hell in a hand basket" before he would vote to dismiss a professor in the university without a fair and public hearing giving him every opportunity to defend himself, all admired his position and his courage and I believe present trustees should have followed the course pursued by that able statesman. I did not attend the investigating committee by the Senate but I have read all the testimony in the press of the proceedings and I have seen nothing that would warrant any fair man in kicking him out. Not only academic freedom and the freedom to teach the truth in our colleges and schools is involved but it digs at the very roots of personal liberty. If the powers that be can summarially dismiss this great and good man as President of our State University without an expressed cause and without a hearing and given a chance to protect his good name, it looks to me like our liberty is gone, and I think every citizen is interested and we should all do our part to protect our rights as free citizens. If I am not in error the same influence that we call "big business", that made such an active and heroic effort to defeat our great democratic ticket is the power behind this movement to dismiss Dr. Rainey. I do not know what will be the outcome, but I do know that no click, set of men, of business, labor or any profession, should control our university but it should be controlled by all the people. It is ours, and should be managed for the good of all the people of Texas, the rich and the poor alike, and I much admire Gen. R. Lee Bobbitt, Maj. W. R. Panton, the Ex-Students Association, Wallace and the student body, the faculty and the ministers here in Austin for their courageous and bold stand for a square and a fair deal, and for liberty and free speech. They want to see justice done and are the protectors of the poor and the weak against the strong and the mighty. Such men I know will safely guard and protect our liberty and the sacred rights of mankind.

#### EXPUNGING PRAYER OF CHAPLAIN OF HOUSE OF REPRESENTATIVES

During a heated and bitter session of the House of Representatives over prohibition and whiskey and regulatory measures the chaplain who was a very able minister of the Gospel prayed such inspiring prayers that the legislature passed a resolution to print his prayers in the House Journal every morning. In one of his prayers he prayed for the success of some of the regulatory measures and it offended the members who opposed them, and

one of the members the next morning after reading his prayer in the Journal moved that his prayer be expunged from the record of the Journal. This in turn aroused the members who favored the legislation. The motion was argued quite awhile, some for the motion and others against it. Finally one member with a loud voice, speaking from the rear of the House, raised a point of order to the motion. The Speaker of the House asked him to state his point of order. He said, "The motion to expunge the prayer from the record comes too late. The prayer has already reached the Throne."

This broke up the discussion.

In Houston several years ago I was attending to some official business as a Commissioner and accepted an invitation by Clarence R. Wharton, the historian and noted lawyer, to take dinner with him and a few friends at the San Jacinto Inn, in the San Jacinto Battle Field. Governor Neff and I think Clarence Gilmore were two of the six guests; and after we ate our oyster and fish dinner we sat around the table and had a very interesting talk. Wharton asked us who we thought was the greatest of all the Texas statesmen, and patriots. I said I thought General Sam Houston, and some one said Governor Hogg. Then we asked him who he thought was the greatest, and he said he rather believed Reagan. He was Postmaster General of the Southern Confederacy, District Judge, Congressman and then United States Senator and finally Chairman of the Texas Railroad Commission. I then cited the fact that Sam Houston was a great soldier, won the decisive battle that gave our state liberty, and had it not been accomplished instead of one of the greatest states in this Union, we would have been Mexican subjects; that he was Governor of Tennessee, leader among the Indians, President of the Republic of Texas, United States Senator and Governor of Texas. This conversation was before they built that wonderful and imposing monument on the battle grounds in memory of General Houston. I also recall that I stated I was in the Legislature on 1897 when Dr. Rufus Burlison addressed a joint session of the Legislature on General Houston. It was a most interesting and able talk but his handling the resignation as Governor of Tennessee and quitting his new wife and going and living with the Indians and his reasons why he resigned were not to my mind entirely satisfactory. He said during these times many of our ablest men believed in the flight of the birds and that Houston was directed in the course he pursued probably by the flight of the birds. It did not appeal to me at all. I remember that one of the strangest things happened to every one of our greatest statesmen, Houston, Reagan, Hogg, Culberson and Bailey before their death. They each were repudiated by the Democratic Party and the people who

elected them. Houston was kicked out of the Governor's office, died in poverty, and the Legislature appropriated money for a marker or tombstone over his grave in Huntsville, where he was buried. Hogg was booed and hissed at the Democratic Convention at Waco after he was Governor. Reagan wanted to be Governor, but the Democrats nominated and elected Culberson over him at Dallas. Culberson was defeated for re-election to the United States Senate, and Bailey was defeated for Governor of our state. It seems the people either forgot about their able services, or were ungrateful and fickle. I am reminded of what the poet had someone to say to Cromwell. "Cromwell fling away ambition for by it the Angels fell, never to rise again."

### THE DECATUR RIFLES

The Decatur Rifles, a company of state guards was organized in 1883. T. A. Fuller was Captain, C. V. Terrell, First Lieutenant, and Robert Smith was Second Lieutenant. Later Fuller was promoted to Major, and C. V. Terrell promoted to Captain. I retired as captain and James Gilleland was promoted to captain. Elenore Brady, First Lieutenant with Robert Simmons, Second Lieutenant. When the Spanish American War came on the Company volunteered. But no member of the Company was forced or drafted into the service. My brother, Will Terrell, was Fourth Sergeant, but the three ranking Sergeants declined to volunteer and he was made Top Sergeant. The day the company entrained for Camp Mabry at Austin, most ever one in the county came to Decatur to see them off. A nice program was arranged and I recall that the ladies made a beautiful silk U. S. Flag, and Miss Edna Spear made as beautiful a speech delivering the flag from the court house steps as I have ever heard. She was beautiful, lovely and charming, and captivated everyone who heard her. Judge Sam G. Tankersley was County Judge and I was State Senator and each of us had a younger brother in the company. We decided to go with them to Austin and render all the assistance we could. The brother of Judge Tankersley was Albert Tankersley, known by his many friends as "Tank", was Commissary Sergeant. The day we arrived in Austin a real norther came and the camp was not provided with blankets, night was approaching and the entire company would have suffered and been forced to sit up all night. As I was well acquainted with Governor Charley Culberson, we went to the mansion just before night and told the Governor of the plight they were in. Tents but no blankets. Governor Culberson went to the phone and soon returned and said he had ordered blankets and they would be out there immediately. We at once returned to Camp Mabry and the

two floats of blankets soon arrived. So the Decatur Company and another Company there were well supplied with warm bedding. On account of Governor Culberson being so kind and prompt in saving the boys from suffering Wise County as long as Charley Culberson was able to discharge the duties of United States Senator always voted for him. Later on the Company was transferred to Brownsville, Texas, where they remained until the close of the war. I asked several of them what kind of a country that was around Brownsville, and they said they would not give ten cents an acre for any they saw, since by irrigation and thrift it is known as the "Magic Valley" and is one of the real fruit and garden spots of America. Now \$1,000 an acre.

### ROSES VS. WHISKEY

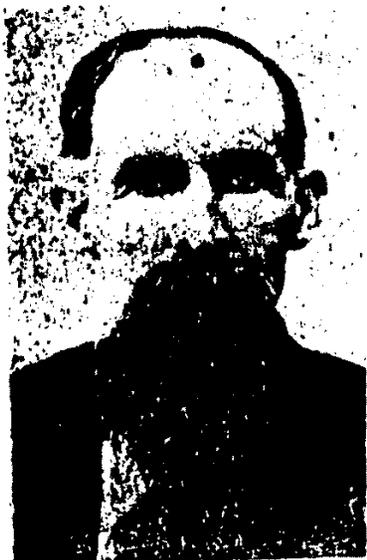
Some people live like the humming bird that through life sucks honey from the flowers until it is full and then dies upon roses—others where poppies are spread they seize the flower but the bloom is shed.

Years ago my good friend, Bob Davenport who was County Treasurer of Wise County for four years, told me a story that impressed me much and I believe it is worth repeating.

Bob married Miss Emma Brady and an old schoolmate of mine. She was the oldest daughter of Judge W. W. Brady, the head of one of our noted pioneer families of Wise County. He was a County Clerk and County Judge for twenty-two years, never defeated. His son Elmore was a First Lieutenant in the Spanish American War and was County Clerk and County Judge two terms each. Another son, Walter, was a successful cow man of Northwest Texas and well known as a commissioner salesman of stock at the yards in Fort Worth. Elmore's son Wallace Brady was County Clerk two terms and now a most efficient County Collector and Assessor. Bob Davenport had a son that was a very brilliant County Judge when he early in life passed away. No member of the family has ever been defeated for office in the County.

Bob was large of stature and as one of my friends used to say, had a heart in him as big as a half a bushel.

This is the story: Bob said one day while he was living on the old Brady homestead one mile south of Decatur, Dick Holley who once ran a saloon at Decatur and later at Fort Worth drove up late in the evening in a no-topped single buggy selling fruit and flower plants. Bob went out to the gate and told him to get out and he must stay all night with him and began to unhitch his horse from the buggy. Holley was then pallid and bore every mark of the dreadful malady of T.B. In fact, the plague had him under complete control and it was in its last stage.



Judge W. W. Brady



Mrs. Judge W. W. Brady

Bob asked him what he was doing and he said, "Bob, you know I used to sell whiskey, but now I'm selling roses."

Bob said it was so touching and so sad he had to turn his face to keep Holley from seeing the tears in his eyes. Holley stayed all night with him and Bob said while he never bought any whiskey from him, that night he bought more plants of roses than he ever bought before in all his life just to cheer him on his short but certain dreadful and rugged journey.

#### LOVELY WEDDING

In October 1935 Miss Gene Boehringer my private secretary and I were invited to the wedding of our friend, Gene Green (Eugene L. Green, Jr.), who had lived with us during his university school days and had been employed with the Railroad Commission and stationed in Pampa, Texas. There he had met and fallen in love with Miss Virginia Faulkner, a beautiful girl, only daughter of Judge and Mrs. Silas Faulkner. Judge Faulkner was the first County Judge of Gray County and was an outstanding man in the development of the Panhandle section of Texas. The wedding was set for Saturday, October 5. After office hours on Friday, October 4, we left Austin driving up with a friend, R. B. Newsombe, who at that time was employed with Jim West

Oil Company. He was a delightful companion, very interesting and well educated, a Ph.D. in geology. It was a beautiful day and I remember the drive to Fort Worth as we listened to the World Series on the drive up. At Fort Worth we took the train and went on in to Pampa.

The wedding was solemnized on Saturday evening in the First Methodist Church—a very beautiful and impressive ceremony. Gene was attended by his friend and roommate, Russell Allen, with Cabot Carbon Company, and the maid of honor was Miss Margaret Buckler. Miss Buckler and Mr. Allen were married later—on October 20—in the same church and I understand they now live in Boston.

Gene is associated with Cabot Carbon Company now. He and Virginia have three small sons and live in Pampa. Her father, Judge Faulkner, died several years ago.

## Chapter VI

### COURTSHIP IN A SMALL TOWN

Soon after the Fort Worth and Denver Railroad came to Decatur the little town began to grow and a young man by the name of Charley Pool came from the sticks the extreme south-western part of Wise County and was clerking in one of our dry goods stores. He was about nineteen years old, tall, slim and rather good looking, but had many visible signs of being from the country without him telling us that he was. He boarded at Mrs. Lizzie Cates' Hotel where there were quite a number of young business men boarding. A beautiful young lady came there as a boarder and was teaching a class of young people in guitar music. Young Pool gave her much attention and she seeing the situation for fun encouraged his eager advancements. For several weeks he was most aggressive. She soon decided she had carried him far enough and attempted to break with him. It so happened that he was not sincere but she did not know it. One Sunday morning after she had "given him the mitten", he went down to see her and all alone in the parlor with the doors closed he again pressed his claim, and knelt down on his knees in front of her when she was seated and with crocodile tears and a sobbing voice told her he could not live without her. She saw she was in trouble by carrying him too far boldly and ruthlessly told him no. He drew a small bottle labelled strychnine with cross bones and a skull plainly stamped on it but it had only flour in it. He swallowed its contents declaring that he did not want to live any longer. She thought he was committing suicide and fainted. The boys that were on to the farce and out in the hall rushed in threw water in her face and she was soon restored. She took the evening train for Fort Worth and no one in that little town has ever seen or heard of her since. Pool lives here in Austin and has a family of grown children and he often visits me and we laugh about the amusing affair.

#### "PIE BITER"—ALIAS JIM BAKER

At an early day in the history of Wise County we had a rather unusual and unique character living in Decatur, known as "Pie Biter." Many did not know his real name, as he was always called "Pie Biter", but his real name was Jim Baker. He was a genial and agreeable fellow though a little hard of hearing, but he could

always hear anyone say "Lets all take a drink", and never, never did he fail to respond and walk up to the bar if he were not already braced up to it. He was also a good fiddler and could play break down square dance music such as "Sally Gooden" and "Billy in the Low Ground", and was always the main musician for the only dances in that section of the state. In addition to his other noted qualifications, he was a splendid cook, and no round up of cattle when in the spring or fall could get along without "Pie Biter", being there to cook and play the fiddle. He knew just how to cook food and season the food to suit the taste of the tired cow punchers. They all said he was the best cook to cook pies in the world. When the cow hands came in from the round up "Pie Biter" was always on time with his table on the rear of the chuck wagon filled with hot coffee, juicy fried steaks, hot biscuits or baked poned bread and an abundance of fried and baked pies of all kinds. After the cow hands had eaten their evening meal they would all surround the glowing camp fire, sitting on the ground and on their saddles and after "Pie Biter" had washed the dishes the pewter spoons, tin cups and plates and knives and forks, they would always call for "Pie Biter" to come and play the fiddle. He was bright and entertaining with his "chin music" as well as with his fiddle, and his culinary gifts.

But "Pie Biter" did not get his name because he was the best pie maker extant; it happened in this way. He had baked a large stack of pies and some of the hands suggested that they have a pie eating contest and see who could eat his pie first. As "Pie Biter" had a large mouth all knew he would win the prize. It was said of him that he could with one bite make a crescent moon out of an ordinary whole pie. Before the pie contest got under way "Pie Biter" got a few too many drinks under his belt and some of the cow boys put two pies together and left a tin plate in between them and it stopped "Pie Biter" cold, and he lost the contest. From that day on he was called and universally known as "Pie Biter". As the settlers came into Wise County they gradually pushed the cow men further west and "Pie Biter" heard the call of the west and followed them and continued to pursue his life long avocation. There is one thing I am certain of and that is he was always called "Pie Biter"—Frank Dobie the most noted and gifted writer in the United States of cow boy lore, legends and some politics and facts has written a very interesting story published in the daily press giving a graphic account of "Pie Biter" in the west and asks for more about his early life. He also mentions my boyhood friend W. H. (Harley) Portwood of Seymour, Texas. I well remember when Harley quit school and went to herding cattle for W. L. Rush on Oliver Creek in Wise County

for \$12.50 a month. We boys all thought it a very unwise thing to do, but Harley is now worth millions of dollars and we just went on to school. Uncle Dan Waggoner who had a ranch in Wichita County hired Harley to ride a line and work for him. I do not know the salary but think it was around \$15.00 a month.

He worked for Waggoner a number of years and soon accumulated a herd of his own and went to work for himself. Uncle Dan used to tell it that Harley had accumulated such a large bunch of cattle for himself that he was afraid he would soon have to go to work for Harley. But the facts remain by close economy hard toil and wise management he is a multi-millionaire, and one of the few old time Texas cow punchers living. To further illustrate Harley's ability as a financier Judge J. W. Patterson, District Judge at Decatur, bought some cattle and had them looked after for a year or so, I asked him in a crowd how he came out with his cattle venture. He said "Well, I bought my cattle from Rev. Grand Christol, a close trader and a Baptist preacher, and sold them to Harley Portwood, you know the rest.

#### LITTLE INCIDENTS

In writing of some of the good things, in all fairness I should enumerate at least a few of the bad that are not too bad. While I was reading law, there was a colored man who came to our town who became, to us young men, unbearable. He got mad at Dr. Jim Embry because the doctor would not let him have enough water, because of its scarcity, for washing and for home use. Someone threw a raw cowhide into Dr. Embry's well which was about as mean a thing as one could do considering the scarcity of water. That was before we had water works or deep wells. That deed was laid at this colored man's door and although the proof was not conclusive, it was very strong. He also had defied our deputy marshal, Pete Hawkins, who was a young and very fine man. He had also talked in a rough manner to a couple of fine young white ladies of the town, and many other things caused a great deal of adverse talk about him. Eight or nine of us young men got together and we decided to take him out some night down on the branch near town and give him a genteel good whipping and make him leave town. We got together and the following young men set a date at night and arranged to get hold of him. The members of the mob—which we were—were: Pete Hawkins, deputy marshal; Bill Gilbert, constable; Jim Eads, deputy sheriff; Dr. J. L. Lay, dentist; John J. Terrell, district clerk; Thomas R. Waggoner, clerk; Bob Ledford, clerk; Will Renshaw, clerk, and myself.

Waggoner decoyed the negro in the back alley south of the

rockstone buildings on the south side of the public square about ten o'clock at night. We knew the City Marshal and the Sheriff would be at home and there would be no peace officers there except those with us, but it so happened that Doc Minor, Deputy Sheriff, returned unexpectedly with Rowan Tucker, Deputy Sheriff, from Fort Worth, and they were in town. They were in the saloon on the south side playing pool. We caught the negro. I took hold of his right arm, Dr. Lay his left arm, and Pete Hawkins threw a looped rope over his head and drew it tight. We asked, in order to fool him, if it were Pete Sparks, another negro in town, and he said, "No, this is Charley," as we choked him down. I was afraid we were closing down on him too tight and might stop his breathing as he slumped down apparently lifeless, and I said, "Boys, we are choking him to death. We had better relax." We stopped choking him and he screamed loud enough to be heard three hundred yards, and Dock Minor and Tucker heard him and not knowing what it was, ran out of the back door of the saloon, saw our crowd in the moonlight carrying a negro man off. They threw their pistols down on us and as we all had pistols, we turned the negro loose and levelled our pistols down on them. They saw it was white men with a negro, and they and we backed away from each other without a shot being fired. We were disguised so they did not know who we were but could only see that we were white men.

I was reading law in the County Attorney's office under R. E. Carswell, County Attorney, and that negro came to his office the next day with a white mark around his neck where the rope had blistered him, and said he wanted to prosecute us but said he thought he knew only Pete Hawkins, the Deputy Marshal. Carswell told him that the grand jury would soon be in session and he would have him come before it and tell his tale. The grand jury convened but the negro, in the meantime, had broken into a store and stolen a suit of clothes, and he was indicted, tried, and sent to the penitentiary for two years. While in the pen, he attempted to escape and was killed by the guards. Undoubtedly he was a bad negro and needed punishment, but we had no right to administer it or try to do so.

I have often thought of what a close call that was, and what a wonder it was that some of us did not get killed or into serious trouble. It, however, taught me and all of us a lesson, and I have been bitterly opposed to all forms of mob law ever since. If there is anyone who believes more than I do in enforcing the law, I do not know who it is. (My claim is that a man is always right when he follows the law and always wrong when he disobeys it or encourages anyone else to disobey the law.) I am sure that unfor-

tunate incident made a profound impression on all of us who took part in the affair.

Bill Gilbert was afterwards elected Sheriff of Wise County, was Chairman of the Democratic Executive Committee of the county for many years, and was regarded by all who knew him as one of the best citizens our county ever had in it. Bob Ledford became a prominent hardware merchant of Sweetwater, Texas.

Thomas Waggoner moved to the Indian Territory and was elected to the first Legislature of the Territory in 1890, and in 1893 was elected Speaker of the Legislature.

John J. Terrell was later elected three times Commissioner of the General Land Office of Texas and all the rest of them made as good citizens as Texas or any other state ever produced.

When I was a young man reading law in a private law office, I also belonged to a good quartet of singers. Dr. J. L. Lay played the guitar and we quite often serenaded the young ladies of the town at night and very often they would have cake and refreshments for us and would open the front door just enough to hand the refreshments out to us. One Saturday night about midnight we wound up our festivities on the public square and there were only two saloons open. A suggestion was made that we find a tamale boy and get some tamales. The saloon on the east side of the square had no one in it except the bartender, and we all ran across the square to the saloon on the west side and all ran into the saloon. There were only four men in there and the tamale boy. They were: the bartender, Ed Liveley, Bill Perrin, a ranchman out west, and his cowhand and foreman, John Strickland. Strickland and Alf Collier had been quarreling. As we ran in Strickland grabbed the whiskey bottle off of the bar, put it in his right overcoat pocket but held on to the neck of the bottle. He was drinking but none of our crowd had taken a drop and we were all sober. Strickland without cause walked up to Jack Renshaw, one of our crowd, and began to curse and abuse him and Renshaw was backing away from him, he drew the bottle out of his pocket as if to hit Renshaw with it. Fearing he would hit Renshaw, I jerked the bottle out of his hand and threw it over the bar hoping he would not know who did it. But he saw me throw the bottle and made for me, struck at me with his right fist. I knocked his lick off and hit him squarely on his nose, knocked him back against the bar, but Will Renshaw, an older brother of Jack, had gotten a long wine bottle filled with wine from behind the bar and as Strickland straightened up, hit him on the head. The bottle broke into a thousand pieces and Strickland fell to the floor unconscious. The two Renshaw boys thought he was killed and ran home. We

all went outside and were discussing what was best to do when we heard a racket in the saloon and ran back and found Collier had his coat pocket full of rocks and was deliberately throwing them one at a time at Strickland's face. Strickland came to, got up, and started at Collier but I took hold of Collier and literally carried him out of the house. Hawkins caught Strickland as he had gotten up and threw him down and came on out and we all went home. Unfortunately, the glass had gotten into Strickland's wound on his head and it gave him a great deal of trouble. He afterwards found out who we were, and when he would get drunk, he would get a pistol or gun and start hunting for us. Several times the boys would come and tell me he was drunk and hunting for us, and I would suggest that we go down on the branch or leave town until he was sober again. We were all very much worried over the affair but were entirely justified. The County Attorney made a careful investigation but made no arrests as Strickland had started the trouble. Finally, he and his boss, Bill Perrin, went back to the ranch out west and we never heard of him anymore. Yet it taught me that it always is best to evade trouble instead of doing anything to provoke it.

#### M. L. MARTIN

In my last race for County Attorney of Wise County the Democratic Party nominated me and the Populist Party nominated M. L. Martin, another member of the Decatur bar. He was a poor man with a large family of small children but a mighty good man. His practice was small and like many of us lawyers, he had a hard time making a living. In the close campaign I learned to like him very much and felt sorry for him. One windy day as he was crossing the street going to the court house, I was in his rear and the wind blew his coat-tail to one side and there were two visible and glaring patches on the seat of his pants. That night I stood up before the fire not having my coat on and told my wife about it and how I sympathized with him. We had only been married about a year and she began to laugh and refused to tell me what she was laughing about. Finally she said, "You have two very visible unpatched holes in yours. He evidently has a wife and you have none." She beat me to it.

#### A SNOW STORM FUNERAL

In the late seventies one wintry morning soon after breakfast my younger brother, Preston Terrell, and I were standing on the front porch of our father's store in Decatur, Texas watching the large flakes of snow slowly fall to the ground when Uncle Clabe

Cates came to us and said that a man by the name of Biggers had died in one of his houses the evening before and he wanted us to go with him and help him bury Mr. Biggers. He said, "You have a buggy and team" and then told me that Walter Cooper, another boy about my age—sixteen years—would go with us. "I'll take my wagon and team and carry the remains and his widow and child to the cemetery."

The grave in the beautiful City Cemetery about one and a half miles north of town had already been prepared for the burial. We four solemnly loaded the casket with the remains in Mr. Cates' wagon and helped his widow and little girl about ten years old into the spring seat by the side of Uncle Clabe. It was an open wagon—no sheet nor bows to shelter them from the snow and the cold wind. We first tried to get the little woman and child to ride with one of us in the buggy where we had a rug and a storm curtain, but between sobs her reply was, "No, I've stayed with Mr. Biggers through all his long illness and I'll not leave him now." They lived in a small two-roomed boxed house and as he died of tuberculosis, I know the long strain on that frail woman nursing and caring for him must have been nothing less than tragic. The widow and little girl were both dressed in faded and long worn black calico dresses, with old fashioned black bonnets covering their entire heads. The only wraps they had was each a small black or dark colored shawl around their shoulders.

The coffin was not a store-bought expensive one, but had been made of pine planks by some carpenter and was covered with black calico and fringed with black velvet and crepe.

Uncle Clabe drove off and we three boys followed in our buggy. No large black hearse drawn by two sleek black horses; no uniformed livery men or undertaker driving—just Uncle Clabe Cates and his wagon and team of mules bearing the mortal remains of that unfortunate man to his last resting place where pain, poverty, and sorrow could never more reach him. The procession was not long—only our one buggy followed the remains—that made up the entire cortege.

As we proceeded slowly north across the high prairie toward the cemetery, it began to snow with still larger flakes of fast falling snow, and the ground was soon white. The wind was blowing from the north and it became colder and colder. Not realizing that we were in a funeral procession, we three thoughtless boys began to talk and laugh. We met several farmers going to town and they looked at us in surprise. I did not know whether it was because we were laughing on such an occasion or whether it was because of the short unusual and unimposing funeral procession. At any rate I suggested that we had better cease our laughing. The good ladies and a few men who usually sang "Lead

Kindly Light" and other old songs were not there. Why, I do not know. It may have been too cold and bad. However, there was no opportunity to display either their bonnets or their voices. Yet, I am reasonably confident that they did not know we were having a funeral and had no chance to attend. In fact, there was no minister of the Lord present to talk of the many virtues of the deceased and to console the disconsolate relatives by picturing the deceased as walking straight through the wide open pearly gates of Heaven; no pall bearers with soft-colored gloves and wearing white carnations in their lapels—just four of us—and three of us total strangers—were the pall bearers. We received no advertisement either in the daily or weekly press as either active or honorary pall bearers. Upon our arrival we assisted the sobbing widow and daughter out of the wagon, took our buggy lines from our horses and with them slowly and carefully lowered the casket and the remains of Mr. Biggers to his eternal rest. No songs were sung. No prayers were audibly uttered. The birds, as usual on such occasions, failed to sing their sweetest songs from the trees above this new made grave. The only sounds we could hear were the cold bleak wind blowing through the barren limbs of the trees above, the pathetic crying of the helpless orphan, and the vain effort of her mother trying to console her anguish.

We gently with our spades dropped the dirt and the snow down on the coffin and soon the grave was rounded up with white sand, but it was not long before the grave was entirely covered with God's white snow—His emblem of purity. No costly bank of flowers from loving friends; not one rose to soften the heavy blow and console the grieved. The surroundings, the silence, the utter poverty, the helpless condition of that frail mother and daughter brought tears to all our eyes and we were in truth and in fact real mourners.

I thought of Oliver Goldsmith's words about the village pastor when he said, "And fools who came to scoff remained to pray." We went in laughter but returned in tears. We were all thoroughly chilled with the cold winter's wind, but we were not half as chilled as were the tender hearts of that lonely widow and orphan. It was surely the winter of their sorrow.

Many, many years have passed since that snow storm funeral, but it has abided with me through all the years. The three other pall bearers have long since passed on, and I do not know what became of the widow and little orphan of Mr. Biggers. I have often wondered. But as "pure and undefiled religion before God is to visit the fatherless and widows in their affliction" and as "God's justice is as broad as the broadness of the sea and His mercy extends to all eternity," I know He did not fail them in their utter gloom which must have been as black as night.

### AN UNUSUAL INCIDENT—DAN GIBSON

During the Indian days and immediately following, the state government located a cavalry company of rangers at the Government Mills in Wise County about ten miles from Decatur. The Texas Legislature had passed a law known as the "concealed weapon" law preventing anyone from carrying a pistol on his person. Napoleon Cargill was marshal of the town and he had an idea that the State Rangers had no right to carry pistols, and in attempting to arrest one of them had a fight and the ranger got away without being arrested. This caused the rangers to have it in for the marshal and much "bad blood" was engendered between them and the marshal. One day Dan Gibson, a young ranger, came into town with a pistol on determined not to be arrested as he believed he had a right to carry his gun wherever he went. The marshal attempted to arrest him on the south side of the public square and Gibson shot Cargill through the lungs. He fell on the sidewalk, was picked up and carried home, and he recovered. Immediately after the encounter Gibson ran to his horse that was hitched to the horse rack nearby and mounted him and ran at full speed east down Main Street. A Deputy Marshal stepped out in the street and emptied his Colt pistol at him as he was running away but missed hitting him. Gibson had a good friend by the name of Bill King who lived four miles south of town where he stayed for several days until he found that Cargill would recover. When he learned that Cargill would recover, he left and went back to Missouri. He was never indicted but as he did not know it, he remained away.

It happened that I was near when the shooting took place and saw the Deputy Marshal shoot at Gibson as he ran down the street, and I remembered his name "Dan Gibson" distinctly. About 1915 about forty years later I was in the basement floor of the Court House and a nicely dressed man came in and made the remark to me that this was the first time he had been here in forty years, that when he left, he was running horseback down Main Street with a man shooting at him. I asked, "Is this Dan Gibson?" and told him I remembered the incident as I had seen it. His reply was yes, then I introduced myself to him. He said he had lived in Missouri ever since at Kansas City and had some business at Fort Worth and decided to run up to Decatur and see if he could find anyone he knew. He remembered my father who was a merchant and I told him it was Saturday and most everyone from the country would be in town. He first asked for Bill King and I told him that King was dead but he had two daughters living south of town, Mrs. Young and Mrs. Jarrell and they likely would be in town during the day. We went out on the public

square and Mrs. Younge and Mrs. Jarrell drove up in a hack and as they got out, we all walked up and I introduced him to them. They were girls or young ladies when he stayed at their home but they remembered him but of course, did not know who he was at first. We left them and they all had lunch together and renewed old times.

### PASSING OF THE OLD LIVERY STABLE

The old-fashioned livery stable horse rack and hack drivers that existed in every town and city in Texas before the advent of motor transportation were often unkept, always unclean, and too often unsightly and never smelled like the odor of roses. The livery stable was always a prominent place for men to gather, talk politics, and tell their jokes. The livery stable was a business place because it was the only place in the town where one could obtain means of transportation. It was the headquarters for all the hack drivers of the town. The old-fashioned buggy that could travel only six or eight miles an hour was the fastest means of travel then in existence, but now with our motor power our automobiles make eighty or one hundred miles an hour with ease and our airplanes travel five hundred miles an hour.

Therefore, with our motor transportation firmly established, the one-horse rubber-tired buggy and the two-horse buggy and the hack and the horse rack have gone from us and with their going the old-fashioned livery stable too has disappeared and gone from us forever. Its passing is not without our regrets because of the many memories that clustered around the old livery stable and especially that beautiful horse we used to drive with our best girl in that lovely rubber-tired buggy painted red. Such memories will be with us through all time.

When I was a young man, our livery stable was owned and operated by Jesse Carpenter and Bent Clisbee, both interesting and unique characters. They had plenty of sense, native ability, and were good business men. They bought a buggy horse from my brother-in-law, Lute Renshaw, that was when driven to a one-horse buggy as beautiful a horse as any I have ever seen since in our best fairs or rodeos. He carried himself as gracefully as a deer when he gives the hunter the "cake walk." He was known far and wide all over North Texas as the prettiest buggy horse in that section. Young men who wanted to take their favorite young lady riding always vied with each other in hiring this horse known as "Renshaw." We all had an idea that if a young lady when riding in that rubber-tired buggy behind that beautiful steed in the cool of the evening would not respond favorably

to the pleas of the wooer and say yes, there was never a chance for him anyway, so the demand for "Renshaw" on Sunday evenings by the gallant beaux of the town was so great that he was spoken for and reserved weeks and often months ahead. Almost every young man in Decatur who by any chance could raise one dollar and a half had made love to his best girl while driving behind "Renshaw." If "Renshaw" could have understood and been able to have repeated the wooings and tender tales of love, he had heard, it would have filled a book of both silly and sacred lore.

A drummer came in a single buggy and wanted his horse cared for. Jesse Carpenter, who was uneducated but a man of fine natural ability, shook hands with him and asked his partner in a loud voice, Bent Clisbee, who was in the rear of the stable, if he had an absent stall for the drummer's horse. It amused the drummer and he told the boys about town of the incident.

#### THE OLD BLACKSMITH SHOP

The old blacksmith shop just across the street from our house where we boys used to stand for hours and watch the sparks fly from the anvil when the smith would strike the red hot iron with his hammer in welding two pieces of iron together. His assistant smith would handle the lever of the large bellows that kept the wood and coal burning so that it would heat the iron to a white heat and prepare it for welding. I remember when we were young and barefooted we would have to stand at a distance and not step on the hot falling sparks of iron. The blacksmith, Uncle Steve Gose, Squire Gose as he was affectionately called, because he was Justice of the Peace, for many years and presided over the Justice Court with dignity and delivered a brand of justice not now too often given in our modern courts. His sincerity, and his over zealous desire to be just and fair to all coupled with his every day Christian life caused all alike to have confidence in him and abide by his decisions without cavil or appeal. He united in marriage most all the young couples in the county and they for that reason held a reverence and respect for him that was akin to love and devotion. One Saturday night a crowd of men were in Cates and Woods store and they decided to play a prank on Squire Gose. They burned some cork and blacked Tommy Earheart who was slender and small and some other man. Put a dress and an old closed bonnet on Tommie, and sent for Squire Gose to marry them. At that time a number of companies of Federal soldiers were stationed at Jacksboro, Fort Richardson, and they had a few colored people as servants. When Squire Gose came in Charley Cates a good friend of his told him the colored

couple were from Jacksboro and they wanted him to unite them in Holy wedlock. They had put out all the lights in the store except a dim and badly smoked lantern. Cates gave Squire Gose a folded paper with writing on it but the light was too dim for him to read their names. Cates then told him the man's name and then the woman's name and told him that was the license issued by the County Clerk, W. W. Brady. In a solemn tone, he married them and then uttered a fervent prayer for their success and happiness. Some one then jerked the bonnet and hat off of the newly weds. He saw who they were and the only cuss word or by-word he uttered was SHAW! and returned home disgusted and of course disappointed in not getting a marriage fee. If one then were searching for a man with a sincere and contrite heart he would not pass up this humble and noble man. He raised a fine family of children who made splendid, useful and distinguished citizens. Such men as Squire Gose and his good wife during pioneer days of Wise County made history for the county and their names were cherished by all who knew them. I fear we don't have many of them now.



Esq. S. M. Gose



Mrs. S. M. Gose

Then later on we had a character as our blacksmith by the name of J. J. McGee who was unusual in that he was directly opposite to Squire Gose. He was an old bachelor, irreligious, irreverent, drank and was rough and wicked. His little wooden shop stood just about forty yards under the hill from where the Methodist Church was located. He never attended church, but his favorite place of rest and retreat was the saloon, where he too often drank to an excess. He cursed and often condemned the preachers, and the leading members of the church. I recall that during a thunder shower the lightning struck the spire of the church near his shop and he prodded the members by saying, that the Lord knew who deserved punishment, and had the lightning to strike the church instead of his shop. In celebrating important events such as elections, and not having any cannons, we always got old man McGee to bring his anvils on the Public Square and celebrate by shooting the anvils that made a loud noise like shooting a cannon. The people would buy the powder and he would pour a hand full of powder in the small hole in the top of the anvil and leave a small row of powder by the edge of the hole to ignite it. A fire would be built with an iron rod to be heated to touch off the powder. He would put his other anvil on the one with the powder over the hole and touch it off with the hot rod of iron. In between the discharges of the anvils he would take a drink at the saloon near by, on one occasion he got a little too full, loaded his anvils for shooting, gave the hot rod to a bystander, sat down on the top anvil and told the man with the rod to touch it off. But the man not wanting to hurt him or commit murder declined to ignite it. The City Marshal often arrested him for drunkenness but on one occasion he refused to pay his fine. They put him in the calaboose. He still refused to pay. They then put a ball and chain on him and gave him a hammer and a pile of rocks and ordered him to work his fine out on the street by breaking up the rocks. He calmly sat down on a rock and refused to work. They then put him back in the calaboose and fed him only water and corn bread attempting to force him to work or starve. He still refused to work. My older brother John J. liked him and would slip up to the iron barred door and give him food, pie and cake from our cupboard. Finally they turned him out without his working or paying his fine. I remember while in confinement he cursed them and said he would stay there until the ants carried him out through the key hole before he would work.

Yes the blacksmith shop, the bellows, the anvil, and half barrel of water to cool and temper the iron are about a thing of the distant past.

## VANISHING OF OUR OLD SOUTHERN ORATORY

I am confident what we were proud to call our old southern oratory has to a large extent passed away, and may never return. A more direct concise statement in a conversational delivery has taken its place. No good purpose could be served to discuss which is the most effective, but many of us lament the change. However, I guess it is progress brought about largely by the radio which is here to stay. It is like the passing of the muzzle loading shot gun, the covered wagon, the minuet and the swing dances all discarded and are now only a relic of the past. Yet in our movies I see the swing dances are reproduced to the delight of all who see them. They surely are more beautiful than the new steps that have crowded them out, especially the "Jitter Bug."

In speaking over a radio one can imagine he has a vast number of enthused listeners but he does not really know that any one is listening, and it is difficult for him to become enthused and inspired when he cannot see the vast crowd in front of him. There is nothing to encourage, cheer and inspire him to greater efforts. I fear the radio does not in the least advance public speaking but on the contrary is causing its decline. We must admit we do not now have the great orators we used to have either here in Texas or in this nation. It has been my good fortune to have heard nearly all the great speakers of Texas for the past seventy years and many of our best in this nation. I am sure we do not now have such orators as Bryan, Grady, Bob Taylor Cormack, Martin Littleton, Cochran and others and I am equally certain in Texas we do not have Baileys, Culbertsons, Cyclone Davis, Jno. N. Duncan, M. L. Crawford, Olin Welborn, Cone Johnson, M. M. Crane, C. R. Wharton and many others. During the Hoover and Smith campaign in Dallas, I heard Senator Borah make a speech for Hoover. Joe Bailey at that time was speaking in the north for Al Smith. Borah opened his remarks by saying "When I first entered Congress 35 years ago, Joe Bailey was easily the greatest debater in either House of Congress, and I have remained there ever since and I have not yet heard his equal." I do not believe we now have the great actors we used to have. In the small towns in North Texas we used to go to Fort Worth and Dallas to hear Jefferson, Booth and Barrett, Sarah Bernheart, and others.

I am not prepared to say what is the cause whether it is the screen and the radio or whether it just happened naturally and without cause, but I do know that when one faces a vast throng of anxious hearers and as he proceeds in his flights of oratory, clever sallies of humor, sarcasm and ridicule and is encouraged

by the plaudits of the crowd it inspires a speaker and causes him to rise to greater effort. This is also true of a great actor, while he enthuses his hearers before the bright lights they in turn enthuse and inspire the actor. The radio does not give this reciprocal effect and encouragement. You cannot see the speaker, see his grace and his attractive gestures, his smile following his bits of humor. You miss the flash of his eyes and lose the personal contact. No, something is lacking and cannot be supplied. The difference is about the same as reading it from a book and hearing the finished orator or actor before a vast crowd of hearers. In the 25th Senate of Texas Senator Charley James of Sulphur Springs made a magnificent address to the Senate in unveiling the portrait of Congressman Dave Culberson, after his address I asked him for a copy of his speech. He replied he had no copy. It was extemporaneous. Then I asked him if he could not remember what he said and dictate it to a stenographer. He said no, "The vast crowd who cheered me on inspired me and I cannot repeat it." It was a real gem and should have been preserved.



Standing: C. V. Terrell, Senator Charley James, Fount Ray, Sen. Bob Stafford, Mrs. Long, Mrs. Fount Ray. Seated: Tully Terrell and John Terrell.

### THE LOST ART OF TAILING MAVERICKS

The early cowmen of Texas did not have grass and manilla ropes with which they could lasso their cattle and horses, but had only a limited number of rawhide plaited ropes to catch and

brand their cattle. By reason of not having good lariats, they all became experts in tailing mavericks, throwing them to the ground, quickly jumping off their horses and tying them down.

They would then build a fire, mark and brand them without regard to whose cows they were following. It was an early custom among most all cowmen and not thought to be stealing to get your brand on a yearling first, and custom made it yours.

I have often listened to Bill Perrin, Lute Renshaw, Tom Waggoner and others tell how they could tail and throw a four-year-old steer and tie him down before he could recover from the fall. The robust athletic cowman daily practiced at this and developed it to such an extent that it was more scientific and difficult than the present bulldogging, roping and tying steers. Tailing of cattle is a thing of the past and few if any cowmen now can tail and throw a yearling without a rope.

Later on in the seventies our officers and the citizens began to condemn such practices of branding the other fellows yearling. They were indicted, prosecuted and convicted. It has been said that Sam Bass continued this tailing and branding of other men's mavericks too long and got in the bad and became the greatest outlaw.

### BREAD CAST UPON THE WATERS

While I was County Judge of Wise County, Joe Perkins, the Wichita Falls oil man and philanthropist, then owner and manager of the Mississippi Store at Decatur came into my office and said he wanted to ask a favor of me, but he hesitated to do so. As he did not support me for judge, I told him not to let that bother him just forget it. He said his father in law, Judge J. T. Johnson who was living at Lawton, Oklahoma, was a candidate for District Judge, and he wanted about a dozen of us to go up there three or four days before the election and see if we could not elect him. I remember he said I believe Wise County has some of the best workers in an election in Texas. I told him I would be glad to go and do what I could as I was a friend and great admirer of Judge Johnson. He arranged for us to go and we all took the train for Lawton. In the crowd were Dr. A. B. Conley, Sam Sparks, Jim B. Thomas, John Casey, Yell Leslie, Gettys, and several others. As soon as we arrived we held a conference with Judge Johnson and a few of his workers. There were three in

the race and it looked much like what we call a real "horse race."

There were three counties in the district. I remember part of us spent one day in Altus, the next largest town to Lawton in the district. That night they decided I should go to a smaller town west on the railroad, Oluste. Judge was a member of the Christian Church and gave me the names of two or three supporters of his, among others was the member of the Democratic County Committee. He was a merchant and a fine man. As soon as I arrived the morning before the election I went immediately to see this man. He in turn gave me the names of several supporters of the judge and said he having to hold the primary election could not actively make a fight for the judge but would quietly do what he could and keep me posted, etc. He took me into an adjoining room he was building as a warehouse to his store and introduced me to his father, who was a carpenter and at work laying the floor. He must have been 65 or 70 years old, but active, bright and alert. We sat down on a box and he had forgotten my name and asked me what it was. I told him Terrell and you live at Decatur, Texas. I said yes. He then asked me if I were related to a merchant that used to live there on the east side of the public square, who was from Arkansas. I told him yes, he was my father. Then he told me this story. "In the early seventies I was a buffalo hunter in the west. We had several loads of dried buffalo hides hauled by oxen, going to Sherman, Texas, to sell. We ran out of feed for our steers and provisions. A crowd came around our wagons and I asked some of them if there was any merchant in town that ever lived in Arkansas. One of the by-standers said yes, Terrell and Kellam there on the east side came from Arkansas. He said he went over there and met my father and told him we were on our way to Sherman and had no money but had run out of provisions. I told him I used to live in Arkansas. He said my father sold him about \$30 worth of groceries and things they needed and I agreed to pay him after we sold the buffalo hides on our return to the west. When we returned we spent the night in Decatur and I paid for the groceries. He got up and said come on we will carry this box or 'break a trace'."

He introduced me to all the merchants, clerks and farmers in town. We spent the day organizing for the election the next day. I met a man I knew by the name of Hatchett, formerly from Alvord and a number of Texans as that section of Oklahoma was largely settled by people from North Texas. At the election I met a good many from Wise County and North Texas and every one of them went to work for the judge. We gave them cards and those that had not had much experience we directed them

how to work. I remember I met one bright farmer gentleman by the name of Waggoner who knew me in Wise County. All we could get to work hung around the polls and we gave tickets to the voters and assisted many of them in making out their tickets. I met one cow man a large fine looking man who had made out his ticket for Dethrich, one of our opponents. I could not change him and he was about to vote. I motioned for Waggoner and he began to talk to him for Judge Johnson but to no avail. Finally Waggoner asked him which one of the candidates he was going to vote for and he looked at his ticket to see but he couldn't pronounce his name. Waggoner then said "my friend, I would not vote for any man whose name I could neither spell nor pronounce." The man laughed and said I guess you are right about it, I'll just make out another ticket. Waggoner helped him and he voted and then helped us work for Judge Johnson. Judge Johnson was nominated and elected, served several terms and was later elected Chief Justice of the Supreme Court of Oklahoma. After we returned home he sent me clippings from the papers showing the vote in all three counties. He was elected by over five hundred majority and in his letter he said Oluste went for him by a vote of about 150 to 25 the largest majority of any box in the district.

#### LITTLE INCIDENTS

Quite often we hear one say that he has vanished all hatred and malice and is able like Will Rogers to say "he never saw a man he did not like". Of course, that is a condition we all should strive to attain, but there is yet something in the most of us that we can not entirely banish. Some of us just can't truthfully say we love our enemies, and are at peace with the world. I have a good friend, Fisher Alsup, living in Temple, Texas, and he and my brother, Preston Terrell, who lived there were very close friends. He said years ago when Temple was a much smaller place than it is now his pa fell out with an old man by the name of Dobbins, and they did not speak for several years prior to Dobbins death. When Dobbins died most everybody attended the funeral. Fisher said his ma said to his pa, "are you going to Dobbins funeral." Pa said "No, but I am for it." He also told me about a prominent lawyer there who fell out with another lawyer there and he said "This man would even swear a lie in a civil law suit."

#### A FEW STORIES OF THE LONG AGO

John W. Hogg, a brother of Governor James Stephen Hogg, owned about eight hundred acres of fine land about four miles

east of Decatur and was in good financial circumstances. He had for a number of years Uncle Jim McSpadden as his main tenant farmer. Uncle Jim had a brother, George McSpadden, who was very wealthy and owned a large cow ranch and was a good deacon in the Baptist Church and highly respected by everybody. John Hogg bought and was raising some fine Tennessee jacks and jennets. Uncle Jim sometimes drank a little too much, and Hogg attempted to give him a nice lecture and try to reform him. He said, "Uncle Jim, how is it that you have a brother who is a good man, a fine citizen well fixed and highly respected and yet you are only a poor tenant farmer?"

Uncle Jim's reply was, "That's easy. I'll answer you by asking you a question. How is it that you have a brother who is Governor of Texas and you are out here standing a Jackass."

An attorney friend of mine went to Mineral Wells a number of years ago to regain his health and rest. At that time all the counties not having large cities were local option, and one could not buy whiskey in them as local officers thoroughly enforced that law. But those who desired could ship in a jug of whiskey from Dallas, Fort Worth, and the larger cities. This lawyer met an old friend on the street in Mineral Wells and said, "Bill, haven't you got a jug or bottle in your room. I'm as dry as one ever could be." Bill replied, "Yes, let's walk down to my room and we'll take a drink."

The lawyer's reply was, "Walk H—, let's run!"

My old friend, Judge W. H. Bullock, an attorney, of Decatur, during the time when the tightly enforced local option whiskey laws existed, visited Jacksboro, another local option town. He went up to an old-time friend's office with whom he had often taken a social drink and asked him if he didn't have a jug, that he was as "dry as a gourd." The reply was, "No, I have none today, but I'll have a jug in from Fort Worth tomorrow." The Judge said, "The devil, I never wanted a drink of whiskey tomorrow!"

#### A FEW AMUSING INCIDENTS

The lamented Jim Kendall, of Knox City, who formerly lived in Decatur, where he was reared, told this true story. At an early day in Texas the various Protestant churches were continually holding joint debates over baptism and other dogmas, but most all of them were fighting dancing to the limit and were so prejudiced against the delightfully innocent amusement that they would often fire a member from the church for dancing. There was a good member of the Baptist Church at Decatur whose wife had died and he had begun to "step out" among the young people evidently in search of a new mate. He attended a

dance, an old-fashioned square dance without any intention of dancing, but the music was so excellent and all insisted on his dancing that he gave in and "fell from grace" and committed the sin of dancing. His brethren in the church soon heard about it. As Decatur was a small town, tongues began to "rattle" and the gossips soon carried the news to the quiltings and other gatherings until it was known by all. The good church members called the criminal (?) before them and confronted him with the charge of dancing. He promptly and frankly admitted his sin and with a humble and contrite heart pleaded for mercy and forgiveness and told them he would sin no more if they would give him another chance. Finally, after much questioning and lecturing, they gave him another showing and did not "church" him. He was a tempermental man and was so overjoyed over being pardoned, that he began to cry with joy and as he sobbed he said that he "never would have danced anyway if he had not been drunk!"

Jim also told this story. Years ago he moved to Tahoka in Lynn County out on the plains. He said he was without funds, had no clients and he and a land agent decided to office together in order to save expenses. The land agent was preparing his letterheads to advertise the county and asked Jim to assist him. After giving his name as a real estate agent they began to advertise the county and stated that Lynn County is one of the most fertile counties in Texas, "No wasteland, healthy, no malaria, no mosquitos, no negroes, and damn few white people."

He said while he was practicing law at Knox City there was a killing in the county that created a great deal of excitement. The defendant became involved with a woman and in a fight he killed a close relative of the woman. A good criminal lawyer friend of Jim's came over from Abilene and was defending the man. On the morning the case was called for trial and just before the announcement of "ready", another relative of the woman and the deceased walked into the court room and shot and killed the defendant and by accident shot this lawyer defending him. They carried this attorney to a sanitarium at Breckenridge where he was fast recovering. As they were good friends, Jim went to see him. The lawyer asked him what the people in Knox County thought about the killing and how they stood. Jim's reply was that they were about fifty-fifty. The lawyer asked him what he meant by fifty-fifty and Jim's reply was that fifty percent of them were glad he killed the defendant and the other fifty percent sorry he did not get him.

At an early day Ben Allen, later cashier of the First National Bank of Decatur, when a young man attended a commercial college at Poughkeepsie, New York on the Hudson River. After

getting his degree, he came home and made good. W. L. Rush, Sr., a cowman, had a son, W. L. Jr., about 18 years of age, and the son wanted to go to Poughkeepsie and take a commercial course also. Allen was anxious for him to go to the school and was urging W. L. Sr. to send him up there. The extra cost of transportation was about to influence the father not to let the son go. Allen as a last resort told Mr. Rush in a crowd of friends that a trip up the Hudson River was more than worth the extra cost. The senior Rush being one-eyed shot his good eye down on Allen and replied that he was not sending young Will up there to look at scenery.

### UNCLE JESS FULLINGIM

Jim and Uncle Jess Fullingim were close neighbors and good friends. Uncle Jess was religious and active as a Methodist while Jim was a little wild and drank occasionally. Jim was always active, a good hand to joke, spin yarns and have fun at someone else's expense. One day on the sidewalk in Decatur four or five were talking to Uncle Jess in Jim's absence. They were discussing some of Jim's pranks and one of the crowd said, "There is only one Jim, none other like him," and looked at Uncle Jess for his approval, but Uncle Jess said, "Don't you think one is enough? We don't need any more like him, do we?"

Louis Pounds, County Treasurer and Uncle Jess Fullingim were ex-Confederates. Pounds had lost his leg and Uncle Jess one of his eyes. They were neighbors and good friends. In retaliation for something Uncle Jess had said about Pounds, Pounds said that at some Civil War battle the Confederates had whipped the Federals and they ran. The Confederates were following them, and he said that Uncle Jess climbed up on a house, stood up on the cone of the roof and to amuse his buddies he crowed like a rooster after winning a hard fight and while he was up there, a spent minnie ball hit him in the eye and put it out.

Uncle Dan Waggoner was moving some of his cattle in Wilbarger County and had to drive them through Chas. Goodnight's pasture, and Goodnight told him when he drove them through to come by and take noon meal with him that he would feed him on something he had never eaten before. Waggoner said all right. So he went to eat with him, sat down at the table where there was white bread and corn bread, coffee and fine fried beef steak. Waggoner started to eat and asked Goodnight where was the food he never ate before. His reply was this meat is one of your beeves.

Brother ..... Reynolds, our Methodist pastor at Decatur for a number of years, was a great friend of Uncle Dan Waggoner,

and as Uncle Dan was a member and paying member of the church, Brother Reynolds just before Christmas holidays had a long talk with Uncle Dan who was then seriously thinking about the future. The good brother told him that time was passing and he had millions of dollars, could not take it with him, and he should do as much good with it as he could. He told him truthfully that "Pure and undefiled religion was visiting and administering unto the widows and orphans in their distress" and suggested that they get in his buggy and visit the poor of the town and help them by giving them money to buy food they needed and clothes to wear. Uncle Dan consented and at a specified hour drove his buggy by Brother Reynold's house and they began their charitable and worthy mission. They would go in the homes and Brother Reynolds would have them all kneel and he would pray a short prayer, and then inquire what they really needed and then have Uncle Dan to give them the money necessary to buy things needed. Then they would go to another home, pray and Uncle Dan would give and after awhile Uncle Dan began to feel the effects and his natural instincts that enabled him to accumulate so much property began to assert itself, and he stopped his horse and said, "Brother Reynolds, lets change this a little bit. Let me do the praying and you do the giving". It amused Brother Reynolds, and he often told us the story which I know was true.

### SHORT STORIES—BUD SLOVER

In the southwestern part of Wise County years ago we had a voting box called Draco. The most prominent and influential citizen in that section was Uncle Bud Slover, a large man weighing well over two hundred pounds and about six feet two or three inches tall. His good wife, Mary Ann Slover, was small and thin and would not have weighed much more than one hundred pounds. Uncle Bud was one of the best traders we ever had in the county, and by their strict economy and his shrewd trading they were prosperous and had accumulated quite a lot of property. They had six or eight hundred acres in farms and ranch land well stocked with cattle, horses, mules, and hogs. They were devout Methodists discharging their full duty to the church and state. They returned thanks before meals and all knelt in prayer every night before retiring.

Charley Thedford, a friend of mine who was Uncle Bud's nephew told me this story. He said like all Methodists in that day and time the Slovers observed strictly the Sabbath as God's day of rest and worship. One Sunday morning two men rode up horseback and wanted to buy a span of mules that Uncle Bud had to sell. They put the mules in the large corral and the men liked

them and offered Uncle Bud \$250 in currency for the two mules. Uncle Bud knew it was a good price and he wanted to sell but did not want to trade on Sunday. Finally after some argument, they told him if he wanted to trade then, it was alright. If not, then they were going to look at some other mules in the neighborhood. So finally they traded and gave Uncle Bud \$250 in greenback and led the mules off.

When the Slover place was first located, they built a log house to live in but later tore it down and built a large frame house. They took the logs of this old house and made corner posts for the lots and fields. Years before some one had bored with a large auger a great hole in one of the logs and he used it as a corner post for the corral. Uncle Bud knew it would never do to let his wife know that he had sold the mules on Sunday and he knew that if he took the money into the house, she would find it some way, so after the men left, he eased up to this post and put the money in the auger hole in the post, went into the house, and told his wife that the men had taken the mules to try them out and if they were pleased with them, they would come back on Monday and pay him for them. His wife had watched the transaction and had seen Bud put the money in the hole in the post. She said nothing but later slipped out and got the money and hid it. The next day along in the afternoon she asked if the men had come and paid him for the mules. He said, "No, Mary Ann, but they paid me yesterday and I put the money in that auger hole in that corner post and someone has gotten all that \$250." She made no reply but after letting him worry for awhile, went out and got the \$250 and gave it to him and said, "Bud, you ought to know you couldn't fool the Lord even if you could fool me."

During the two years of drouth in Texas in 1887 and 1888, a Baptist minister living near Booneville in Wise County was a thrifty man and accumulated a great deal of property. He by being a good prohibitionist and in favor of strict law enforcement had incurred the ill will of some of the young men in the neighborhood who were not so religious. The drouth became drier and drier and every vestige of vegetation had almost parched. Finally the good brother called a meeting at his church to pray for rain. While in the midst of the services, six or eight of the neighbor boys rode up, hitched their horses, walked into the church and took a seat in front of the preacher. Each of them wore a slicker. It wrought up the good brother and he attempted to have them prosecuted for disturbing religious worship, but the County Attorney Tom McMurray and the grand jury talked to him awhile and finally talked him out of taking any harsh steps against them.

Charley Thedford, who was born and raised in Parker County near the Wise County line and Earle McCrocken, a Wise County man, were supporting different candidates for Railroad Commissioner and often entertained their friends with their joking and "ragging" each other. Charley had gotten a little the best of the controversy and Earle was about to fall out with him. I saw the situation and suggested to Earle that they were good friends and he should not let a little fun destroy that friendship. I suggested that he come back at Charley. He said O.K. and went home.

A few days later, he called me over where he and Charley and several friends were talking. He said, "Judge, you know everyone is proud that he is from Wise County." To this I agreed. He said, "Charley here is claiming that he is a Wise County man but he is not. His daughter Miss Betty Ann Thedford is. She taught school at Decatur for several years. We took a blood test of Charley and found watermelons in his blood. Wise and Parker Counties both produce fine watermelons so that proved nothing. Then we took another blood test and found peaches in his blood, but fine peaches are grown in both counties. We then were more careful and took a third blood test and found rabbit in his blood and we then knew darned well he was from Parker and not from Wise."

#### THINGS THAT HELP MAKE LIFE INTERESTING AN APPROPRIATE ANSWER

While I was serving on the Railroad Commission of Texas with Clarence Gilmore as its chairman, he related an incident that occurred at Wills Point, Texas. Later on after he told me the story he came in my office and took me in his office and introduced me to a lawyer from St. Louis by the name of Jones and had him also tell me the story, so I am sure it occurred just as they both told it.

Gilmore was working in the printing office as a "Devil" and Jones as a young lawyer, each of them poor and had to work hard and save in order to get by. There was also a young doctor in the town who was more successful, had a nice buggy and team, wore the best of new well pressed clothes. They all three were unmarried and all of them on the lookout. They all boarded at a hotel which was the only boarding house in town and all ate at a long table in the dining hall. One day a beautiful young lady came and the first night at the evening meal the bell was rung for supper and to be gallant they had the young lady take the seat at the end of the table. Gilmore to her left and the young doctor to her right. After being seated the doctor with a great deal of pomp and show unfolded his napkin tucked one side under his shirt

collar covering his white shirt. As Jones meekly sat down by the side of Gilmore. The doctor knowing Jones and Gilmore were as poor as a church mouse, in a self important voice asked Jones how he was getting along farming. Jones feeling the sting of his attempted humiliation by the question promptly replied, "Splendidly I made forty-four bales of cotton on my upper farm and will make over a hundred on my lower farm. Have made all the corn and feed stuff I need to carry my five hundred head of white faced steers through the winter. How are you getting along with your bartered shop." The reply was so crushing and unexpected the doctor threw the napkin down, got up and left the table utterly disgusted.

### BOYHOOD AND THE GAMES WE PLAYED

My boyhood was not in any way different from that of the average boy reared in a Texas frontier county during those eventful times. My father was a merchant in Decatur and had a large family of ten children, five boys and five girls, and it was no small undertaking to support and educate us. He and my mother were both members of the Methodist Church, south, and they were extremely anxious to rear their children in a religious atmosphere and give them all a good education. Those were the two worthy objectives they held uppermost in their minds. And I know whatever failure they may have made in reaching the goal was in no way their fault but likely ours coupled with a train of adverse circumstances that they were unable to control.

In our youth we were not given money nor anything out of the store without our parents' consent and that only when we really needed it. Of course, we had good and durable home-made clothes woven and made by our mother and plenty of wholesome food to eat. As soon as we boys became old enough to work, our father in some way managed to have work for us to do. In the evenings after school we had milking, tending to the stock, chopping wood to do, and we were kept at work during summer vacations from school. Brother John, Uncle Jacob Kellam, and our brother-in-law, Lute Renshaw, cut and split post oak and burr oak rails and fenced 120 acres of land with a stake and rider rail fence. I worked all one summer hauling those rails out of the bottom where they grew, to the land to be fenced. I was about thirteen years old at the time and the work helped develop me physically so that I became a good athlete. Then the next summer he had brother John and me to cut and clear about twenty acres of land on the old Eden place two miles northwest of Decatur. We camped out on the land, had a coffee pot, skillet, frying pan, and Dutch oven. I well remember at first our hands

became sore and would swell up and pain us no little but we bathed them in turpentine and they were soon plenty tough. We were camped near the home of the father of Judge Clay Shropshire, of Weatherford, and as he was about our age, he would come down at night and talk to us, hence our lasting friendship.

My father also took contracts to build nearly all of the stone houses in Decatur. Lute Renshaw, brother John, and two hired hands quarried all those rocks, and I hauled most of them to town some three miles away, and then John and I waited on the stone masons in building the buildings. As the Irishman used to say, we didn't have anything to do—just carried a hod and wheeled rock up a gangway, "the rock masons did all the work."

We also freighted to Dallas, Fort Worth and Sherman and looked after our cattle and horses out on the open range. We thought our father was extremely diligent in providing work for us to do, and I am confident that is the proper way to raise a boy to keep him at work as much as possible.

My father and Lute Renshaw built a wooden gin in the northern part of Decatur, the first gin the county ever had. We had an engine to run the gin at first and had only one gin stand that was fed by hand and the cotton was ginned into a lint room attached to the cotton press that was run by horse power. I worked for two seasons in that hot dusty lint room bailing cotton. At that time there was no way to use the cotton seed. We knew that if hogs ate them, it would kill them and the farmers did not want the seed, so they would pile up so high under the seed carrier that they got in our way and we had to burn pile after pile of those fine cotton seed. Finally, cottonseed mills were erected throughout the south and oil and meal and hulls and cake were produced that have fattened many train loads of beef for the market.

During school days I was active in all the school boy games, chief of which were 2-3-and-4 cornered Cat, Bull Pen, and Town Ball. We had, of course, other games but those were the main ones and were played with India rubber balls. Very few people now living ever played those early games. I'll try to explain them.

"Two-cornered cat" is played by four contestants—two at the bat and two catchers; "three-cornered cat" is played by six players; and "four-cornered cat" by eight, four at the bat and four catching. We usually played partners. The catcher would throw the ball for the batter at the other corner to hit. If it came in reach of his bat, he had to strike and if he did not strike or if he missed the ball and the catcher caught it, either on the fly or on the first bound, the side was out and the catchers took the bats. It taught a boy to become an accurate batter as well as provided fine exercise.

"Bull Pen"—four boys would take the hard rubber ball and go off together and smuggle the ball to one of the four, then they would return to the corners of the pen and all the rest of the boys would be inside the four corners. Each of the corner men would hold his right hand covered by his shirt bosom, and the boys in the pen would not know who had the ball. The boys would approach the ones on the corners and then real close, the one of the four who had the ball would throw the ball at one of the boys. If he hit him with the ball, they would go off and smuggle again. If he missed the boy he had thrown at, they would exchange places—the boy who threw the ball would go into the "bull pen" and the other boy would be a corner man on the pen. It was an interesting game and a very amusing one.

Baseball was an outgrowth of "Town Ball" which was similar to baseball but was played without gloves or mask and with an India rubber ball. An "out" was made when the ball was caught either on the fly or on first bound and a base runner was "out" if he was touched with the ball or it was thrown between him and the base to which he was running. We did not have "home runs" by that name but if the batter made the circuit as we do now in home runs, we called it an "eye" and the batter had the right to bring back into the club that was "in town" anyone on his team who had been gotten out—otherwise the batter remained "out" and could not bat during that inning. We had a few heavy batters. I remember Bill Blythe and Oscar Halsell were our best. Sometimes they would hit that rubber ball and knock it nearly a quarter of a mile.

In about 1878 they began to play baseball with a larger covered ball unlike the ball used in "town ball", and the pitcher belonged to the opposing ball team. At that time he had to pitch the ball with a "straight arm pitch" like softball is now played. Then later he could throw the ball but his hand had to pass below his belt in throwing it. Then they began to use a mask and the catcher was the only player on the team who could use a glove.

I remember I played short-stop both at "town ball" and later in baseball. Will Renshaw, a very fine athlete, was our catcher. We had no mask and a foul tip hit him in the eye and after that he would dodge every time the batter would strike, and he would usually "muff" the ball. In Spaulding's Guide we saw advertised a wire mask. We all chipped in and bought one. It looked so frail that we thought it might break if a hard ball hit it so we tied it up on a tree and threw and threw the ball at it as hard as we could to test it, but it stood. Renshaw put the mask on but he did not realize his eye was safe and continued to dodge, and we had to move him to first base where he made the best first

baseman we ever had. We defeated all the neighboring towns and challenged Fort Worth. At that time we had no state league. Fort Worth came up to Decatur and beat us 7 to 5 but we were not satisfied. Charley Bullock, our third baseman, told us of a pitcher at Plano by the name of Coit who could pitch a curved ball. We made a return engagement to play Fort Worth at Fort Worth. We engaged Coit and asked him to meet us at Fort Worth and pitch for us. None of us on either team had ever seen a curve ball thrown and they could not hit his balls and we won by a score of 14 to 5. I remember that Klebe VanZandt, Major VanZandt's son, was their captain and pitcher and Dan Carr was our captain. He was a telegraph operator and was from New Haven, Connecticut. The players from Decatur were the following: Joe Coit, pitcher; D. J. Carr, catcher; William Renshaw, first baseman; George Whatley, second baseman; Charley Bullock, third baseman; C. V. Terrell, shortstop; Pete Hawkins, left field; Mont Foster, right field, and Rufus Chilton, center field. I was lead-off batter and in the Fort Worth game I had good luck and assisted in 14 put outs without an error. Texas that year organized her Texas League and Fort Worth wanted me to try out for short-stop for them in the league, but as they played on Sundays, my father did not want me to play on Sunday, so I might have missed being a big league ball player. The Renshaw boys were perhaps the best all-around athletes of any of our families in Wise County. At one time Decatur had a ball team with seven Renshaws on it: Will Renshaw and sons, Worthington, Bascom, John, Ralph, Horace, and Sam, the last five all brothers.

I have always taken great interest in outdoor sports, hunting large wild game and attending college and high school athletic meets, and I am sure Wise County has produced its share of college athletes.

When the curved ball was first pitched, the papers and those versed in physics claimed that a ball could not be curved unless rolled on a smooth surface and to convince them, they proved it by erecting posts in a straight row and throwing the ball so it would go around a post.

#### SOME OF THE FOREMOST ATHLETES OF WISE COUNTY

James St. Clair, of Dallas, now deceased, former basketball coach for the Southern Methodist University at Dallas and head of Physical Education Department of S.M.U. and Executive Secretary of the Southwest Conference and manager of all the officials who work in the interscholastic sports of Texas, was from Wise County.

In 1926 Decatur had football players on the following teams

in the Southwestern Conference: Red Petty, All Conference End, on Texas A. & M. team; Jim Smith, center, at Baylor University; and John Terrell, end, on the Texas University team; Horace Renshaw, now a major and bone specialist at McCleskey Hospital at Temple, Texas, was one of the backfield on the S.M.U. team, and Paul Scott was guard on the same team. John Ful-lingham and Jim Bob Petty played end and tackle respectively on the Baylor University team. Tige Renshaw and Rusty Young played guard and tackle on the old successful Polytechnical College team, and Tom Rush was the most promising freshman prospect for quarterback on the Texas University team but an unfortunate accident of a gunshot wound in his knee shattered his and his many friends' hopes for him as a star football player. Joe Roach also made End on the Texas University team.

Penn Dickson played on the Decatur Baptist College team and was assistant coach in Oklahoma and later at L.S.U. at Baton Rouge, La., but his brilliant career as a coach was blighted by his untimely death. He was a fine young man and his passing was mourned by all who knew him.

#### EARLY SCHOOL DAYS UP TO ATTENDING A. & M. COLLEGE

When only three years old, my father being a school teacher taught a private school in the old Jerry Burnett school house on Denton Creek in Denton County about two miles southeast from where we lived. One day he took me with him to school. It was a one-roomed log house about 18 feet square with a puncheon floor and split logs for seats. So far as I know this was the first school house I was ever in. Burk Burnett, of Fort Worth, who afterwards became one of the most noted cattlemen of the south-west and for many years one of the leading business men and philanthropists of Fort Worth and the southwest, was one of my father's pupils at that school. The celebrated Burk Burnett oil field was brought in many years later on one of his ranches and was named for him.

The first school I ever attended as a student was in about 1867 in Decatur. The private school was held in a log school house just south of the old store of Cates and Woods, which was located on the south side of the public square. This building was later occupied by Captain J. B. Earhart as a residence, he having moved from the northwestern part of the county on account of fear of the Indians. Professor McConnell was the teacher. Later he moved to Jacksboro and became a lawyer in that town. We had no desks nor comfortable seats. The patrons had gone to the sawmill that sawed native hard timber and gotten the rough

outside slabs, bored two holes in each end and two in the middle and drove pins in them for legs, and we had to sit on those hard seats without cushions or backs to lean against and rest. At that time all the students of a tender age were required to remain in school all day just the same as the older ones and those hard benches became a serious burden to all of us, especially to those of us who were small. My father had a store on the east side of the public square and he took an empty tobacco box, nailed a back to it, opened it in front so I could put my books and slate in it when I was not using them. My mother made me a small wool cushion to sit on and after that I fared much better and was regarded by the other students with admiration and I guess a little envy.

The next school I attended was in the District Court room of the old wooden courthouse in the center of the public square. Colonel J. W. Colbert was our teacher, a distinguished looking Virginian.

Following that I attended school in the second story of the old Sewell Brown building on the southwest corner of the square. Our teacher was J. D. White. He was a good man and a fine instructor.

The next school was taught back in the District Court room by Dr. John Embry and Mrs. Bob Stephens, of Gainesville. All these were private schools paid for by subscriptions from the patrons. In about 1872 the town by private funds built a two-story school house on the hill southeast of the public square about where the Methodist Church now stands. This school house also served as a church house for all denominations, as there was no church house in the town, and we had only one Sunday School, a union Sunday School, and my father, S. L. Terrell, was the superintendent. After the building burned, the Methodists built a large frame one-story church, it being the first church house in the county, on the lot and later replaced it with the present brick church. The first school teacher to teach in this new two-story school house was a man by the name of ..... Sperry, his wife, and son, Harvey Sperry. They were educated and cultured people and the impress made upon me by Mrs. Sperry, who was kind and gentle and sweet to me had much to do with my future life. Later on they moved to Grayson County and the town of Sperry in that county was named for Mr. Sperry.

Then Professor W. H. Haynes and his son, Bascomb Haynes, taught in this two-story school house. Mr. Bascomb taught the higher grades upstairs. They were both fine instructors and did great good in our little town. Professor Haynes was a Methodist minister of rare attainments and was really an able pulpit orator.

They came from Georgia to Decatur. His style of speaking was much the same as that of the famous evangelist, Sam Jones, who was also from Georgia, but Professor Haynes lived and preached in Georgia long before Sam Jones was old enough to be a minister and could not have copied from Sam Jones, but it may be that Sam Jones heard Brother Haynes talk and shaped his speaking from Brother Haynes. One Sunday evening Brother Haynes was preaching to the women only. After he had concluded his able and convincing sermon, he stopped suddenly and asked the congregation, "All of you who know you are going to Heaven, hold up your hand." All hands went up. He looked down at those sad-eyed pious faces on the front seat and said, "Sisters, you are not on your way to Heaven; you're going to Hell in a fox-trot."

Some of my classes were under his son, Bascomb, and we all advanced more under him than any teacher who had ever taught us before. He was tall, rather slim, and graceful, fine-looking, intellectual, and interesting. He was reading law at night intending to make a lawyer.

As the town of Decatur was on a high hill, for a long time we had no wells and had to haul our water in barrels from the Isbell Springs about a mile and one-half away. Finally they dug some shallow wells and obtained water to drink. Unfortunately one of these wells became contaminated with typhoid germs and our dear teacher, Mr. Bascomb, took typhoid fever and in a few weeks passed away. It was a severe blow to his father, his relatives, his students, as well as the entire citizenship of our little town. It was a great tragedy. It was the first death of anyone I really loved and admired, and all through the years I have thought how cruel the fate for one so useful and promising in the beginning of young manhood to be taken from us. But "one's hopes are blighted in blooming and one gathers the ripened pod, some call it Carma and others call it God."

In that school after the death of Mr. Bascomb, Professor Haynes agreed to give a prize at the commencement to the student who had advanced the fastest and who had done the best work. The night of the closing of school he walked to the front of the stage with two books in his hands and stated that he had agreed to give a prize to the best student but was unable to decide who was the best, Oscar Halsell or Vernon Terrell, and he would give a prize, a book, to each of us. I kept this book as a sacred souvenir until it was destroyed by fire when our home burned in 1882. It happened that Oscar Halsell and I were desk-mates and we were both highly pleased with his decision. There was no jealousy or envy between us and we were close friends up until his death.

The next school was taught by the Misses Parsons, but fire destroyed the school house after that and the next school was taught by Dr. J. D. Lattimore, a Baptist minister, and his son, John Lattimore in the new Baptist Church on North Trinity Street. Dr. J. L. Lattimore was the father of the late Judge O. S. Lattimore, many years Justice of the Court of Criminal Appeals of Texas.

Then there was a school taught by a lady named Mrs. Costello in a vacant house under the hill near the Milt Shoemaker residence. Then Mrs. Sue Warren taught school in the old C. D. Cates opera house east of the public square on Main Street. Since the present rock school house was completed, we have had a great number of teachers, including Professor J. D. Goldsmith, former County Judge of Johnson County, Professor Stearnes, and Dr. W. H. Adamson, who was also superintendent of our schools for several years, later moving from Decatur to Oak Cliff in Dallas where he was superintendent of the Oak Cliff or Adamson High School. Since that time Decatur has had many fine educators at the head of her schools, including the two Barton brothers who was each superintendent at different times, and were excellent instructors.

The last school I attended was the one taught by Professor W. H. Haynes.

Decatur was still a small town and my father being a merchant was appointed postmaster and the post office was located in a cutoff small room in the rear of his large rock store building. My father was a Democrat and the administration was Republican but as the office paid but little and no qualified Republican wanted it, the President appointed my father. In the evenings and on Saturdays I worked in the post office, ran the office, and delivered mail to the citizens of the town and surrounding country. When the town grew and the country settled and the office began to pay, the Republican President took the office away from my father and gave it to Granger Salmon, a Republican. He was competent to run the office but had had no experience in the duties required of him. He went to my father and hired me to run the office for him. I worked for him for over a year and wrote the first post office money order ever written in Decatur or Wise County. It was issued to Uncle Henry Greathouse who was lending money. There was no bank in the town or county at that time.

Attending A. & M. College opened a new world to me. Brother John and I had long before decided to attend college in Texas, get our degrees, and we had also planned to go then to Yale University to get our law degrees, as we had from early youth

firmly decided to become lawyers. But the best laid plans do not always turn out as arranged. I attended A. & M. College parts of two school years, 1880 and 1882, but in the early spring of 1882 my father became ill with a nervous trouble and lingered for several months until my brother wired me to come home at once, that he could not recover. Soon after my return home, he passed away leaving brother John and me to look after our widowed mother and six minor children. At one time my father had accumulated quite a bit of property, worth perhaps seventy-five thousand dollars, but his long illness and heavy expenses cut into his holdings and caused him to close out his store. We lived in the second story of one of his two-story rock buildings on the east side of the square. He had about \$20,000 worth of notes and accounts, and knowing that his life would soon be over, he had them brought to his room from the bank vault and he went over them giving us proper instructions as to how to collect them. Just one week after his passing all four of the stone buildings caught fire one night and burned, burning all those accounts and notes. Our mother and the children barely escaped. Brother John jumped from the second story window to the ground and I went out on the front porch and jumped to the ground. We had only about \$4,000 insurance on a property loss of \$25,000. In order to collect it at once and rebuild, we were forced to discount the claim and only got \$3,600. My oldest brother, Lafayette, was a carpenter and contractor, and brother John and I had worked at the carpenter's trade doing rough work. We all went to work, borrowed enough money from the bank and the loan company and rebuilt three of the buildings and sold the lot where the fourth was located. In about a year or so, the buildings again burned but this time we had full insurance, enough to rebuild them, one-story, which we did, and the rent from those three buildings was ample to take care of our mother and minor children as long as she lived.

My father's death and the fire put an end to my cherished dreams and hopes of getting an education as well as to those of my brother John, but it did not end our efforts to educate ourselves. I went to work at the carpenter's trade under brother Lafayette and at night began to study so I could stand an examination and get a certificate to teach public school. I had no intention of teaching permanently but only to do something to sustain myself while I read law. I knew I would be unable to attend a law college and that if I made a lawyer, I would have to read law in a private law office and stand the bar examination and get my license and practice. One Saturday after brother Lafayette and I had camped out and built a three-roomed boxed house out

about five miles in the country, I appeared before the Board of Examiners at Decatur, stood an examination and obtained a second grade certificate to teach school. In the eastern part of the county in the same community where I was born, Uncle Jacob Kellam lived and he induced the trustees to employ me to teach their school at \$40.00 per month. I paid \$10 for my board and room and saved \$30 per month. With this money I began to read law in the office of Carswell, Bullock, and Fuller in Decatur.

Everyone was kind to me and when they had extra work that I could do, they always sent for me. I helped hold all elections, carried the chain for the surveyors, and in many other ways made expense money. We young people, including a few married couples, organized a Chataqua Circle. We met each Friday night at the home of the D. W. Frazers, elected a teacher for the next Friday night to hear the class, ask questions, and in a way lecture the class. This we kept up for three or four years. We took a regular course prescribed by the circle. It included history, English and French literature, and other important subjects. Later on we organized a Shakespearean Club and kept that going several years and from these we all gained much information and profited very much in an intellectual way that has been of much help to us all. In writing, speaking to juries and to the public, I have found that I involuntarily use expressions, thoughts and quotations that I read years before in that circle and club. We can educate ourselves by reading, studying, traveling without attending college.

While I was reading law, Tully A. Fuller, who was a graduate of Texas A. & M. College, gave me every assistance in lecturing me and questioning me. Henry Ward, the County Clerk, was indeed good to me. He gave me work, recording deeds and deeds of trust in his office, which was of great aid in bearing my expenses. I think Henry Ward was as good a man as ever lived. I had recorded for him for about a month and when I had caught up with the work, he asked me what I charged him for my work. I told him to fix the price—that it would be allright with me. He said,

"No, say what your work is worth."

Finally I asked, "Is it worth \$1.50 a day?"

His reply was, "No, I think you have earned \$1.75 a day."

I am sure he knew my plight and out of the goodness of his heart wanted to help me. As years passed I never forgot that kindness and when I was State Treasurer and later a member of the Railroad Commission of Texas, I gave his son, Frank, employment as long as I held office.

At the closing of my first term in A. & M. College, President

J. B. Cole sent my father my grades on a card showing my general average to be 98 and on it President Cole wrote with his pen the following: "A remarkable record for a new student." I am keeping this grade card as a sacred relic.

### PROGRESS DURING MY TIME

As I stated in my preface, it is my deliberate opinion that during the past eighty-five years there has been more progress made in the world than had ever been achieved in all history before. The transition from making fires by flint to our parlor matches is a wonderful change for the good of mankind. From the flintlock gun and the cap and ball muzzle-loading gun to our modern, highpowered rifles, to our machine guns, our modern cannon and aircraft and anti-aircraft, bazookas, and guns is wonderful. From the oxcart, the lizzard, to our automobile, our airplanes that fly far faster than the speed of the winds is marvelous indeed. The ox wagon making 2 miles an hour to our planes that travel through the air more than 500 miles an hour is surely the highest progress.

Conveying news by buggy and train to the telegraph and telephone and then by radio where without wire of any kind of connections one's voice can be easily and distinctly heard around the world is to my mind the most astounding accomplishment of all time. When I was a boy, in trying to understand the telegraph system, I first thought that the message was written on paper and it in some way was attached to the telegraph wire and the real written message was carried on the wire. I asked my older brother John how it passed from telegraph post to post as the wire was firmly connected to each post. I well remember when Marconi sent his SOS through the ether over one thousand miles and it was heard distinctly and picked up to the astonishment and gratification of the entire world.

In about 1870 the first tin-type photographer came to Decatur, a small town of about three hundred people. He rented a room in the old wooden court house on the public square. My mother had the pictures taken of all the children. I was eight or ten years old and had no suit of clothes suitable to have my picture taken in and she had brother John to let me wear his coat for the occasion. He was four years older than I was, and it was much too large but it was the best we could do. It was a Jeans coat woven and made by our mother. It was entirely too large and all who saw the picture had to laugh at it.

Now we have the movies, first the silents, then the talkies, and now the technicolors, that entertain, enlighten, and educate

our people and embellish our existence. Pictures taken are sent by radio and they are printed in our newspapers the same day from the farthest parts of the earth.

When I was reading law in the law office of Carswell, Bullock, and Fuller in Decatur in 1884, the Fort Worth and Denver Railroad had just been built through Decatur. They had an engineer surveying the route for them by the name of A. Carr. He was from New Hampshire, highly educated, a graduate in engineering in one of the New Hampshire Colleges, but like many engineers and surveyors who had followed that work so long, was a bit peculiar and many called him cranky. Decatur being on a high hill the road in being surveyed had to have a very sharp grade in going northwest off the hill. Carr thought it too heavy a grade and would not accept or endorse the grade but the company built the road over the grade anyway and Carr resigned in protest and spent the rest of his days in Decatur and in San Antonio surveying. As he surveyed land in litigation for the above firm of lawyers, they let him use the rear room of their office for his work. I also used this room in reading and became a close friend and associate of this old and interesting bachelor. I remember one night we were talking and I was seeking knowledge, and he stated that the world had just begun to progress. In time inventions of every kind would astonish the world. He said they would soon be able to fly through the air with lightning speed. He said the most marvelous things would be performed through ether, and I remember he quoted Shakespeare and said, "Horatio, there are more things in heaven and earth than was ever dreamed of by your philosophy." Since the invention of the radio, I am sure this man had in mind talking to each other through great space. No one knows just what manner of things may be accomplished in time to come, but if I should live long enough, I would not be surprised if people were not conversing by telepathy. We do not know how all these wonderful achievements have been brought about and many of us do not understand the technical processes that produce them, but we do know that they are for the use, benefit, and happiness of man and the glory of God and not for the death and destruction of man.

"God moves in a mysterious way."

Inventions of destruction that we are now using in this World War Number Two are to me most astounding and should cause all thoughtful nations to form some kind of union of nations or League of Nations that will forever prevent any more wars. It is so foolish for man to kill his brother man, and it is a thousand times more foolish and brutal to kill thousands and millions of

human beings, often women and children, really without cause. I thought at the end of World War Number One, with our great President, Woodrow Wilson, that we should have gone into the League of Nations which in my opinion would have prevented this war, and if the destruction and desolation, death and misery produced by the present war does not lead to some kind of an order that will forever ban other wars, surely this war will have been fought in vain.

The bombs that they produce and drop from airplanes that destroy almost a city are terrible. With the inventions and instruments that are used, a bombardier can tell just exactly when a bomb should be dropped to make an accurate hit far ahead of the fast flying plane, depending, of course, on the speed of the plane. Radar and other inventions that can locate submarines under the water and airplanes in the air many miles away—the jet and rocket plane that makes nearly 700 miles an hour—surely these are among our most wonderful achievements.

Since the above was written we have invented the atomic bomb that almost destroyed two Jap cities that were centers of war industries that forced the Japs to surrender unconditionally and thereby saved the lives of millions of American boys. Surely, it will cause all nations to want peace and not war any more. Two of those bombs dropped on New York City or any other city would destroy it with its millions of people. We escaped this time by the "skin of our teeth", and if we have another war God have mercy on those then living. The world cannot afford to permit another war.

Less than 500 years ago the scientists of the world all believed that the earth was stationary and the sun, moon and stars revolved around the earth. During my time the population of the earth has trebled. For thousands of years transportation was based on animal power, and not until my time did it change to the railroads, the automobile, and the jet propelled plane. The changes by industrialism during the last eighty-five years has been without parallel in all human history, and the atomic bomb is the wonder of all the world and evidently the climax of all scientific progress and achievements and we all hope will be for the blessing of all people instead of their destruction. It should insure universal and lasting peace by law, and a lasting peace can only come in two ways, one by law, and the other by conquest. By conquest means slavery and serfdom, desolation and death. Peace by law is what the Savior of men crusaded for—peace on earth—the Brotherhood of man.

## OUR OLD HOME

For many years my father's house was perhaps the best in Decatur at least up until Glenn Halsell and Dan Waggoner built their palatial homes southwest and east of the town. There were ten children in our family. Five boys and five girls, and beyond question our home was one of the happiest in Texas or anywhere else. Our parents were consecrated to the Lord and we were brought up under that wholesome influence. We all attended Sunday school and church and were taught to respect and honor womanhood and to reverence age, which now appears to be among the lost virtues. We were taught to be true and sincere, and to abhor all kinds of shams and deception. My father's favorite Biblical quotation was "A good name is more to be desired than great riches", and his choice admonition was "Beware of the man who wears his religion on his sleeve." He said if a man is honest and a good Christian his neighbors will always know about it without him telling it, and without him advertising his virtues. That when you hear a fellow flaunting his honesty and good deeds you had better keep your eye on him. The surest sign of a hypocrite is when one uses the sacred Christian religion to advance his financial interests or to get into public office. It is an accurate test of a hypocrite and is most contemptible. My father was a good business man and accumulated something like \$75,000 worth of property. He dressed all of us neatly. Father and mother both sang well until bronchitis injured my mother's voice. He sang a good tenor and she sang what was then known as treble. Brother Preston was a natural musician. He could play any tune he ever heard on the piano by ear with a good piano. Sister Lillie (Mrs. Dr. Payne) and Sister Emma (Mrs. Foster Lillard) sang alto, and the other sisters sang the leading part. Brother Will sang with as sweet a voice as one often hears and I sang bass. In fact at our house we had a choir and a quartet of no mean standing. Brother Will and I belonged to a male quartet, sang in the Methodist choir on the street at night just to entertain and we sang at all funerals. If any kind of an entertainment was given to raise money for the churches, charity, civic improvement, military company, fire company or anything else the Terrell family was always there. All of this made our home one of the central places for the young people to gather for social entertainment, and amusement.

## TERRELL FAMILY GROUP

Decatur being a small town all of our religious, charitable and civic organizations had to be kept going by the people and we



Top insert: L. P. Terrell, C. V. Terrell, John J. Terrell. Middle row: Mrs. Dr. D. H. Payne, Mrs. S. A. Lillard, Mrs. Lute Renshaw. Sitting: J. Preston Terrell, Mrs. Foster Lillard, Mrs. E. C. Terrell and Wm. E. Terrell.

most every month gave some kind of an entertainment to raise funds for them. For our voluntary Fire Company, Military Company, dinners on the first Mondays, pie suppers, operas, cantatas, home talent, stage shows, minstrel shows, were common with us and it tended to cultivate and improve the talent of the young people. I remember to raise money for our Military Company we often gave minstrel shows, and musicals. Tully Fuller wrote a minstrel, a burlesque, on the often proposed Railroad by R. M. Collins, the editor of the Decatur Messenger, known as the Great Dallas, Denton, & Northwestern Railroad Company. A company in Dallas finally was chartered. Bonds were sold, the line surveyed right of way bought, and graded from Dallas to near the western part of Wise County, but after spending all that money it was finally abandoned and the right of way was turned over to the State Highway and the Northwestern Highway was built from Dallas over the right of way to Rhome, Texas. In this burlesque I was representing the Superintendent of the Great Dallas, Denton, Decatur & Northwestern Railroad Company. One of the smaller young men, Dr. Tom Whitehead was dressed as a woman and I made love to her. She accepted my advances and in a scene on the stage, with her arms around me she felt a bottle in my hip pocket and she immediately drew away from me and screamed. "You have a bottle of whiskey in your pocket." I drew the bottle out of my pocket and declared no its not whiskey, it is oil to grease the engines of the Great Dallas, Denton, Decatur and Northwestern Railway with." The explanation satisfied her and the show proceeded.

We had local option in Wise County at that time, and the law was rigorously enforced by R. E. Caswell as County Attorney. Rev. S. S. Cobb, Methodist Minister was Justice of the Peace and John Wallace, Constable. We had a mock trial on the stage. Jim Abbott was County Attorney, John Terrell, Counsel for Defendant and Charley Kirkpatrick, Justice of the Peace and Trial Judge, Bob Leford was Constable.

At that time the Seventh Day Adventist Church had held a protracted meeting and had converted quite a few people. One long tall fellow who never worked any great lot got him a wagon and two yoke of steers and as Saturday was his day of worship and day of rest he always managed to drive into town during the hours for church service on Sunday. Usually while the preacher would be praying, close to the church and he would hollow at his steers and pop his long whip like the familiar sound of the discharge of a six shooter. Of course, all knew it was to attract attention. The County Attorney called for this long Seventh Day Adventist as a witness for the state. The constable

brought in long tall Jim Eads. A deputy sheriff as representing this Adventist. The court asked him to hold up his hand and be sworn. He replied that he neither swore by Heaven nor by the earth. Then the court asked him where he lived. His reply was "I have no abiding place here on this earth. My home is in Heaven." The court said Mr. Constable put the witness out we have no jurisdiction over him. The court as in our actual justice court instead of sustaining or overruling the question always said I sustain the County Attorney and as in the real justice court the defendant was convicted. In our minstrel show that Fuller wrote he acted as middle man and Bob Ledford and Jim Abbott as end men. We had several splendid solos sang as well as many fine choruses that the home crowd always enjoyed. Of course, they were charitable and overlooked all bad acting or poor singing. On one occasion we pulled an opera. I think we were representing Arabs, and we had all of us white cloth costumes. The good women made them for us. Dr. John Embry was a tall man over six feet, and Jno. Terrell a small one about five-five. They in some way got their costumes mixed and John wore the doctor's and the doctor wore John's. The show opened up with a grand chorus all marching on the stage singing. The doctor was a fine man, modest and an old bachelor, and a favorite of all the women as well as the men. When he and John Terrell marched close to the front lights it was too ludicrous, and they all cheered without stint every time they came to the front. It was supposed to be an opera, but it really became so amusing that it should have been called a comic opera.

### A CLUSTER OF LOVELY FLOWERS

During our younger days these charming young people were some of our best friends, and associates, and I just wanted their pictures in my book.

The two at the top were Misses Etta May, and Lizzie May Soward, later Mrs. C. V. Terrell, and Mrs. Horace Leeper, and then Mrs. Geo. Hamilton. They were roommates at the Huntsville State Teachers College. Center in top row, Miss Jenie Coffin, now Mrs. Sidney Files of Itasca, Texas. She visited our house and is so lovely. Now a real wife and mother. When I think of her and such characters I usually say all the angels are not in Heaven. The next two were Misses Lillie and Emma Terrell, later Mrs. Dr. D. H. Payne, and Mrs. Foster Lillard.

Then Misses Colie Erwing and Effie Collins, later Mrs. Arthur Soward and Mrs. Tede Ponder. Miss Effie much resembled Ann Sherdon, just as charming and equally clever.



Top row: Miss Etta May, Miss Jenie Coffin and Miss Lizzie May Soward.  
 Middle row: Misses Lillie and Emma Terrell and Misses Colie Erwing and Effie Collins.  
 Bottom row: Will Renshaw, Miss Luna Kenney, Will Rush, and Miss Laura Conley

Then Will Renshaw and Miss Luna Kennedy, now Mrs. Will Renshaw. She was a splendid musician and he had as sweet a golden voice as anyone ever heard sing. Had he lived now he would have been a Hollywood Star. He and I sang in the same male quartet and choir, and played baseball together. Next is Will Rush and Miss Laura Conley, now Mrs. Will Rush. They too were such lovely and charming friends.

### MY FINANCIAL INVESTMENT

My first financial investment was made when I was about twelve years old. Having saved about \$10.00, I bought a little roan yearling filly. It was gentle and I rode it bare back some. We branded it E. T. my father's brand and turned her loose on the open range. In the spring and summer I would get this mare and with a saddle ride on around with the larger boys on all kinds of pleasure trips. Especially in rounding up both cattle and horses for my father. In a few years my little head of horses increased to five head, and finally my father sold them for \$125.00 and gave me about ten lots in Decatur in lieu of the horses. While reading law I saved up some money and with the lots I guess I was worth about \$1,000.00, when I got my law license. However, I lived very saving and always said its not what you make that counts, but what you save, and on that theory I have tried to act. However, in beginning to practice law, I guess I was much like Bee Hudson said of a fellow I inquired about. He said he was just coasting along until he became 65 years old. With C. W. Martin another young lawyer in the town we bought a Fire Insurance Agency and managed to get by until I won \$5,000.00 in the Louisiana lottery. My good friend John H. Kirkpatrick of San Antonio took his wife and little boy about five years old around the world, made expenses by holding Keely or some kind of whiskey cure treatment at the various cities of the East. Upon his return he told me land in Texas would double and triple in price in a few years and I made my first investment by buying the old Bill Miller place of 500 acres about two and a half miles southeast of Decatur for \$4.00 per acre, and many years later sold it for \$15.00 an acre. I put cattle on this land and with the money I made with my law practice I bought 640 acres six miles east of town for \$2.85 per acre. I still own it and am sure it is worth around \$50.00 per acre. My next investment was 175 acres being the east half of the old John Crutchfield place for \$9.00 per acre. I yet own it and am confident it is worth \$60.00 per acre. I then purchased about 345 acres on Rush Creek, part of it in Montague County that cost me about \$6.00 per acre. I still own this land and as it is a good pasture and the best watered one in the county is

worth about \$30.00 per acre. Then after World War One, I gave \$80.00 an acre for 150 acres known as the Veal Place. This was too much but I still have the place, yet it was a bad investment. In 1936 I bought a nice home in Austin for \$9,000.00, being the old Will Folts place, 1801 Congress, and I am confident I can sell it for \$25,000.00. I then bought for \$11,000.00 two residences on 22nd and San Gabriel Streets, and have been offered \$15,000.00 for them. When I moved to Austin in 1921 I am sure I was worth more than I am at present. The depression and holding public office and running for same and campaigning the entire state I was unable to save much if any at all. My later investments since retiring have been more remunerative than I expected.

There is one thing I am confident of and that is that an honest man holding a state office when I did could not save much money, if any, at all. Had I kept out of politics I am sure I would have accumulated much more. But its not the rich that are the happiest or that usually do the most good in this world. You can't buy happiness. It is a result of a consciousness that you have done your level best to discharge your duty on all occasions to your fellow man, your family and your Maker. I have seen so many very wealthy men grieve over their spoilt children that I am convinced joy was foreign to them and an utter stranger. Reading in the newspapers of my young manhood friend Joe Perkins of Wichita Falls giving \$2,300,000 to the Southern Methodist University of Dallas made me glad with joy not alone for the good of the college, but because it is sure to make him one of the happiest of men. James Russell Lowell in one of the sweetest poems in all literature "Sir Lancelot's Ride" illustrates what I want to say far better than I can.



Mr. and Mrs. Joe Perkins

During the dark ages, there was a beautiful legend that the cup from which the Savior drank wine at the last supper before his crucifixion known as the Holy Grail could only be held by one who was absolutely pure both in deed and in thought. It first fell into the hands of Joseph of Aramathea, in whose sepulcher the Savior was placed before he arose from the tomb on the third day and ascended to Heaven. After Joseph's death this cup or "Holy Grail" was lost. No one knew where it was and the gallant Knights of that time spent their lives in vain search for this blessed cup. Sir Lancelot was one of the greatest and richest knights of the Round Table. He lived in and owned the most beautiful and the most imposing castles and the richest estate in all the realm. In his conceit and arrogance he decided he was pure and holy and could therefore recover and hold this Holy Grail. One rare morning in June the gates of his castle swung wide open and Sir Lancelot on his favorite charger beautifully caparisoned with a golden cross on the face of the steed and the knight wearing his best armour with his sword and lance and shield all glistening in the sunlight proudly rode out through the open gate, perfectly confident of his ability to recover the Holy Grail. To his right he saw a leper beggar crouched on the ground with outstretched arms begging for alms. It was a loathsome sight and anxious to get away from it Sir Lancelot drew from his pocket a coin, and tossed it on the ground by the side of the leper. But the leper bowed his head and refused to accept the coin, and the proud knight rode on in search of the Holy Grail. Many years passed and his search for the blessed cup was without avail. One Christmas eve while the ground was covered with snow Sir Lancelot returned foot sore, bowed with age, in object poverty he saw the bright light from the windows and the chandeliers of his self same castle that once belonged to him but had long since passed into the hands of others. He heard the music and dance and in his sorrow and humility he bowed his head. As he looked around by the side of the road he saw this self same beggar with outstretched arms begging for alms. It was a loathsome sight but Sir Lancelot humbly gave the leper both to eat and to drink.

"It was a moldy crust of coarse brown bread. It was water out of a wooden bowl. Yet with fine wheaten bread was the leper fed. And red wine he drank with his thirsty soul."

"As Sir Lancelot looked around the leper no longer sat crouched by his side but stood before him glorified, shining and tall and fair and straight as the pillow that stood by the beautiful gate. Himself the gate whereby men can enter the Temple of God in man. This bread is his body broken for thee. This water His blood who died upon the tree. The Holy supper is kept in deed, in what-

soever we share with another's needs. It's not what we give but what we share. The gift without the giver is bare, who gives himself with his alms feeds three, himself, his hungering neighbor and me."

#### JUST AN INCIDENT

This morning going down to town I stopped in the corridor of the State Capitol and sat down with two of my good friends who are employed as guards, Capt. Taylor and Mr. Davis, and to give information to the vast crowds that come to visit the capitol and see the great building and the many interesting and historical sights in it. Having just read in the daily press of the disappearance of the three year old child, Dickey Tum Suden, in California, I remarked that it made me think of an experience my brother John J. had in 1892 south of Marfa near Shafer in the Chisos Mountains. He was state classifier and surveyor for the state under Land Commissioner W. L. Hall, had a hack and team, tent, two chain carriers and a cook while in Marfa preparing to make a surveying trip an old gentleman who was an Ex-Federal soldier of the Civil War took an interest in my brother and his work and asked if he could not go with him on that trip, to which my brother consented as he was a well informed and a likeable man.

One afternoon my brother was surveying, carrying his compass on his shoulder, with his two chain carriers going with him. They had to survey across a deep and large canyon and as it was rough and rugged he suggested to this old gentleman that it would be easier for him to go to the left around the deep gulch where the ground was comparatively level and showed him a large tree across the canyon with yellow leaves on it that could be easily seen from a distance that they would meet there, and for him if he got there first to remain there until he and the chain men arrived, and said if I get there first I will wait for you. When my brother arrived his guest had not yet gotten there. They waited for him and finally the hack came and yet the old man did not appear. They struck camp, shot their guns, hollowed, night came on and he yet did not arrive. They built a fire, cooked supper and began a search for him, but all in vain. The next day they made a careful search for him, but failed again. They then returned to Marfa and got the sheriff and a large posse of citizens to help in the search. Not finding him they sent for a company of soldiers stationed on the border and they for more than a week looked for him, but to no avail, and my brother stated that no one had ever heard of this old man since. As I was narrating the above two men, strangers came up and stood by us and listened to my story. When I concluded one of them came around to me

and said that "the old man's name was Capt. York. I lived there in Marfa. I was a ranchman and remembered the incident. Capt. York was a surveyor or deputy surveyor and I well remember your brother and the intense search." I introduced myself to him and he told me his name was C. C. Campbell and introduced me to his friend. That he now lives in San Antonio.

He told me of another incident about my brother after he was Land Commissioner. He said some of the large cattle men were filing on land by their cowhands and many Mexicans and when the land was awarded to them the cowman would buy them out and in that way defeat the intention of the law which was to provide homes for the real actual settler. It became a "racket" and John J. was doing all he could for the real settler and to break up this "racket".

In visiting one dugout or tent no one was there and no one was living there as the law required. He and his aid went in to the dugout and the cowman had him arrested by having the Mexican file the charges. The case came up in Marfa before the Justice of the Peace and my brother defended himself. While the trial was in full blast a large crowd of women, the wives of the real actual settlers came into the court room each one with a lovely bouquet of flowers and presented them to my brother. He said the trial proceeded and my brother defended himself and made a convincing speech for the actual settlers and he was at once acquitted. He also stated that in brother's speech he said "he was more deeply interested in the cry of a little child than a ball of a cow."

#### WISE CONCLUSIONS

If one does you an injustice or injury never mention it to any one or let him know you are aware of it. If he knows you cherish the injury he will always have it in for you and continue to do you harm. Otherwise he may soon become your friend.

Telling people what you are going to do and bragging about any thing is useless. It notifies your adversary and gives him an opportunity to checkmate your efforts. Its best to catch him unawares.

Never speak of or advertise your own virtues, as being honest and just your neighbors will know it and give you just praise. Washington Irving wrote that "when he visited Westminster Abbey, and walked amid the tombs of the great every emotion of envy died within me", a fine sentiment.

When a man dies who has not been true to himself or anyone eles or has harmed you, all malice should die with him if we have any. Malice and envy and a desire to injure is the height of foolishness. You only injure yourself by crowding out of your

mind good thoughts and good deeds that might make you happy. No one can be happy while condemning any one.

Avoid extremes, be conservative, especially in politics and religion. Many great have fallen by reason of their unbridled bitterness. No one likes to be condemned.

An argument over any thing is futile and helps no one. You have a less opinion of your advisory and he thinks less of you. No good—all harm.

We have no opinion of a yes man, or one without convictions on important vital questions. He does nothing to help shape public opinion for good. Just another man.

A calm expression of our views is wholesome and often beneficial. But always be tolerant and avoid bitterness.

Never joke or try to "rag" one who does not like you. He is sure to take offense.

If one has done you a great injury forget it never think of him. Think of men who have been kind to you and work to try to repay them for all they have done for you.

Do everything you can to help anyone who needs assistance, it will be "bread cast upon the waters."

#### BILL JOHNSON KICKED BY A MULE

Desiring to become a lawyer and not being able to attend a law school, I read law in a private law office in Decatur, Texas, a small town of about 1,500 people. In order to pay my expenses, I worked at odd jobs whenever I could get a day's work. I was local reporter for the Dallas News, the largest paper in Texas, receiving the paper free and also fifty cents for each item accepted. But I could get only fifty cents for any one day regardless of how many stories I sent in on that day. Many days I was unable to get my news at all. One day late in the afternoon it looked as if I would not get anything to send in. I met a friend from Greenwood, a small town in the county, and he told me about a man by the name of Bill Johnson who had been kicked by a mule. Anxious to make my fifty cents I walked a quarter of a mile to the telegraph office at the depot and wired the following to the News:

"Bill Johnson who formerly lived at Decatur but now of Greenwood, a town about fifteen miles from here, was today severely kicked by a mule, but the doctor thinks he will recover."

The Dallas News editor seeing how anxious I was to make my fifty cents, the next day on the front page of the paper appeared the item and over it in box-car letters appeared the following headline: "Bill Johnson Kicked From Decatur to Greenwood by a Mule."

## SUCH THINGS MAKE THIS A GREAT COUNTRY

New Year's Day, after seeing the Cotton Bowl football game, I got on the bus at Dallas for Austin and took the front seat on the right. A little blind boy about eight years old was sitting across the aisle, crying. He was on his way, unattended, to the State School for the Blind at Austin. It must have been his first separation from his mother. His sight was gone and his eyes badly disfigured. His heart was broken.

The kind driver and bus attendant made every effort to comfort him, and I put my hand on his shoulder and attempted to divert his attention from his troubles. At the first stop a kind gentleman got him some chewing gum and candy but he said, between sobs, that he had chewing gum and candy and continued to cry. From the rear of the crowded bus came a little lady who sat down by his side, took his hand in hers and began to talk to him with all the love and tenderness of a devoted mother. Immediately, he ceased crying, was completely soothed and began to talk and enjoy himself. For more than two hours this kind lady entertained him. Just before we entered Waco the little unfortunate fellow fell fast asleep, and he slept soundly until we arrived in Austin.

At Waco this good lady got off the bus, and I saw her no more. I did not know her, and I do not think any of the other passengers knew her. Some one of us should have told her how much we appreciated her unselfish and effective work. None other than a mother could have soothed and satisfied that broken-hearted boy.

I thought what a wonderful country this is in which we are privileged to live—where the greatest amount of liberty and opportunity abound—where our government will take such a little helpless boy, care for him, train and educate him and give him an opportunity to develop and become both useful and happy. Then by his toil, application and energy, he has an opportunity to become the foremost citizen of this nation.

Why then should anyone want to overthrow this government of ours? To me, it is unthinkable; it seems that they want to follow the leadership of men who have become possessed with a selfish greed for power and who have already drenched most of Europe in blood. And the end is not yet. Any man who has ever been held in the tender embrace of a loving mother that is willing to tear the heart strings of millions of mothers of men, must indeed, be totally devoid of all sympathy and love.

And when I saw that woman take that most unfortunate blind boy and so gently care for and love him as if she were his own mother, to me it was a light that shineth in a wicked world.

## HONOR ROLL OF MY RELATIVES

As I have not had the honor of serving in any of the four wars this country has had during my time, I am, though may be unduly proud of my near kin who have served in the United States forces in those wars. I know they were brave, patriots, and heroes, because they were willing to lay down their lives, as some of them have, for our country.

### First. War between the States.

Four uncles, James, John Jacob and Isaac Kellam, all volunteers from Arkansas and served in the army. James was killed at Jenkins Ferry, Jacob was wounded at Prairie Grove, and Isaac died from hardships of the war.

### Second. Spanish American War.

My youngest brother Wm. E. Terrell and nephew John Hale Terrell volunteered in this war and were stationed most of the time at Brownsville, Texas. My brother was Top Sergeant of the Decatur Company.

### Third. World War I.

A newpew Captain Steve A. Lillard, Jr., volunteered and served as Captain of the Company of Infantrymen in France until the close of the war. He was slightly wounded but remained in front. Tully Vernon Terrell, my older son volunteered as a Sergeant in the same company, entered the Officer's Training School at Camp Pike, Little Rock, Arkansas, and obtained his commission as a Second Lieutenant and was then transferred to Camp Grant, Illinois, where he was drilling a company in that officer's training school when the Armistice was signed.

John (Tige) Renshaw also was a Sergeant in the same company, went to France, was gassed but recovered. He was a nephew of mine.

William Cooper, a nephew volunteered and served in France as a Corporal. James Terrell, another nephew, served in France in the 90th Division. Frank T. Ward, a son-in-law, volunteered in the Decatur Company and served through the war in France.

### Fourth. World War II.

Major Horace Renshaw, a nephew and a surgeon, a bone specialist served at McCloskey Hospital at Temple, Texas, the largest Federal Hospital in the nation. He was a surgeon at Fort Worth and volunteered. He spent one year in Paris before the war at post-graduate work. Major J. Warren Lillard, III, a great nephew of mine, volunteered in the Air Corps. Graduated at Randolph Field, Texas, was sent to Macken, Georgia, where he was advanced to a major while he was only 22 years old.

Captain Lucian Renshaw, a great nephew, graduated in the Air Corps a Second Lieutenant and has been promoted to Captain

and is an instructor at Kingsville, Texas. Zack Ford Lillard, Jr., a great nephew of mine, volunteered, graduated at Randolph Field as a Second Lieutenant, served a year and a half in the Pacific commanding a squadron of planes, came home September 1st, 1943, and married Miss Ann Lacy of Longview, who he met at Southern Methodist College at Dallas. He was returned to the Pacific and in November 1944 was reported missing in action, and in December was reported killed. We do not yet know the particulars but know he was flying a Hellcat over Manilla and the Phillipine Islands just before the government report of his missing. I was very fond of him because I think he was as fine and as brave a young man as ever faced a brutal German or a crazy Jap. We all mourn his loss and deeply sympathize with his widowed mother and his dear wife who is the daughter of my good friend and oil operator Roger Lacy of Longview.

Lieutenant John A. Mobley volunteered in the Navy, got his commission as Lieutenant Commander at Albany, New York, and was returned to Corpus Christi, Texas where he is serving in the Intelligence Department. He is a nephew by marriage, having married brother John's daughter, Jennie Jewell Terrell.

Lieutenant Steve A. Lillard, III. A great nephew of mine and a son of Captain Steve A. Lillard, Jr. above mentioned. He is a Second Lieutenant in Europe in the Infantry.

Lieutenant Renshaw Innis, a great nephew is in the Medical Corps, in Europe.

Lieutenant Rufus Pritchett of Albany, New York, a great nephew is serving in.....

Lieutenant Olin G. Wellborn, Jr. is in the Air Corps at Tampa, Florida, is a navigator. He is also a great nephew. A son of Gladys Wellborn a daughter of brother Preston Terrell.

Lieutenant (J.G.) Robert N. Aylin, United States Coast Guard, New York, a great nephew of mine.

Lieutenant Paul Clemens, grand nephew in South Pacific.

Lieutenant Jack Coker, grand nephew just returned from over seas.

Corporal Sam Renshaw, a grand nephew in the Marine Air Craft, South Pacific.

John De Shiell of Buffalo, Texas. Now in California, is a .....  
.....a grand nephew. Married a daughter of Bessie Thompson, my niece.

Frank Truett Ward, a grandson was a private at Camp Leonard Wood in Missouri. Only 18 years old and now on the Island of Saipan.

The above soldiers I mention because they deserve all commendation and I am very proud of every one of them.

## JOHN RANSOM

It has been my good fortune to have invested the first money I ever made in farm and ranch land, and its increase in value has been very fortunate for me. I bought when cheap and land is now selling at a good price. Thirty-two years ago I hired a man by the name of John Ransom to work and run my ranch and he still continues to work for me. He is now about 74 years old and unable to do much but he used to be as good a worker as I ever saw. He is absolutely honest but is unable to read and write except his name and for one to be able to tell what it is, he would have to be able to qualify as a witness in our courts as an expert on hand writing. But his judgment is good and he has a vein of humor that makes him interesting to me. His head is shaped much like Will Rogers and his wit is very similar to that of Rogers.

Several years ago I had a car wreck and tore my Buick coupe all to pieces but it did not injure me in the least. I had it repaired but it never again ran good, so I traded it in on a new Dodge coupe. I took John in the Dodge with me and we went into town together. He knew of my wreck and I said to him that if I took good care of my Dodge car, it would last as long as I did. He replied that if I did not be careful, we would both go out together. I have not driven my car since.

While I was Railroad Commissioner, Laten Stanberry, who is also a humorist, took me to the ranch and I introduced him to Ransom and we drove down to my lake. As we returned, over one hundred big bronze turkeys came up to the house. Stanberry saw them and with a twinkle in his eyes said to Ransom, "Where do those turkeys roost?" Ransom pointing to the roost said, "Right out there at the end of a double-barrelled shot gun."

On another occasion I was at his home and quite a crowd was in the house it being winter time and cold. Among them was his daughter-in-law who had been married only about six months. I was preparing to ride out in the pasture to look at the cattle so put on my overcoat. It had no button at the top and I asked his daughter-in-law if she had a safety pin as I wanted to pin up my coat in order to protect my throat. Ransom said, "No, she's not got one yit."

There is a superannuated minister who moved in on his son's place just across the lane from my ranch and he and Ransom are close friends. The preacher is bright and a good joker. Every Saturday afternoon Ransom and all the farmers and ranchmen go to town to get the things they need and to sell eggs and other products. This preacher has no car and he usually gets a ride to town and back with some of the neighbors and often Ransom

carries him in his car. One Saturday I was standing on the sidewalk talking to Ransom and this preacher came up. Ransom asked him if he was riding or walking, intending to offer him a seat home in his car. The preacher smiled and said, "Neither, I'm standing here on the sidewalk." It wasn't two minutes until the preacher seriously asked Ransom if he were driving his car. Ransom said, "No, my car is parked down there in the alley. I'm also standing here on the sidewalk." They enjoy joking each other.

Up there they had a big rain about the 5th of June last year and it had not rained to amount to anything since. That section was very dry and needed rain greatly. In a crowd that same evening Ransom told this preacher that we always had plenty of rain until this preacher moved into that community but since he came, they had not had any rain at all.

He had a neighbor whose wife bossed her husband around. Ransom liked him but fell out with his wife. He told me that this woman knew everything mighty smart but there was only one thing she didn't know and he did and that was that she was a darned fool.

He married his second wife by correspondence, had never seen her. She is about 55 years old and his pension is not enough to care for them both. His first wife was a very fine lady and when she died, Mrs. Terrell and all of us went to the home and attended the funeral. We drove our buggy, and the remains were carried to the cemetery in a wagon. Ransom had several children, boys, and when we stopped at the cemetery, they began to jump out of the wagon and run and play. Ransom called them back and told them that "this was a funeral and not a picnic"—to the amusement of all who heard him.

Everyone respects and likes him because of his integrity, sincerity, and homely humor.

Ransom is now about 76 years old and had heart trouble and a very bad case of asthma. All of his friends were uneasy about him. I had some bundled oats to stack and as he had always stacked them for me, he told me he was not able to work any more. However, last week we drove our car by his home and took him to town with us and I noticed he looked much better and he said, "Judge you know the asthma liked to have got me, but I have been spraying our rooms for flies, ants and bugs, with DDT and breathing the spray has cured my asthma, but it didn't have any effect on my laziness."

One winter morning while John Ransom was sitting by the stove in his large arm chair with his second wife, 20 years younger than he, standing by leaning on his chair, and all his daughter-in-laws present, his wife said to him, "Mr. Ransom, did

you know you have fourteen children", and John looked up at her and said "how do you know how many children I have, for all you know I may have twice that many."

### RESTITUTION OR CONSCIENCE MONEY

In 1882 soon after my father passed away, my mother lived in the second story of one of our four stone buildings on the southeast corner of the public square of Decatur, and the second story above the buildings was fitted up for a photograph gallery. at quite a lot of expense. My mother had it rented to a photographer for \$20.00 per month. Suddenly the artist left owing her for one months rent. A short time after all the four buildings burned to the ground and she only collected \$3600 insurance, when the loss was easily \$25,000. This left her in a financial bad shape. No one around Decatur ever heard of this photographer until about 1920. I received a letter from my old friend and first law partner, Charles L. Woody, of New York City with a \$20 check in it payable to Mrs. E. C. Terrell. Many years ago Woody had moved to New York City and had made good and was then and is now one of the leading attorneys of that city. In the letter to me he stated that a number of years ago he met a Texan, giving his name who had formerly lived at Decatur and they naturally being from the same town fell in together and became rather close friends. In 1920 this man took sick and sent for Woody and gave him \$20.00 in currency and asked him to send it to Mrs. Terrell in payment for the one months rent incurred nearly forty years before. He told Woody that he owed it and did not want to die as he knew he soon would without paying that debt and that it had bothered him a good deal. It came although late at a good time when it was sorely needed. My mother remembered that man's name and never did understand why he did not pay the debt when due, but said she felt sure he was hard pressed financially because she always thought he was an honest man, and now she knew he was.

### THE KIDNAPPING OF CHARLES F. URSCHER

July 22, 1933 one of the most daring, and diabolic crimes ever committed in this county was partly consummated about three miles from the little town of Paradise in Wise Coupntry, Texas; where Charles F. Urschel a wealthy oil man of Oklahoma City was kidnapped and held captive near Paradise until a ransom of \$200,000 was paid for his release. Urschell and his wife and a neighbor, couple of friends, Jarrett and his wife were on the porch of Urschell's palacial home in Oklahoma City playing

bridge about 11:30 P. M. when two men, one with a machine gun and the other a pistol took the two men captives and in a closed car carried them about ten miles when they turned Jarrell loose and blindfolded Urschell, and carried him to the R. G. (Boss) Shannon Ranch near Paradise, Texas, where he was held captive for nine days when the \$200,000 ransom was paid and he was returned to about ten miles of Oklahoma City and released. On the Shannon Ranch of about 500 acres there was a small rent house out in the middle of his field occupied by Shannon's son Armond where Urschell was chained to his bed and kept guarded but securely blindfolded with tape. Urschell was a very intelligent man and by reason of his mental notes the officers were enabled to locate the Shannon Ranch and the house where he was held captive which enabled the officers to arrest Boss Shannon and his wife Ora, his son Armond and Bailey, one of the kidnapers. Urschell remembered crossing a rickety bridge out of Oklahoma City about ten miles. The length of time it took to make the trip both going and coming. A strong wind that blew the Sunday following and a very hard rain just before their arrival at the Shannon ranch, and an airplane flew over every morning and returned in the evening every day, except one, and after it flew over he would inquire the time of day and it passed over about 9:30 A.M. and returned about 4:45 P.M.

This gave the officers a clue and they found the commercial air route out of Fort Worth passed over that ranch about those hours, and they learned one day it did not make the trip. Urschell also said that the planks in the floor ran north and south, that they had a hog pen with three hogs in it and several dogs in the yard. When they started to take him back after the ransom was paid they took the tape off of his eyes and he noted a broken corner of the mirror where he stood, also some shingles were off the corner of the roof porch. A white faced bull in the pasture near the house and a corn field south of the house and the wagon road east of the house. So when they carried him about 300 yards of the house on the highway he knew the place he was held captive. They then sent men to the house to inspect the house and premises and knew it was the place. They then watched the Shannon ranch house both day and night and found a number of strange cars going to and from the place. One day right after noon the officers slipped up on the ranch house and arrested Boss Shannon and his wife and out in the yard under a tree on a cot asleep they saw a man and they with a machine gun and pistol woke him up and found about three hundred dollars of the \$20.00 bills of the ransom money. The officers then went to the rent or Armond Shannon house where he was held as a captive and arrested Armond. Urschell asked to talk privately to the

young man, and after a talk of about thirty minutes they returned and the boy made a clean confession.

They also found about \$75,000 of the ransom money buried out near Coleman, Texas. From Armond's confession they later arrested Machine Gun Kelly, Katherine Kelly, his wife, who was the daughter of Mrs. Ora Shannon by her first marriage. After she and her husband Kelly were arrested at Memphis, Tennessee, she bitterly upbraided Kelly and the leaders of the gang for not killing Urschell. She said if you had done as I wanted you to do they would never have arrested us. They were all tried at Oklahoma City before Federal Judge Edgar Vaught and sentenced to the penitentiary for life except Armond Shannon who received a ten year suspended sentence. This was at the request of Urschell and the officers handling the prosecution. The kidnapping and trial excited nation wide interest. President Roosevelt had one of the Assistant Attorney Generals to aid in the prosecution. J. Edgar Hoover and his men were active helpers throughout the apprehension and conviction of the criminals. Ben B. Laska of Denver Colorado represented Machine Gun Kelly and his wife, Katherine and Geo. Bates. Scott, McClain & Sayers of Fort Worth defended Ora Shannon and Burch & Woodruff of Decatur represented Boss and Armond Shannon. E. E. Kirkpatrick now a regent of the Texas University, a close friend of Urschell's and the man who passed the ransom in Kansas City, Missouri, has written a very accurate and highly interesting account of the kidnapping, the ransom, the release, the arrest and the trial and conviction of the criminals. It was my pleasure while attending an oil hearing in Oklahoma City to have been invited to a luncheon at the hotel given by Urschell and Kirkpatrick, and attended by Judge Vaught, the District Attorney and a number of the leading parties in the trial. It was a very interesting affair and important incidents of the affair were told. I recall I told them about living in Wise County and knew Boss Shannon and was familiar with the ranch. I also told them that a short time after the arrest of the kidnapers in a fight on the street of Paradise two men were killed, and one of our peace officers wrote to Governor Ferguson and Governor Jim showed me the letter. It stated, "As there has been quite a lot of petty violations of the law around Paradise he would be glad if you will send up a couple of Rangers to assist me in enforcing the law." It was the opinion of those present at the luncheon that Bates and Kelly did the kidnapping and Bailey and his wife and the Shannons held him captive. The last time I was up at Decatur, my old home they told me Boss Shannon had been paroled and was out on his ranch, which I am sure was proper as he was not naturally a violator of the law.

### ANOTHER APPROPRIATE ANSWER

A number of years ago there was a man living at Glen Rose, Texas, who was rather a noted magnetic healer by the name of Dr. George Snyder, who had made quite a reputation in North Texas as a healer. He accumulated a nice fortune healing people and built a large sanitarium where he treated all who could come and only charged them for board and room. By reason of his moderate charges for board and room he voluntarily treated all patients and his sanitarium was well crowded with patients most all the year. He and two or three other magnetic healers were kept busy all the time. Their success was well known and freely discussed by the people of that section, and most of the M.D.'s openly condemned him. Judge R. E. Carswell had been a patient with his invalid daughter and he was pleased with the doctor's work. The most prominent physician in Decatur roomed over the First National Bank building on the same floor with Judge Carswell but the doctor did not know that Judge Carswell was a patient of Dr. Snyder at Glen Rose, but was very bitter against the magnetic healer. On the sidewalk in front of the steps leading up to his office several of us were talking with this M.D. Judge Carswell came along going up to his law office, and this doctor said to Judge Carswell "what do you think we should do with him", meaning Dr. Snyder of Glen Rose. Judge Carswell said "do with who?" The doctor replied "that imposter Dr. Snyder, the magnetic healer. Judge Carswell's reply was "That's easy, crucify him like they did the Savior." There was a lull in the conversation and the M.D. quietly eased away without further argument or discussion. A more cutting and appropriate answer could not have been given.

### ST. LOUIS DEMOCRATIC CONVENTION

When Judge Alton Parker was nominated for president by the Democratic convention at St. Louis, I was selected as one of the delegates from the old 5th Congressional District, and attended the convention, and it was to me most interesting. There were many of the ablest statesmen and orators in America at the convention. On the first day of the convention, William J. Bryan made a great speech, the next day Senator Joseph W. Bailey made another one, and Martin W. Littleton of New York, nominated Judge Parker in one of the most charming addresses I ever heard. Littleton was raised in Parker County, and attended the old Springtown College, and through two of our very closest friends, Chas. L. Woody and Clarence R. Wharton, I became well acquainted with him while he lived in Weatherford and Dallas. In the afternoon before the convening of the convention, I met

him and he took me to the Ladies' Reception Room in the hotel, where he introduced me to his wife, the former Miss Peggy O'Neal of Beaumont, where we all spent quite a pleasant time together. Senator Carmack of Tennessee also made a very fine talk at that convention. It was also my pleasure to have been elected Democratic Elector for the 5th Congressional District, and I helped elect President Woodrow Wilson President in 1920.

### COLORED MEN

While I was State Treasurer, I inherited from my predecessor a very entertaining colored young man as porter by the name of John B. Hill. He was aggressive, active and unusually ambitious with only a fairly good education. The Austin Colored Baptist selected him as a delegate to the State Baptist Sunday School Association at Galveston. He attended and advertised himself on all occasions as the "Porter for the Hon. C. V. Terrell, State Treasurer of Texas." He was without much funds, only got a small salary from the state as a porter. He dressed neatly and was fairly good looking. After his unique display of himself for two days the convention took up a collection and the delegates would get up and give amounts ranging from \$25.00 down. When the subscription began to lag Hill got up on a chair in the back part of the crowded hall and with a loud voice said "John B. Hill, Porter for the Hon. C. V. Terrell, State Treasurer of Texas, gives \$100.00." This enthused the delegates and they gave him an ovation.

He was in his glory. The idol of all the credulous delegates. Yet he knew he could and would not pay that amount, but he got all the benefit out of it for the time being. Later on he must have suffered in the flesh because it was a long time before the organization quit writing to him for the subscription. Just after this his young wife, with only a small son passed one afternoon a neighbor's house and Hill was sitting on the porch talking to a good looking colored girl. His wife was already jealous of him, and John did not go home that night fearing the worst. The next morning there was a knock on the back door of the Treasurer office where John worked as porter. Not thinking he opened the door and his wife poked a Colt pistol up against him and said she was going to kill him. John smiled and told her to come on in which she did. In the meantime she had lowered the pistol. He had her take a seat and he began to explain, console and soothe her pent up feelings. He took the pistol from her, put it in a drawer and told her someone might see her with it and she would be arrested for carrying a pistol. Soon she became calm and returned home with renewed faith in John B. Hill. I heard about it and got after him. He went into detail telling me all about

it and said that he knew she intended to kill him, and I remember he showed me the pistol and said Mr. Terrell, you know the hole in that pistol looked to me as big as a cannon. I told him that it was a wonder that she did not kill him and that she would if he did not behave himself. "Oh," he said, "you don't have to tell me. I know she will." As far as I know she made a Christian out of him and they seemed to be very happy.

My youngest son John Preston was attending the University and often came in the back room at night and would study, and he and Hill became close friends. Hill got an advertisement of the firm of McElroy Shoe Company of St. Louis, advertising a line of shoes for sale. He said at John Terrell's suggestion he wrote on my letterhead a typewritten letter and told them he wanted to buy about a 1000 pairs of shoes and asked for prices. In about ten days a gentleman came into my office and inquired about John B. Hill, and wanted to see him. Not knowing anything about the letter, I sent for Hill. As he came in this shoe salesman was visibly surprised that he was a colored man, and equally disgusted obviously he was disappointed that Hill was only a colored man he could not close the deal with him. Soon all the clerks in the office found out about it, and told Hill this man was mad and intended to prosecute him for attempting to swindle which caused the man to spend quite a sum of money in coming to Austin and that I said he was in danger of being prosecuted unless he could raise \$500 to satisfy the man. All of this was untrue but Hill did not know it. In the meantime, John Preston came in and he and the clerks were doing all they could to frighten him. He in hope of relief turned to John Preston, who he almost worshipped and said, "John Preston, you know I did not intend to cause any trouble," but John Preston said, "I don't know anything about it." Hill then said, "John Preston, don't you remember we discussed it and you suggested to me what I should say in the letter which was really true," but John Preston replied "no, you can't put it off on me." Hill was crushed and scared almost out of his wits. But the worst part of it was John Preston who was his idol had turned against him was almost more than he could bear.

As soon as I found out about it I sent for him, and told him the clerks and John Preston were just having a lot of fun out of him and to go on back to work and not write any more letters. Later on he resigned and went to Nashville, Tennessee, and took a course in dentistry. He wrote me for a recommendation to a bank where he acted as porter until he obtained his degree as a dentist.

He returned with his family to Austin, opened up a dentist's office and has from the start been unusually successful. He saw

me pass his office the other day and called me in and said he was doing well. He owns and lives in the best rock home of any colored man in Austin. He showed me about \$5,000 worth of Government Bonds. He said he had \$10,000 worth more in the American National Bank, and had about nine rent houses bringing him in a good revenue as well as a splendid practice. His son was a Lieutenant in the Army. He also is Secretary of the Ancient Free and Accepted Masons colored of the Grand Lodge of Texas.

Yes, I am really proud of my (colored) proteges. John B. Hill and Dr. J. D. Martin, who has done a great work as superintendent of the Colored State Deaf and Dumb and Blind Institute here in Austin, who I appointed to the Prairie View Normal in 1897. Since the Supreme Court of the United States has recently held that our primary election law is unconstitutional because it discriminates against the negro, by excluding him from participating in our primary elections I have given the subject a great deal of thought and am sure the court is correct in its ruling, and that eventually it will hold that no state can require the payment of a Poll Tax as a prerequisite to voting, because it is a discrimination against the poor man in favor of those amply able to pay the tax. This is a Democracy and a poor man should have the same rights as a rich one. A poor man with a large family to feed, clothe and educate can ill afford to take away from them the necessary amount to pay his Poll Tax, while the man who has by inheritance or thrift accumulated vast sums of money can and does pay his Poll Tax and votes. No in my opinion we should not require it of a voter.



Judge W. H. Bullock, Jim B. Thomas  
Three good Democrats.

I believe in the education of the masses, colored as well as whites, and that the salvation of our Republic depends on the education of the electorate. Educate all, both white and black, and have all to share alike in maintaining our great Democratic Government. Governor Hogg and the 22nd Legislature built the Prairie View Normal for the colored people. It has done much good and will do much more. It should at once be made to teach higher education and become a greater college. Of course, I do not believe in social equality, neither with the colored people nor many white people—amalgamation is abhorrent and is a result of social equality. Where we can make men better and happier I think we should do it whether white, black or tanned, a proper education will make all of us law abiding and more useful citizens. Let all vote and depend upon the justness of our cause for success. There's a vast difference in political and social equality. No sensible person wants social equality but we are vigilant in retaining our Jim Crow laws, because it prevents mob law, and of the two evils the Jim Crow law is the lesser. We are competent to handle the issue for the best for all. No one can have any respect for a white person who wants his daughter or son to marry a colored person.

#### APPOINTMENT AND NOMINATION FOR RAILROAD COMMISSIONER OF TEXAS

As the compensation for State Treasurer being fixed by our Constitution of 1876 at only \$2,500 a year, and the responsibility being so great, in 1924 I decided to resign and return to my old home, Decatur. But one evening Governor Neff came over to my office just across the hall and invited me to attend a watermelon party at the Mansion that night. I accepted the kind invitation and attended. Soon after my arrival the Governor called ex-Senator Sidney Staples and me into the reception room and said he wanted to appoint me as Railroad Commissioner to take the place of Dr. W. M. W. Splawn, who had been elected President of the University of Texas and that he would appoint Senator Staples as State Treasurer. This was in August after the Democratic primaries had been held and Dr. Splawn had secured the nomination for Railroad Commissioner and I had been nominated for State Treasurer. We both thanked him and I suggested that as I was the nominee for State Treasurer and Dr. Splawn for Railroad Commissioner, the Democratic Executive Committee would have to make new nominations for those places, that I would accept the appointment but would not tender my resignation for the nominee as Treasurer until I was nominated Railroad Commissioner. The Governor said for me to handle it as I

thought best. I felt sure almost that the Executive Committee would tender me the nomination as I was appointed and serving as Railroad Commissioner. The State Democratic Convention was soon to meet in Austin and select a new Executive Committee. Mrs. Ferguson had been nominated for Governor and as I had actively supported her, I naturally expected her support as well as that of Governor James E. Ferguson, her husband. To my surprise I kept hearing rumors that Governor Jim Ferguson was going to carefully select the Executive Committee when the Convention convened and bring out someone against me. I first conferred with my nephew, Captain S. A. Lillard, Jr., who was then a member of the Democratic Executive Committee and a strong supporter of Governor Jim Ferguson and his wife, and Governor Jim had appointed him one of the Regents of Texas A. & M. College. Lillard went to Governor Jim Ferguson and he said his wife knew I was for her, and Lillard thought that I could rest easy on that score. Rumblings soon came that Governor Jim intended to bring out Charley Hurdleston, of Fort Worth, for the place. The Convention convened and Governor James Ferguson practically selected the entire Executive Committee and immediately stated that he was for Charley Hurdleston. I ran up to Temple and talked to Governor Jim and he frankly told me that he was for Hurdleston. I asked him if he had any grievance against me and he said no. I had made a speech for Mrs. Ferguson for Governor at Decatur and had taken an active part for her. Wise County, normally for Prohibition and Anti-Ferguson by at least 1,500 majority, we carried it for her by over a thousand votes. When Hurdleston came out, there were more than a dozen trying to get the nomination, among them were Ex-Governor O. B. Colquitt, Clifford Stone, Railroad Commissioner Nabors, and others. I knew but few employees on the Railroad Commission and all of them "took cold feet" and for several weeks before the meeting of the Executive Committee at Houston, only one came into my office and offered to help me secure the nomination, and that was our railroad inspector, Walter Gerron. He promised to be there at Houston when the Committee met, and I wrote to my nephew, Captain Lillard, and they were both there—the only outside friends I had in attendance.

Judge Ed Berry of Houston, was Chairman of the Executive Committee. He was a close friend of Clifford Stone, of Henderson, Texas, but was a strong supporter of Governor Ferguson's. The Committee convened in the Rice Hotel. Governor James Ferguson was there holding a proxy from one of the members and took part in the proceedings. The various candidates for the nomination of Railroad Commissioner were invited to address

the Committee and given five minutes to talk, and they called the roll of candidates alphabetically. That threw me last. The Ku Klux Klan was the main issue in the election that summer and everyone of the Committee was an anti-Klan man. None of the speakers before me had mentioned the Klan. In my address I told them that I was against the Klan and gave a few good reasons and told them that while I had been a candidate for State Treasurer, the Klan had endorsed my opponent and tried to defeat me but that I had won by over 85,000 majority, that I had been appointed by the Governor and was serving, I hoped, acceptably, and felt that I should not now be kicked out of the office without just cause.

After I spoke Hurdleston asked the privilege of saying a few more words and they agreed. He said he had made bids to the City Council of Fort Worth for contracts but had been turned down, that a friend told him if he would join the Klan, he could get contracts. He said he joined and immediately got contracts awarded to him. The first ballot gave Hurdleston 9 votes, Stone 8, Nabors 5, Colquitt 1, and I got 6; on the second ballot I got 9; Stone 8; and Hurdleston 6; and on the third I received 14; Stone 8; and Hurdleston 5. I was out in the hall and nearly all the spectators came to me and congratulated me but I thanked them and told them I was not yet nominated, and it took 16 votes to be nominated. As the clerk began to call the roll for the fourth ballot, Governor Jim Ferguson got up and withdrew Hurdleston and asked that I be nominated, then Stone was withdrawn and I was unanimously nominated. I presented my resignation from the nomination as State Treasurer, and Gregory Hatcher was nominated for Treasurer. In this contest some feeling was engendered between Judge Berry and Governor Jim Ferguson, as one wanted Stone and the other Hurdleston. Captain Lillard kept close to Governor Ferguson and insisted that if he kept pushing Hurdleston, it would elect Stone whom Governor Ferguson did not want. Walter Gerron watched and kept close to Judge Berry and told him he might elect Hurdleston if he did not watch, so by my not taking any stock in their fight, when the break came, I got the full benefit of it from both sides and was nominated and elected Railroad Commissioner where I served for about fifteen years.

I had a very high regard for Judge Clifford Stone and appointed him Chief of the Gas Utilities Division in the Railroad Commission which position he filled with marked ability for a number of years until 1931 when the East Texas oil field came in and he returned to Henderson, his home town, to resume the practice of law.

## RAILROAD COMMISSION BUSES AND TRUCKS

In looking back over my fifteen years' work on the Texas Railroad Commission that had charge of the regulation of so many great industries I feel that I was honored more than I deserved by the good people of Texas but at the same time I was given a rare opportunity to contribute something substantial in the way of the upbuilding and the advancement of my native state. In fact, very few men in Texas have had such a wonderful opportunity for service as I have. It came at an opportune time when Texas was just beginning to develop her varied, great, and important natural resources, and covered fifteen years that embraced the initial development of our stupendous bus and truck transportation in this nation. Texas was a pioneer state in passing laws regulating and controlling bus and truck transportation and our national government as well as practically all the states in this Union have to a large extent copied after our laws in regulating those industries. I am glad that I had a small hand in framing those laws in Texas and helping to administer them. By reason of those wise laws passed by the Legislature regulating those industries and a careful and vigilant enforcement of those laws, those two great industries have grown and prospered as perhaps no other industries have and at the same time the general public has been given courteous, convenient, and a most dependable service throughout this state and nation both in transportation of passengers and freight. In addition, these great industries have given employment for many, many thousands of men and women enabling them to live comfortably, educate their children and have leisure time for needed pleasure and recreation. And those pioneer operators have become—nearly all of them—prosperous and are among our best and most valued and honored citizens, all contributing their share to the advancement and the happiness of our people—men like Clarence, Mansey and Henry English, Leonard and Harry Brown, R. C. Bowen, Guy Shields, and later Paul Tibbetts of the Greyhound Lines, Joe Amberson of the Union Bus Lines, Hal Peterson of the Kerrville Bus Company, C. D. Thomas of the Airline Motor Coaches, R. W. Riter of the Dixie Motor Coaches, Ed Sproles of the Sproles Motor Freight Lines, W. W. Callan of the Central Freight Lines, J. M. Robinson, Sam Day of the Bee Motor Coaches, Fred Freeman, Walter Painter, Jones in the Valley, Don Sanders, Joe Radell, W. A. Johnson, B. M. Price, Ed Balcom, Marian Martin, J. M. Rose, Ruby of the Ruby Motor Truck Lines, J. W. Bowman, Winn Brothers and others.

Nearly all of them at the start were poor bus and truck drivers. Now several of them are millionaires and all of them are as fine citizens as we ever have had in Texas.

When the Legislature first passed the bus law requiring the Railroad Commission of Texas to regulate the buses, Chairman Clarence Gilmore suggested that I write a lot of rules and regulations for us to consider for adoption. I wrote about thirty, submitted them to him, and we had them printed, making many copies and sent them to everyone who had applied for a permit to run a bus in Texas. We called a meeting in Austin requesting all operators and all people interested to attend. We asked them to study those proposed orders and come prepared to discuss their merit or demerits and make such suggestions and amendments as they thought best. At our hearing practically all the bus operators who held permits came and gave every assistance they could in formulating fair and just rules and orders regulating them and their great work dealing for the first time with the traveling public. It was new to all of us. No blazed trees or markers to follow. Some one suggested a committee be appointed to take these tentative orders and go over them and report back such suggestions and amendments as they deemed proper. I remember we appointed R. C. Bowen of the Bowen Motor Coaches, Guy Shields, Superintendent of the Southern Greyhound, and Fred Freeman. The committee in turn reported with only a few amendments, and the rules and orders were at once adopted by the Railroad Commission. Only one of those rules had been changed and they are still the permanent rules and orders of the Commission. One order required each bus operator to stop, look, and listen before crossing a railroad or interurban track; another was that no drinking of intoxicants should be permitted on a bus while there were passengers in it; another that no driver of a bus should be allowed to drink intoxicants either on or off duty; another that no intoxicated person should be permitted to ride on a bus; still another, that no operator of a bus should be allowed to smoke or to converse with a passenger while the bus was in motion. These and other safe regulations were adopted by the Commission and they have been religiously followed by the drivers and I am confident have greatly contributed to the life and safety and pleasure of the traveling public of our State.

I take much pride in the development, the growth, and the success of these industries that we worked so hard to regulate and foster and that have done so much for our great state. My association and work with those early pioneer bus and truck men to me will always be one of the sweetest memories of my work while Railroad Commissioner.

While Chairman of the Railroad Commission, Colonel Ernest O. Thompson, a member of the Commission, and I, by invitation, went to Washington and appeared before the Interstate Com-

merce Committee of the House when our able Speaker of the House of Representatives, Sam Rayburn, was Chairman, and discussed legislation needed to be passed by Congress regulating interstate commerce with respect to the bus and truck transportation.

As Chairman of the Texas Commission, I addressed the Committee and took occasion to say that years ago I served in the Texas Legislature with Chairman Rayburn, he being Speaker of the House of Representatives and I as State Senator and paid him a well deserved tribute. The entire members of the Committee, both Republicans and Democrats interrupted my remarks by each of them joining me in my praise of their worthy Chairman. Of course, it pleased me highly and it must have been very gratifying to Chairman Rayburn, who is now and has been for many years, Speaker of the House of Representatives in Congress.

When the truck law was first enacted by the Legislature, one company made application for a certificate to haul cotton in the bale from every point in Texas to all the Gulf Ports, and use five hundred trucks. As a member of the Commission, I held the hearing which lasted several weeks, and wrote the opinion denying the certificate on account of congesting our highways and unduly interfering with necessary traffic. In that hearing the Rail Carriers introduced proof conclusive that they were amply able and prepared to haul all the cotton raised in Texas to our ports, showing that there was no necessity for the certificate and thereby relieve the already highly congested highways in our State. The County Judges, County Commissioners, Chambers of Commerce and other Civic Organizations appeared at the trial and vigorously protested the granting of the application. In our order, we under the law, could only deny trucks hauling cotton for hire and had no power to stop or interfere with those hauling their own cotton, so they continued to haul their own cotton and congest our highways with large loads of baled cotton that greatly interfered with highly necessary traffic as well as obscuring the sight of those legally traveling on our highways. The Commission then after a hearing issued an order giving the Rail Carriers a special car load rate, with pick up charges, that were so low it was practically impossible for the trucks to continue to haul the cotton. This not only lowered the cotton rate from North Texas to the Gulf Ports from four dollars a bale to one dollar, and saved the farmers, the producers of cotton in Texas, at least \$6,000,000 annually, and saved the lives of innumerable good people traveling our highways in Texas, and added to the pleasure and happiness of those motoring over our roads in feeling reasonably safe and secure from traffic accidents.

### TRIBUTE TO OUR RATE MEN

When I was sworn in as Railroad Commissioner, I had never had any experience in either oil and gas, pipe lines, or transportation except when a youngster I freighted, hauling goods from Fort Worth, Dallas and Sherman to Decatur with mule teams and one trip I made to Fort Worth with a team of five yokes of oxen. However, I had served three years as State Treasurer, eight years as State Senator, was a lawyer, and a fair knowledge of State affairs. I knew but little about the many and diverse interests the Texas Railroad Commission was required to supervise. The longer I worked as Railroad Commissioner, the more convinced I became that no man can make a good commissioner without several years of experience as a commissioner. I quietly began studying the hard work of the Commission, and the lamented Chairman Clarence Gilmore seeing my desire to become familiar with the duties to be performed was unusually kind to me and gave me much needed information and help.

I wish also to say O. D. Hudnall who was a stenographer under Reagan when the Commission was organized, C. R. McNamee, as well as R. I. Wells, J. L. Read, R. R. Harrison, P. G. Atkins and W. B. Plumb and A. J. Scrivener, rate men in the department, also rendered me much assistance in becoming familiar with the railroads and the intricate principles of rate making. With their help and an eager desire to learn it was not long until I was able to stand alone and fairly discharge the onerous duties of the office. These experienced rate attorneys who appeared before the commission all were without exception kind and helpful and made the work most pleasant, and in appreciation I am mentioning the names of some of those able and fine characters because of their valued help to Texas and to me: S. G. Read, J. S. Hershey, R. C. Fulbright, H. B. Cummins, Ed P. Byers, Al Reed, F. A. Leffingwell, Horace Booth, U. S. Pawkett, G. H. Zimmerman, J. H. Tallichett, S. D. Sparks, J. A. Lynch, Robert Thomson, H. C. Eargle, R. M. Shepardson, Harry R. Jones, F. A. Swenson, C. E. Hollomen, E. R. Tanner, L. M. Hogsett, E. H. Thornton, F. G. Robison, R. V. Dover, Jess Levens, Grady Ross, R. S. Shapard, Sam Lancaster, Harvey Allen, W. C. Beaman, L. F. Lehave, R. G. Hyett, T. E. Hoffman, F. L. Wallace, M. J. Dowlin, F. W. Parker, W. T. Minor, W. G. Menefee, Adair Dyer, N. A. Collins, C. M. Fish, A. C. Fondle, H. N. Roberts, Ira D. Dodge, C. S. Edmonds, R. T. Dubose, O. R. Smith, J. B. Payne, A. R. Atkins, J. C. Bailey, Marshall Bell, James J. Shaw, Carl Phinney, H. Winderlich, Henry Bell, A. J. Stone, Byrd Harris, A. J. Priest, Chas. A. Stewart, F. R. Dalzell, Dudley B. Roy, S. J. Cole, Sam Goldstein, C. Schonfelder, Jr., Sam Sayers,

Sr. and Jr., Frank Rawlins, Polk Hornady, Amos Felts and Herbert Smith.

When the Legislature placed motor transportation under the supervision of the Railroad Commission of Texas, I selected Mr. Mark Marshall of Chico as Supervisor of the Division. I had known him for many years, and knew he was well qualified to discharge the duties of the office. He had been manager of a large department store and a successful drummer for Perkins Brothers Dry Goods out of Dallas. I do not believe a better selection could have been made and much of the success of the fine operators in Texas was attributable to Mr. Marshall's faithful and untiring labor as head of the department. The following able assistants worked diligently and successfully with Mr. Marshall in bringing the division to its high standard of success, viz: Herbert Smith, Tilden Childs, J. J. Biffle, Bryan Bell, Will Arms, Richard Presler, Conrad Castle, Walter Gates, Gib Abernathy, Tom Miller, Jess Levens, Charley Thedford, Benard Renfro, Will Randle, Victor Gilbert, Jno. D. Culp, Paul Connally, E. A. Oats, Jake Avis, Geo. Hughes, Walton Hood, Miss Bess Smith, Jewell McAlister, now Mrs. Roy Smith, Weldon Watson, Berniece Horton, now Mrs. Bryan Bell, Tom Beverly, Tom Forbes, Pete Hopson, Ben Mahofee, Bert Kincade, Joe White, Ed McCauley, John Hart, Raymond South, Alden Weeks, Alton Swain.

### THE RAILROAD COMMISSION OF TEXAS

When our Texas Railroad Commission was first organized with Senator John H. Reagan as its chairman, all informed people thought that it would have full and complete power to control all the rail carriers within the bounds of the state and fix all freight and passenger rates they should charge in Texas. For several years it did function that way until the Supreme Court of the United States rendered the famous opinion in the Shreveport case which in effect held that the Texas Commission could not fix any interstate rate or any rate in Texas that affected interstate rates, and that if the commission did, the Interstate Commerce Commission could issue an order freezing all those rates and deprive the Texas Commission of all power to change or in any way have jurisdiction over them. This was a colossal upheaval in Texas as well as other states in this union. Our Legislature thought that this took all power and usefulness from our Commission and as the Legislature thought the Commission had nothing to do, began to dump other duties and work on the Commission until without fixing rates it has as much as one board ought to do. They first passed a pipeline law giving the Commission power to control the oil and gas pipelines in Texas. Then they gave them the duty of conservation and control of all

natural gas and oil in Texas. Then they placed the gas utilities under the control of the Commission. In 1927 they passed a truck and bus law and charged the Commission with the duty of managing and controlling all motor transportation in Texas which without the control of the rail carriers was an enormous undertaking. But it so turned out that the Texas Commission, instead of issuing its order on interstate freight and passenger rates independent of the Interstate Commerce Commission, has worked in complete harmony with the I.C.C. and has practically all the power it formerly had. Since the decision in the Shreveport case was rendered, when the I.C.C. proposes to change a rate that affects a state, it gives the state commission notice and the Texas Commission is invited to sit with one of the I.C.C. commissioners or an examiner, hear the testimony, and then hold a conference at Washington before the I.C.C. and have the issue argued by counsel by both sides of the issue and then at a later time the State Commission where interested may go to Washington and in a conference sit with the I.C.C. members and the examiner and arrive at a decision as to what should be done. This gives our State Commission an opportunity to be heard as a witness with our attorney general as counsel or we can sit in and discuss the questions with the I.C.C.

Being on the ground and far more familiar with the conditions, the facts, and the actual workings of a rate, naturally we had great weight with the I.C.C. in promulgating its orders and decisions. In fact, for fifteen years while I was on our commission, I can call to mind only a very few cases where the I.C.C. issued an order adverse to our recommendations and I know of many most important matters where they decided in line with our suggestions and recommendations, so that by the wise arrangements made by the I.C.C. and the hard and effective work of the Texas Commission, the effect of the Shreveport decision has amounted to but little in curtailing the usefulness of our Texas Railroad Commission.

In the application made by the Southern Pacific Railway Company to enter the Magic Valley, which was opposed by the Missouri Pacific Railway Company, the Interstate Commerce Commission invited the Texas Railroad Commission to sit in the hearing. The Texas Commission sent me as a member, to take part in the hearing which was held at Harlingen by Interstate Commerce Commissioner Thos. F. Woodlock. I was very fixed in my opinion that the application should be granted by the I.C.C. because there was only one railroad going into that splendid section and the people of the Valley as well as the people of all Texas and other sections of our nation needed another rail

line to handle the traffic in and out of the Valley. Commissioner Woodlock held the hearings that lasted over a week and I sat with him throughout the trial. The citizens of nearly all those towns gave him banquets which I attended and we had a fine opportunity to see in person all that fertile and promising section. The testimony was overwhelmingly in favor of the granting of the application. In talking with Commissioner Woodlock I aided all I could in a delicate way to convince him that the Southern Pacific should be permitted to build the road and I thought from what he said that he, too, thought the certificate should be granted, but after he returned to Washington, to my surprise, he made an adverse report and the I.C.C. by a vote of 6 to 5 denied the application. I discussed the matter with the other Texas Commissioners and we decided to join the Southern Pacific Railway Company and the citizens of the Valley and urge a new hearing. I wrote our application and quoted the testimony and asked for a revision of their decision. Then the I.C.C. by a vote of 6 to 5 changed their decision and granted the application and the Southern Pacific built its road into the Valley which has been a wonderful advantage to that beautiful and fertile section of Texas. Of course, I have always taken much pride in helping them get this needed means of transportation.

Our Texas Commission was invited by the Interstate Commerce Commission to sit at Plainview and hear the application of the Fort Worth & Denver Railroad and the Quanah, Acme & Pacific Railway companies to build to Lubbock, Plainview, Floydada, and other sections on the Plains. Our entire Commission held that hearing in that case and we recommended in writing that the applications be granted which the I.C.C. promptly ordered. I am sure no one will now contend that the extension of either of those roads to the Plains and to the Valley was not necessary, but all will agree that they have been of untold benefit to those wonderful sections of Texas.

The same is true in regard to the Fort Worth and Denver building its line from Childress through Wellington, Shamrock, Wheeler on to Canadian. I held the hearing for the Interstate Commerce Commission and made my report recommending the granting of the application which was promptly ordered by the I.C.C.

When I first became a member of the Texas Railroad Commission, the rail carriers charged on the average of four dollars a bale of cotton to the gulf ports. Before I retired we reduced the rate to one dollar a bale, a saving to the producers of cotton of three dollars a bale and four million bales would be a saving of twelve millions of dollars annually to the farmers of Texas.

We also after exhaustive hearings equalized the rates for Houston with those of Galveston, after deep water was secured for Houston which has enabled Houston to become the leading city of the south and is thought in 50 years will be the largest city in the world.

A number of times we reduced the rates on cattle and gave the shippers of cattle drought relief rates to points where pastures were good and also reduced the rates on feed stuff to those drought stricken areas.

### CONSERVATION OF OIL AND GAS

Being a member of the Texas Railroad Commission when all the great oil fields were discovered including the McKamy, Yates, Van, Conroe, Kemp-Monger-Allen, the East Texas oil pool, the largest one in all the world, as well as many others and the Commission being charged by law with the duty of regulating the industry and conserving and not letting the oil and gas waste should have caused me to be fairly familiar with the development of those great industries. At one time oil sold as high as \$3.50 a barrel but when all those fields were brought in and all running at open flow the price began to decline and at one time sold as low as five cents a barrel. Had this continued every independent and most of the major oil companies would have gone broke. It must be remembered that at that time no one, including the Railroad Commission, knew much about oil and gas and its production. Like the advent of motor transportation system it was new to all of us, and Texas took the lead as we had to do in the conservation of our oil and gas. We had no precedents to follow, no trail nor blazed trees. An unknown wilderness to explore where man had never trod before. I am sure we learned more about oil during the fifteen years I was on the Commission than was ever acquired before in all history, and perhaps more than will be known in all the distant future. The only thing we could do was to work and act and by trial and error prevent if possible the waste of this precious resource. We all were determined to do our best. We spent many weary days and sleepless nights working on the difficult problem trying to conserve "Gods Liquid Gold."

As above stated we had no proration laws and our Legislatures were shy of passing them. It seemed from some of the decisions of our Courts we could not prevent underground waste of oil.

As I have above stated most of the operators who had oil wells believed that it was his land, his oil, and no power or court had the legal or moral right to in any way interfere with his use of his own property, and as I have said a vast majority of the people, the judiciary and the lawyers had absolutely the same view of

the question. Hence our orders, one after the other, were stricken down or enjoined by some State District Judge or Federal Judge as being invalid. Injunction after injunction was issued restraining the Commission from conserving this oil. I recall I was introduced to a man and he asked me if I was the man that had been enjoined so much. I had to admit I guess I was. The hot oil artist, and he was in truth and in fact an artist if there ever was one in that work, was everywhere while good operators followed the orders of the Commission, and held their production down, the hot oil man ran his oil wells wide open and absolutely took the oil belonging to his neighbor. The law abiding operator was penalized because he followed the law and the orders of the Commission. The operators in the Yates and McKamy fields came to the Commission and urged us to issue an order prorating the fields on a well basis. They claimed all the operators in those fields would gladly follow and abide by the order, and not go to the courts to annul it. We issued the order and for quite a while it was vigorously followed and it worked nicely. But the East Texas field, the Van and others came in. We tried it there in those fields, but soon many of the independents and some of the major companies, and all of the hot oil men began to raise objections to it. They went to the courts and the courts began to strike down our orders prorating the oil. Everything in Texas ran wide open.

The price of oil began to decline and obviously much oil was being wasted. Governor Ross Sterling called out the State troops and sent them to East Texas under General Jake Wolters and ordered them by force to stop the running of oil in excess of the allowable fixed by the Commission. The Commission was not consulted before the issuance of the order by the Governor. I am frank to say I did not believe it was legal because it prevented a citizen by force from going to the courts and obtaining redress in case he had a just cause of action against the orders of the Commission. However, for a while it stopped hot oil flow in East Texas and gave us a breathing spell and time to work out some plan and get laws passed that would prevent waste and the running of hot oil. Finally the Legislature acted and passed proration laws with teeth in them. It also passed laws requiring a tender system that the Commission had worked out and the adoption of the bottom hole pressure formula which eventually enabled the Commission to enforce the observance of its orders. But before this was done and while it was developing the hot oil many at night put in by-passes by secret connections to his pipe line conveying oil to their tanks and by this device ran this oil secretly to other tanks at a distance where they could use or sell this oil and the Commission not being able to detect or know

of their scheme. They would of course cover up all signs of their work so that our inspectors were unable only in a few cases of discovering their perfidity.

They then built earthen dams across ravines and draws below their pipe lines, and then broke their pipe lines and caught the escaped oil in these dams. They then came to the Commission and got permits to reclaim this oil to keep it from being wasted by evaporation and being washed away by high waters. We then asked the Legislature to pass a law authorizing the Attorney General of Texas to bring suit and recover this oil dammed up in these ravines, sell it by the Sheriff to the highest bidder and the proceeds to go to the public school fund. The law was passed. The oil confiscated and sold by the Sheriff at public sale, but no one would buy it except the one who turned the oil into the earthen dams. They would buy it at ten cents a barrel and make the difference between that and the market price of oil. It soon became a racket and the Commission sent for the Attorney General and requested him to not bring any more suits as it was being used by the hot oil man to steal oil.

Finally as above stated the Legislature passed a proration law a tender system and we adopted the Bottom Hole Pressure Formula and the courts here in Texas began to uphold the various orders of the Commission. I also remember well during this time when the Governor was with troops holding down the lid on hot oil in East Texas I received a long letter from some operator at Wichita Falls, suggesting to us to fix the allowables for each well in a given pool based on the Bottom Hole Pressure of the field. That it would reflect the amount of oil that should be produced from the wells in order to have the gas in solution with the oil to slowly and gradually bring out all the oil in a given pool without pumping. This was the first time we had heard anything about Bottom Hole Pressure. Petroleum engineers, experienced operators, began to endorse the plan and we adopted the plan and I am happy to say it is a success, and solves the problem completely. We also adopted what is known as the "Tender System"—requiring every operator and purchaser of oil to make reports of their production, their purchases, and the products obtained from the oil. This to be sworn to. This was a wonderful help because very few men will take chance on going to the penitentiary for perjury. The Legislature passed laws requiring these affidavits and tenders so that with the "Tender System" proration laws and closely following the Bottom Hole Pressure Formula, the hot oil business is a thing of the past. I am also happy to note that the order of the Commission issued when I was a member of the Commission in the case of Rowen & Nichols vs. the Texas Railroad Commission the Supreme Court of the United States in

every particular upheld our orders prorating oil in East Texas and settled the troublesome question, I am confident for all time. It is a source of, I hope, pardonable pride that I helped write and signed the first order on Proration and the first order in all history adopting the "Tender System," and the "Bottom Hole" pressure formula. I here quote a part of the Supreme Court's opinion in the Rowen-Nichols case rendered by Justice Felix Frankfurter as follows:

"Underlying the claims of Respondents is as thorny a problem as has challenged the ingenuity and wisdom of Legislatures."

"But merely writing laws is only the beginning of the matter. The administration of these laws is full of perplexities. State agencies have encountered innumerable difficulties in trying to adjust many conflicting interests which grow out of the rules of capture and its implications." The court further states that "the evolution of these formulas belong to the Commission and not to the judiciary." "A controversy like this always calls for a fresh reminder that the courts must not institute their notions of expediency and fairness for those which have guided the agencies to whom the formulation and execution of policy have been entrusted." "Both the District Court and the Circuit Court of Appeals appear to have been dominated by their own conception of the fairness and reasonableness of the challenged order. For all we know the judgment of these lower courts may have been wiser than that of the Commission, and their standard of fairness a better one. But whether a system of proration based on hourly potential is as fair as one based upon estimated recoverable, reserves or some other factor or combination of factors, is in itself a question for administrative and not judicial judgment."

"In striking the balances that have to be struck with the complicated and subtle factors that must enter into such judgments, the Commission has observed established procedures. If the history of proration is any guide, the present order is but one more item in a continuous series of adjustments. It is not for the Federal Courts to supplant the Commission's judgment even in the face of convincing proof that a different result would have been better."

If our State and Federal District and Circuit Courts had announced the law to be as the United States Supreme Court above has stated many injunctions against the Commission would not have been issued. That able opinion by our Supreme Court is what many lawyers call a good judicial spanking of the Three-Judge Federal Court.

We were cited to appear before a Federal Judge to show cause why we were not in contempt of court in issuing one of our new

orders. Governor Allred, then Attorney General, represented us and the contempt proceedings were dismissed. One Sunday morning our Attorney General came to our office and Col. Thompson and I conferred with him and he after I am sure consulting the Federal Judge, told us our orders would be again stricken down unless we made the allowable for East Texas 800,000 barrels a day instead of 500,000 barrels. My reply was that would waste our oil. He then said it would not waste oil as much as to have our orders again annulled and have open flow. To this I assented but suggested that 600 or 700 thousand barrel order would be better and might be approved. He said no if not as much as 800 thousand barrels it will not stand up. I then agreed, we signed the new order at 800,000 barrels a day and it was upheld by the Federal as well as the State Courts here in Texas. After we got our order sustained on proration, and got our Tender System and Bottom Hole Pressure Formula working we gradually lowered this daily allowable to meet the bottom hole pressure demand and finally our proration orders were in the main sustained. After the Bottom Hole Pressure Formula was fully understood, petroleum engineers and all capable operators were for it, for two reasons, it prevented waste by enabling the operators to get practically all the oil under the ground and greatly lessen the waste and it also reduced the production of oil and tended to keep the price at a fair price enabling the operators to continue in business and be able to explore for new reserves. It is obvious that a reduction of the daily allowable would tend to sustain prices, yet it would under the formula adopted by the Commission greatly lessen the waste of oil, if not entirely eliminate all underground waste.

It is fair and just for me to say that our Civil Courts of Appeals of the Austin District long before the Supreme Court of the United States handed down their opinion in the Rowan-Nichols case announced exactly the same doctrine that later was announced by the Supreme Court of the United States, and any criticism above mentioned as to our courts in no way applies to this able Civil Court of Appeals, composed of Judges McClendon, Blair and Baugh.

During the struggles above enumerated by the Commission to control and prevent waste of oil and gas, the National Government, under President Hoover, led by his Secretary of Commerce, made an effort to take control of oil and gas from the States and a meeting was called at Colorado Springs, Colorado, to be composed of Governors or representatives appointed by the governors from the various oil producing states. Governor Dan Moody appointed Ex-Attorney General M. M. Crane of Dallas, C. L. McCartney of Brownwood, and me, then Chairman

of the Texas Railroad Commission, as the representatives of Texas to that Conference. We all attended and an attempt was there made to gradually turn over oil and gas to the Federal Government, but the Texas delegates saw through the scheme and we openly opposed the plan on the ground that we had no power to adopt the plan if we favored it because the Texas Legislature had entire jurisdiction over the matter. General Crane made several able talks against the plan and finally the Conference adjourned without anything being done except the secretary was requested to make out for each state the amount of oil the state should allow produced every month. But it was optional with the state as to what amount it should allow produced and in no way binding on the various states, simply a suggestion.

When I first became a member of the Texas Railroad Commission in August, 1923, Oil and Gas was under the control of the Commission, but as there were not many fields in the state and the production was small it was easily handled. The producers could produce at open flow and no complaint about restricted production was heard. But little was then known about scientific production nor the conservation of oil. It is a fact that from our early fields, Corsicana, Spindle Top, Eastland, Burk Burnett, Stephenville only twenty-six per cent of the oil in those fields was recovered. Seventy-four per cent trapped and channeled off and utterly lost forever. But when the great East Texas, Van, Conroe, Corpus Christi, the Panhandle fields and many others came in and all wanted open flow any kind of restrictions upon open flow was resented and then the trouble began. A large majority of the judiciary, the lawyers of the state, the producers and the people generally believed that the Railroad Commission nor the courts had any legal authority to interfere with the production of oil against the will of the owner. That the land upon which a well was drilled belonged to the operator, bought and paid for by him, the well drilled by him and no one had a constitutional right to interfere or hamper, nor stop him from getting all the oil he could out of his own well. This conviction was so general that it must have had some influence on our courts. The Commission held open hearings and much testimony was introduced bearing on waste of oil and what should be done by the Commission to conserve it and not let it be wasted. The law authorized the Commission to issue orders and prevent its waste. This we did but to do so we had to restrict the open flow of oil and when we did, it pinched many operators who were getting rich by producing all the oil they could. The preponderance of the testimony by the patrolmen, engineers and operators was that open flow would waste the oil and from those facts we issued an order for 200,000 barrels of oil a day from the East

Texas field. This provoked a howl from many operators, bankers and business men, that bitterly condemned the Commission. I recall a good banker friend of the Commission condemned the order as being confiscatory and unjust, but later on, at a barbecue, given at Mt. Pleasant, by the Oil Operators in a speech he said that he fought the Commission at first but soon found he was wrong and he had decided to join them. May I say that a large proportion of the operators, major and independents after they understood the facts upheld our orders on conservation. Our orders were contested in the Federal Courts and the three Judge Federal Court in a lengthy opinion held that our orders were "capricious and confiscatory" and struck them down. I have always had almost a reverence for the decisions of our courts and I have rarely criticized them or their decisions, because I am sure a vast majority of our Judges are sincere, honest and want to follow the law, and I have no patience with the lawyer who every time he loses a case at once bitterly condemns the court rendering the decision. However, I do not believe their opinions are sacred and it is beneficial to point out errors of the courts. I believe it tends to make them cautious and render sound judgments.

In the trial of the case where the three Judges of the Federal Court annulled our conservation order they evidently attempted to be clever and said the Railroad Commission in issuing its order "had an evil eye on the forbidden thing, the price of oil." There was no testimony advanced at the trial that we had an evil eye on the price of oil. While it is true the law of supply and demand applies to oil, to curtail the production of any product tends to raise the price. Yet it was a natural result and there is no way to conserve the oil and prevent waste without curtailing its production. If the courts reasoning was sound there could be no conservation of oil, no prevention of its waste because it might increase the price of oil. Practically all the testimony was that to restrict the flow of oil would unquestionably conserve it and prevent its waste. The courts evidently disregarded or overlooked the sworn testimony of expert witnesses and without any testimony decided that we were trying to raise the price of oil. They just guessed why we were issuing the order instead of following the sworn testimony. In our sworn statements and testimony they both showed that the order was issued to prevent waste of oil and the testimony showed that the order would prevent waste of oil and conserve it. When our orders were annulled by this court we appealed the case, but in order to prevent chaos in the oil industry, by all flowing their wells wide open, we had to issue another order to try to prevent such a

disaster. So when we appealed the case, the Supreme Court held as we had issued an order in lieu of the one the three Judge Court struck down the question was moot and declined to pass on the question. So you can see this opinion striking down our order was most disastrous and seriously injured the operators, who tried to obey our orders, and deprived our State University, A. & M. College and our public school funds of many millions of dollars. If this Three Judge Federal Court had followed the testimony or guessed the other way the plaintiff would have appealed the case and a decision from the Supreme Court would at once have settled the question and the decision would have been in accord with the opinion afterwards rendered by the Supreme Court of the United States in the Rowan & Nichols case where it said no court has a right to usurp the duties of a State Board of Commission elected by the people because of their peculiar qualification to perform a certain duty. The court might be able to issue a better order than the Commission but the court has no power to supplant the duties of the Commission because the court was not selected to discharge that duty. So I am perfectly willing for the enlightened and informed public to pass judgment and say whether the Texas Railroad Commission had an "evil eye on the forbidden thing" in protecting and conserving the oil and gas of Texas or could it have been that the Three Judge Federal Court had a mote or maybe a beam in their own eyes when they rendered that unfortunate opinion that was in effect later overruled and condemned by the Supreme Court of the United States in the Rowan and Nichols case.

#### OIL AND GAS

In addition to many troubles attempting to conserve the oil and gas of Texas, as I have briefly enumerated above, I am confident no other Board, Commission or public official in Texas was ever subjected to as much criticism, much of it unjust and untrue, as much calumny and abuse as the Texas Railroad Commission was during those days when we were working so hard to prevent the waste of oil and gas in Texas. Five different times the Texas Legislature appointed Committees to investigate the Railroad Commission or the production of oil and gas in the State, when I am sure they should have been using their important positions upholding our efforts to save the oil industry and our schools. But to our gratification five different times after exhaustive investigations by these committies as honest and honorable officials they either exhonored or commended us for faithfully discharging our duty. From my service eight years and as a Legislator of Texas and about twenty-three years as a

state official I am thoroughly convinced that a member of the Legislature should not condemn an official without sworn proof of the charges and the official should then be given an opportunity to defend himself of their charges. One representative in the lower House of the Legislature made a speech asking the House to appoint a committee to investigate the Commission and prepare charges of impeachment against each one of the three Commissioners. He held in his hand a paper and said "I hold in my hand sworn affidavits that if true will warrant this House in voting impeachment charges against them. He carried his motion, a Committee of five was appointed. For weeks it held its hearings, put on one witness after another on the stand. Our attorney did not introduce one single witness and that committee upheld and endorsed the course we had pursued, after the first day neither of the Three Commissioners attended the hearings, but we were forced to employ counsel, out of our own funds to stay there and see that we were given a fair and just hearing. Three different Governors backed by members of both Houses of the Legislature attempted to pass a law taking from the Railroad Commission the conservation of oil and gas in Texas and create a new appointive Commission to handle the work. Three different times they failed in their attempt and the bills were either defeated in the House or in the Senate. Many of the good operators of oil and gas, both Major and Independent Companies, came to our rescue and the good people of Texas rallied to our cause and helped to defeat these measures. So in looking back over our trials during the running of hot oil and the bitter contests we had in our courts and in the Legislature I do not fully understand how we succeeded and emerged from all of it unscathed and victorious. Of course I give just credit and praise to the inherent justice of the good operators and the people of Texas as well as a majority of the able Texas Representatives. The people of Texas always wanted to be fair and right and of course wanted our oil and gas conserved and not wasted, and I shall always be grateful to all of them for their patriotic work in our behalf as well as the behalf of all Texas. I will recall one day when the courts had turned down our proration orders and we were cited to appear before the Federal Court for contempt and all were being investigated for the purpose of impeachment and they were trying to take the oilway from the duties of the Commission. Colonel Thompson, one of the Commissioners, came into my office worn and tired, sat down and said, "Judge it isn't worth the candle is it?" I replied, "No, it isn't, but the Lord and the people hates a coward or a quitter. So let's stay in and fight the fight to the end not for ourselves but for our State."

Pearl Harbor came and World War No. II came, but by the

unending toil of Texas Railroad Commission the oil and gas in Texas was saved from waste and by reason of Texas being able to furnish more than 2,300,000 barrels of oil daily, not only for our armed forces, in the Pacific, in Italy and on the western front, we have ample reserves of gasoline and lubricants to win this war, but we are able to see that all our Allies that were not so fortunate as we were, have an abundance of motive power.

I quote from the Austin Statesman of September 15, 1945, issue the following: "Texas has written into the records that Texas oil was one of the big factors in carrying on the war successfully. Texas poured more than 2,000,000 barrels of oil daily into the war effort and produced close to one-half of the entire output of the nation during the war period." Governor Buford T. Jester, on the 23rd of March 1948 in an interview gave out to the press, among other statements the following: "Without oil conservation under State control, he continued, the United States would have lost the World War II." I join with the millions of free and liberated people of the earth and hail with joy and delight the "folding up" of the Germans and the Japs, and that all the nations of the earth will forever be free from oppression, tyranny and destruction, and I am gratified that while I was a member of the Railroad Commission it did its mite in conserving the oil and gas of Texas.

Our great University and Agricultural and Mechanical Colleges owned vast amounts of our public domain upon which oil leases were made and oil and gas discovered. In todays press I see where the permanent fund of the University is worth sixty million dollars and the available fund ten million and it is predicted that in twenty-five years the permanent fund for schools will amount to more than 125 million dollars. By far the greater part of this came from oil and gas leases and royalties. Every thoughtful Texan is interested in our great colleges, and his heart swells with pride over their success and the wonderful work they are doing. By reason of the proration and conservation of our oil and gas in Texas, we have not only saved many millions of dollars to the producers but the industry has furnished employment for millions of people that enabled them to care for their families, and properly educate their children to make useful citizens. The public school fund being the largest royalty owners in the world, and the Texas University and A. & M. College next in the above order, money poured into their funds saving the taxpayers vast sums of money in maintaining each of those state institutions.

Just today, November 4, 1945, the daily press carries the wonderful story of the sale in one day of about \$3,500,000 in oil leases. If there is any one thing that every Texan should be

proud of it is the wonderful financial condition of our public school system and our great university and agricultural and mechanical colleges. When Texas was admitted into our Union of States in 1846, it was wisely provided that the state should retain all her vast public domain. After Governor Hogg brought suit for and we recovered about three and a half million acres of our land that had been turned over illegally to the railroads, and while I was a member of the State Senate of Texas, we passed a law transferring the above three and a half million acres and about four million more of our land from the general fund to our public school fund. On this and other public domain owned by the school fund and our University and A. & M. College oil and gas has been discovered and from the royalties, oil and gas leases and taxes on oil and gas and other products of oil and gas all of these institutions have become immensely wealthy, and our public school fund and our two universities are destined if wisely handled to become not only the wealthiest but the greatest in all the world. Nothing has contributed more to that result than the discovery, development, the proration and the conservation of oil and gas by the Texas Railroad Commission the available and permanent funds of our public schools has received from oil and gas over \$200,000,000.

This vast income has enabled our Board of Education to raise the allowable per capita for each student from 1921 to 1922, from \$4.50 per capita to 1943 to 1944 to the largest per capita in all the history of our state to \$30.00 which has been a wonderful saving to the taxpayers of Texas in educating our children and if as I'm sure it will be the oil and gas is continued to be handled by our Railroad Commission as it has been in the past, the oil and gas reserve of our state will be kept intact and they should at least extend through another generation and perhaps longer. Certainly the Railroad Commission is not entitled to all the praise. We had good assistants. A brilliant statesman once said that "it is not the captain who drives the majestic ship across the mighty deep, but he is entitled to just praise and credit if he makes the best of her tremendous powers. If he reads aright the currents of the winds and the lessons of the stars."

The head of the department, our chief supervisors, deputy supervisors, petroleum engineers and other assistants were all so capable and diligent in their work that I know I would be short of duty if I did not mention their names and pay them a much deserved tribute, viz: Miss Rose Madnell, H. E. Bell, Clifford Stone, Laten Standsberry, R. D. Parker, V. A. Cottingham, Don Martin, Capt. E. N. Standley, Ford Fullingim, Luther Bslaw, Charley Lankford, Alex Crowell, Dutton, Pete Hopson,

Jess Day, Ike Killough, Sunshine Williams, M. A. Arnett, Gene Green, Tip Yorrbrough, Jop Arnold, Paul Leeper, Jack Dunn, Worthington Renshaw, Bowd Farrar, Peacock, Walton (Bud) Christian, Ted Harris, Henry Barton, Vernon Green, Jack Elliott, E. O. Buck Nielson Young, Leslie McKay, Vernon Thomas, Grady Russell, Diffey, Sim O'Neal, Joe Wade, Mrs. Carrie Smith, Jess Megority, Tully Parker, Homer Pearson, Omar Burkett, Charley Kendall, A. Brikerhoff, Geo. Phillips, Mrs. Bulah Burns, and Gordon Griffin.

#### ATTENDING THE I.C.C. HEARING IN CHICAGO HOTEL

In about 1931, Chairman Clarence Gilmore and I attended the Interstate Commerce Committee hearing at the Edgewater Beach Hotel on raising the general rates of freight ten percent. It was a most interesting and profitable hearing by most of the great rate lawyers in the United States, as well as many of the Railroad Commissioners of the various forty-eight states. Many very able addresses were made. One I distinctly recall was by former chief justice Hughes, who representd the bond holders of the various railroads. It was to all of us a real treat to have had the pleasure of hearing his able and ingenious address. It thoroughly convinced me that he was a real lawyer, and an able statesman. After hearing him I could easily understand how he made a reputation breaking up the grafts of presidents of our insurance companies in giving themselves and their kin such enormous salaries and the policy holders paying the bills. It lead the way to his election as Governor of New York State and probably to his appointment as Chief Justice of the United States. No doubt but that we now sorely need another Hughes to reduce the salaries of many of our presidents and officials of our great corporations. Is any man's services worth \$1,000 a day, when thousands of little children are hungry and crying for bread?

Attending a meeting at Nashville, Tennessee of the Executive Committee of the National Association of Railroad and Public Utilities Commissions.

In the summer of 1935 Harve Hannah, Railroad Commissioner of Tennessee and Chairman of the Executive Committee of the National Association of Railroad and Public Utilities Committee called a meeting of the committee at Nashville. As I was a member of the committee, I received my invitation urging my attendance. I decided to go and promptly wrote I would be there. Confering with Laten Standberry, the head of the Oil and Gas Division of the Commission, he kindly drove me up there in his car. I had been working hard and needed rest and a change and the interesting motor trip was a real God send to me and I

enjoyed it very much. We took our time, went one route and returned another, via Vicksburg and the National Park, a place I had never before seen. There were some six or eight members of the committee present, and we were there two days. Chairman Hannah was most gracious. He was a relative of the celebrated Mark Hannah and nephew of Governor Alf and Bob Taylor. One purpose for my attending was to put Dr. Walter Splawn, then an Interstate Commerce Commissioner and my personal friend from Wise County on the program for an address at our next National Association. This was accomplished and he made one of the ablest talks ever delivered to the Association. After disposing of the duties of the committee by preparing a complete program we took time off to see the sights of the interesting city of Nashville. I well remember all of the committee and Laten Stanberry being royally entertained for lunch at the palatial home of Rutledge Smith, "Chateau Graeme", about five miles out from the city. He was executive vice-president of the Tennessee and Central Railroad Company and I know no one could excell him as a host. His home, "Chateau Graeme" named for his wife whose first name was Graeme, was one of the most beautiful I ever saw. It was an old estate well over 150 years. It had been handed down from one generation to another. Mrs. Rutledge Smith is a sister of our former Senator T. H. McGregor of Austin, and like him, she is very brilliant, and of course, far better looking. At one of our annual meetings of the National Association of Railroads and Utilities Commissioners the Texas Railroad Commission conceived the idea of trying to get the Association to meet in Texas, and we selected Dallas as the place for it. Our Chairman Clarence Gilmore, Lon A. Smith and myself put on a real campaign and Chairman Gilmore nominated Dallas for the next meeting. I think we had two opponents, one of them was Many Glazier, National Park Hotel, Montana. By a very close vote, of only 4 or 5, we won and the meeting convened in Dallas in 1927. The Association consisted of all the Railroad Utilities Commissioners for each of the 48 states, and the I.C.C. at Washington. No state had less than 3 members and many had 5, 7 or 9. The organization had never before convened in Texas and we drummed up an extra large attendance. Most every state in the union had one or more delegates present. We gave Texas plenty of advertisement and Dallas and all the other Texas cities cooperated in this work. During the convening of the Association at Dallas my younger son, John Preston Terrell who was attending the University of Texas and on the football team, married Miss Louise Thompson, the daughter of Judge and Mrs. T. W. Thompson at Greenville, Texas. They were

students in the University of Texas. Members of the Association and several of the delegates went up to Greenville to witness the wedding, with Mrs. Terrell and I. The next day some of those delegates introduced and passed a nicely worded resolution congratulating us and Judge and Mrs. Thompson over the lovely affair. This resolution became a part of the minutes of the Association and appears in the large, cloth bound book of the proceedings of the great Association. This was most thoughtful of the organization and equally gratifying to all of us.

When the Association adjourned we had prepared a free trip in pullmans first to Fort Worth, then Waco, Austin, San Antonio, the Magic Valley, Corpus Christi, Houston and back to Dallas through Tyler and the East Texas oil fields. The rail carriers furnished the transportation and I am sure every one enjoyed the trip, because it was equal to if not more interesting than any former entertainment by any city where it convened. Each of the cities visited were lavish in their entertainment and I am confident every one of them enjoyed the outing to the fullest and it gave Texas an advertisement she was entitled to but never before had. It was a marvel to all of them the wonderful resources of our Great State.

In 1838 in addition to Dr. Walter Splawn from Texas being on the program for a talk to the Association at New Orleans, Louisiana, I was selected to conduct the round table talk on Rail Transportation and made a 15-minute address which with Dr. Splawn's address was printed in the book containing the minutes of the Organization.

For one to attempt to give anything like a detailed or accurate account of the many and changing laws passed by the various Legislatures bearing on the conservation of oil and gas in Texas would naturally be interesting and important, yet even in a brief summary way it would take up all the space of an ordinary book. So I shall leave that undertaking to some one more capable of handling the subject than I am. However, I will give a few high points of the laws and their development leading up to the present laws that are so sound and effective. Not until the Acts of the 44th Legislature in 1935 was the Commission given the real expressed power to properly and effectively handle the enormous industry and prevent waste of oil. All our laws passed by the Legislature before the discovery of the East Texas pool were crude and entirely inadequate in handling the wide and expanding industry. Most all of the early wells up to that time were comparatively shallow wells less than 3600 feet deep. While now we have wells over three miles deep. Then we had only a few thousand wells and now we have in Texas more than 100,000.

It is obvious that the duties of the Commission then were light and in no way burdensome or difficult to handle. The operators were all making good money and selling oil at a good price and all had open flow. About the only orders we made were spacing wells, plugging dry holes and preventing up-ground waste of oil. We had no law mentioning or specially bearing on proration or limiting production other than to prevent waste. The tender system and the bottom hole pressure formula were entirely unknown to the operators, the Commission or the Legislature. So the real conservation laws were of gradual development, being brought about from time to time by reason of necessity. Surely it was an unknown field to be surveyed, new to all and naturally took time and experience and much trouble and labor to solve the difficult problems.

The industry, the courts, the commission and the people had to be educated to the needs of the state and that could only be accomplished gradually by "trial and error." I recall I had a talk with an East Texas State Senator who knew some of our trials and he offered to help by introducing and passing a law that would give us expressed power to prevent underground waste and one that would be workable. He kindly asked me to write the bill and he would introduce and pass it at once. I wrote the bill and gave it to him and waited several weeks and asked him how he was progressing with the bill. He smiled and said he saw where it had the word "proration" in it and he was against proration and could not handle it. I gracefully thanked him. Of course, time has changed things. The law was later passed and as he is an able attorney and statesman, now is for proration and the effective work of the Commission. He was not however alone in his opposition to those wholesome laws. In 1931 a bill was introduced in the Legislature and the committee of the House having the bill in charge called a public meeting to discuss the merits of the proposed law. The Commission was invited to attend. Chairman Gilmore and I attended the hearing. It was a good measure and should have become a law. But an operator and attorney made a speech against the bill and bitterly condemned the Commission and Chairman Gilmore. His remarks were untrue, and especially contemptible. They should not have been made and the chairman of the committee should have stopped him. In disgust I walked out of the hearing and I am proud to say I never attended another committee hearing voluntarily while I was a member of the Commission. I told my friends that if and when attending a committee hearing by invitation if I could not be treated with proper courtesy I would never attend another. The bill was reported adversely, but a later

legislature passed the self same measure and it is now the law of the land, and a wise and good one.

I often notice in the press the statement that Governor Moody appointed Ex-Governor Pat Neff chairman of the Railroad Commission, just to keep the record straight. The governor has no power to appoint a chairman of the commission, but under the law the commission itself must elect its chairman. Article 6447 of Vernons Texas Statute provides, "The commission shall elect one of their number chairman."

The facts are, one night soon after chairman Clarence Gilmore's passing, Governor Neff called me over the phone and told me he had been tendered the appointment on the Commission, but that he would not accept it unless I would elect him its chairman. I told him that it was an unbroken rule for the Commission to elect its senior member chairman and that as I was the senior member, I should be elected. He replied that from all that has been done he felt like I should elect him chairman. I asked him to hold the phone and I turned to Mrs. Terrell and told her what he said. She replied that she was surprised that he would make such a request, but I felt like I should deny myself the honor in order to accommodate him, so I told Governor Neff I was under the deepest obligations to him and that I would nominate him for chairman and vote for him to be our chairman for the next two years and then it should go to the senior member. His reply to this was that's all right, we do not know what will take place in two years. After he was sworn in as commissioner at our first meeting, I nominated him for chairman and we elected him chairman for only two years. The other commissioner declined to vote. When the two years had expired and Governor Neff retired as chairman, I was elected its chairman and we passed an order in writing that the senior member should be elected and the chairman should be rotated every two years among the three commissioners, and that order has been followed ever since—and is still a valid and binding order.—Statement of the Railroad Commission.

The following is our statement, the statement on the Commission's position against Federal control of oil and gas, made before the Cole Committee of Congress in Dallas in 1934.

Gentlemen of the committee, my name is Ernest O. Thompson. I am a member of the Texas Railroad Commission, and have served on that commission for about three years. Previous to that time I was practicing law in the city of Amarillo, Texas.

At the outset I want to say to the members of the committee that we are delighted to have you come to Texas and again go over our State and join with us in the investigation of our problems in the oil business.

I bring you the greetings from the entire membership of the Commission, and I am sure you will see the other members before you leave the state.

Any facilities that we have in the way of transportation are yours for the asking. We want to be able to show you everything that you want to

know about the state, and all you have to do is to tell us what you want and we will try to carry out your wishes.

I have prepared a very short statement, which I think covers the ideas of the Texas Railroad Commission. This statement has been gone over by my colleagues and I believe it is the statement of the commission—in fact, I will say it is the statement of the commission, because we all got it up together.

Developments in recent weeks have shoved the subject of Federal control far into the background.

In all these United States, there appear only the Federal Oil Administration who still believe Federal control the key to the conservation of our natural resources.

There have been many factors responsible for this change of sentiment, but foremost and most important is the understanding reached between the Texas Railroad Commission and the Federal Government for a definite cooperative plan of action.

That definite cooperative plan of action, which I refer to, is the cooperation in the field of the tender board of the Federal Government and the tender board of the railroad commission of the State of Texas, in pursuance of the executive order passed under the authority of Congress, section 9 (c), the Connally amendment.

I take that as the first definite act of real cooperative movement between the Federal Tender Committee and our own, requiring the shipper to get approval before movement of oil in interstate commerce. The Texas committee first approving the legal source of the oil and the Federal committee then approving the movement of the oil interstate.

Mr. Mapes: What was the date of that Executive order?

Mr. Thompson: The Executive order, Mr. Mapes, was dated July 11, 1933, but no cooperative action came from it until later, October 1934, 15 months later, and the delay, in my opinion, caused all of the difficulty. You gentlemen would not have been forced into this investigation had there been cooperative work between the state and the government on this problem. In other words, had the cooperation started in July 1933 the difficulty would not have arisen. It apparently took 15 months for the Executive order to get over to the Interior Department, or at least to get down to the state line. I do not know why there was such a delay, but nevertheless the facts are that had the Interior Department given this help which we have been clamoring for for a year or more instead of waiting until October, this year, the situation would have been far different.

On July 8, 1933, we sent a telegram to the President of the United States reading as follows:

In order that full cooperative effect can be given to oil-control measure, may we suggest that our enforcement of oil pro-ration orders could be made more effective if you could at this time prohibit the shipment of illegally produced oil in interstate and foreign commerce. We have called a hearing for July 31 at Austin to ascertain the amount of oil that will be permitted to be stored in Texas and will issue orders prohibiting storage in excess of that amount. Prevention of shipment of illegal oil and elimination of excess storage or crude will go far toward a solution of the oil problem. Your order at this time prohibiting interstate and foreign shipment of oil illegally produced or withdrawn from storage will greatly assist in bringing all elements of the industry in accord. The situation in Texas is steadily improving. The Railroad Commission of Texas is now getting the unqualified support of the greater part of the industry.

Ernest O. Thompson, Member Railroad Commission of Texas.

In July the Executive order was signed by the President, putting into effect the provisions of section 9 (c), which was the Connally oil amendment, prohibiting the interstate and foreign movement of the shipment in interstate and foreign commerce of illegally produced oil, which is defined as oil produced in excess of that allowed by the state regulatory body, and the day after the President signed that order the Texas Railroad Commission sent this telegram:

The President,  
Washington, D. C.

The railroad commission notes with much gratification your order of today prohibiting interstate transportation of oil produced or withdrawn

from storage in excess of allowable amounts. This will, to a large extent, solve a vexatious problem in the oil industry and will help this commission in maintaining orderly production and fairness to operators so that all may benefit. The order means that the state and national authorities are co-operating for the good of the whole, and we congratulate you on the promptness and sympathetic interest you have given. With such forces at work and with harmony prevailing, the oil problem will be satisfactorily adjusted for the common welfare.

Texas Railroad Commission  
Lon A. Smith, Chairman  
C. V. Terrell  
Ernest O. Thompson  
Commissioners

I shall submit these telegrams for the record a little later on and the purpose of reading them at the outset is to show that if, after that Executive order had been signed and promulgated, the Interior Department had promptly taken steps to come down into the field and ascertain what oil was legally produced as indicated by the state then that arm of the government, the Federal Government, which has exclusive jurisdiction in interstate and foreign commerce could promptly have taken action to control the movement of what has been defined as "hot oil" and avoided the trouble which has resulted, and it could have resulted as it has been avoided by the very recent establishment of our tender committees. I refer to the tender committee lately established by the Federal Government to work in cooperation with our state forces at Kilgore, Texas.

I say that because critical discussion has been going around that the Railroad Commission of Texas was not doing its duty to stop this hot-oil movement.

We attempted to stop the movement of hot oil by railroad shipment in railroad tank cars, by ordering that no oil should move in Texas without first having been duly approved by the tender committee; in other words, that they must first have a certificate of the Texas Tender Committee that the oil was legally produced in accordance with the rules and regulations of the Texas commission.

We were promptly met with an injunction in the Federal court. Promptly, I say, and properly enjoined, as was pointed out at the hearing by the railroad attorneys, that the Railroad Commission of Texas was acting beyond its scope of authority in placing a burden on interstate commerce and if they obeyed the orders of the commission and refused to take that oil when they themselves would be subject to a penalty of a thousand dollars a day at the hands of the Interstate Commerce Commission for not taking shipments. They were afraid to take that course, a course that would subject them to that risk, and of course the railroads naturally were not anxious to lose some seven hundred cars of freight movement a day when they were hard pressed for revenue, and I do not suppose that it took a very strong urge on the part of the railroad lawyers to get them to raise the constitutional ground and be compelled to take this business.

But anyhow, a part of the problem was to stop the movement of this oil in interstate commerce and we found that we could not legally do this. What then happened was that we sent the telegram to the President and took it up with our members of Congress and Congress promptly passed the Connally hot-oil amendment and the President promulgated and signed the Executive order on July 11, 1933, but for some reason nothing was done until October 1934.

I say that because I think it is only fair and just that the responsibility be placed where it belongs. We are not shirking any responsibility in Texas and we do not intend to let anybody else shirk any responsibility. We do not refrain from taking the blame when it is justly ours, and I do not think it is improper to place the blame where it belongs. I think the responsibility belongs to Mr. Ickes for not doing his part.

Wherever the responsibility lies, the fact of the matter is that we endeavored to stop the movement of this hot oil, and the result was that an understanding has belatedly been reached between the Texas Railroad Commission and the Federal Government for a distinct cooperative plan of

action, and that plan of action is that a movement of oil must first have a certificate from the Texas Railroad Commission to the effect that it is legally produced, and that is now being done and we are working in perfect harmony, and we are getting definite results, as is evidenced by the Secretary of the Interior's many statements through the public press that we have practically stopped the movement of hot oil. That is not how it was stopped, whether it was stopped by Texas or the Federal Government, it has been stopped. We are not asking for any particular credit. We simply pointed out the way, and once the route was adopted and action taken the desired results were promptly attained. The Federal and State Governments, marching arm and arm, form a phalanx against which crime cannot stand.

We have happily hit upon the proper solution of our common problem. I ask you why should we depart from a legal method which is successful and go into the realm of doubtful legality for any other plan?

The Texas Railroad Commission always has contended and always will contend that Texas alone has the authority to control the production of her natural resources.

We have always conceded that the Federal Government should control interstate commerce. The Texas Commission was first to suggest interstate traffic regulation of illegally produced oil and its products in the Connally amendment to the National Industrial Recovery Act. We urged the passage of this amendment both to the President and to our Senators. It bears the name of our illustrious junior Senator whose efforts made it possible. We are proud to have been able, through our experiences of trial and error, through the hard knocks of many court battles, to have found a way to control effectively the interstate movement of illegally produced crude oil and its products. The Connally amendment, or such a permanent law vigorously enforced meets all the Federal requirements of this situation.

This movement and its consequent effects are the only points of national legislative concern regarding oil production in Texas.

Apparently, Federal agencies have finally recognized the soundness of this position. Working hand in hand, each Government in its own separate sphere, cooperating instead of conflicting, we can most assuredly solve the hot-oil problem.

How has the growing trend away from Federal control manifested itself?

First. Major oil company executives, who were most active in drawing up the oil code, have admitted in public meeting that the code insofar as it attempted to control interstate matters, is a distinct failure.

Second. The excellent governors-elect of two important oil-producing states, Oklahoma and Texas, have declared unalterable opposition to Federal control, and the State Democratic Party of Texas has expressed itself in unequivocal terms on that same subject, saying that the officials of Texas, duly elected by the Democratic Party, should carry out the platform, and in that platform it is said that they should see that Texas should have exclusive control of her internal affairs in regard to oil.

Third. The far-reaching decision of United States District Judge Edgar S. Vaught, of Oklahoma, who held the "orderly development" portion of the code invalid.

Fourth. Finally, the decision of the Federal Government to establish a tender committee, to act with the Texas Tender Committee, to pass upon all crude and products moving in interstate commerce.

In this connection we said when the state tender committee was created that it embodied the very antithesis of Federal control. The tender committee is strictly home rule. It is composed of men on the ground, who know personally the men who appear before the board. It is remarkable evidence of the Federal Government's recognition of the soundness of the home-rule principle. The swing toward home rule is a definite trend. We have had too much centralization already. People are beginning to see the effect, and are asking that the trend toward centralization stop. I think the outstanding example of this trend in the recognition of the rights of the states is expressed in the recent action of the Interstate Commerce Commission. Recently the commission has been asking the state commissioners to come and sit in with it. In the big rate case now before the commission, where the railroads are asking for \$170,000,000 increase in freight rates there was one member of the Interstate Commerce Commission and eight

state commissioners sitting with him. I think that is a distinct recognition of the rights of the states to sit in on these problems, and these men sitting in are invited to ask questions and have a conference afterward and from that a decision will be reached.

Every person who clings to the theory of state rights, which I am proud to state that I do, should study Judge Vaught's opinion. It is one of the finest fundamental expressions and definitions I have ever read.

Congress may be able to provide a better government for our states—he says, but it is not within Congress' power to do so.

If Congress can regulate and control the production of oil and gas within the state, it can regulate and control any other private intrastate business and the rights of the state heretofore recognized by the Constitution and by our highest court will be entirely destroyed.

Judge Vaught, remember, was ruling only upon that portion of the code relating to drilling new wells; but could he have stated, in plainer language, the fallacy of the entire theory of the Federal Government attempting to usurp a state privilege, function, and right? Again, he says:

If the construction be placed on the Constitution which the Government seeks to have placed on it—all commerce is interstate commerce, and that which the Supreme Court has held not to be commerce will be interstate commerce, and every act of a citizen, regardless of its connection with interstate commerce, is subject to the control of the Federal Government.

Language could not be more blunt. Judge Vaught has dug straight through the weighty mass of words and theories which have enveloped the code and struck the mother lode of first principles. He got pay dirt. He offered the plain and inevitable choice: Either uphold the principle that each state knows best how to deal with its own problems, else turn every transaction by every citizen over to the Federal Government and thereby topple the entire structure of self-government in the states.

Finally, the judge says:

If Congress is of the opinion that any resource of this nation is essential to the maintenance of this government and its proper defense, it has ample power under the Constitution to purchase oil lands and hold them for the benefit of the government.

But, so long as the individual citizen is permitted to hold property, his rights in property are protected under the Constitution.

The railroad commission of Texas has been sufficiently old-fashioned to hold to that theory in promulgating its rule 37 governing the drilling of wells. In Texas we call it "vested rights", and despite criticism we have no immediate intention of attempting infringing upon the vested rights of any landholder. Enough for this opinion, brilliant in its simplicity and directness.

In other words, the Federal Government was seeking to establish an orbit outside its ordained sphere. That is a governmental, as well as astronomical, incongruity. It was hunting off its own preserves. That is sometimes called poaching.

In connection with the Cole committee testimony, the plan suggested by Mr. Ames is of particular interest. He proceeded from the premise that each state has sole control over its own production to the conclusion that only by interstate agreement could national production be controlled.

He proposed that such an agreement be formed and approved by Congress; that a Federal-State Committee determine necessary production and allocate it between states; that this committee recommend legislative and administrative improvements; that each state agree to accept its quota and give consideration to other recommendations; and that each state fix the allocations of fields with the states and producers within the fields. Federal authorities would continue to control interstate and foreign commerce.

While not desiring to be committed on an interstate compact in advance of the submission of such a compact for approval, the plan is open to some comment.

Certainly the Texas Railroad Commission will not quarrel with Mr. Ames' proposal that the states control and allocate production within the states; nor with the suggestion that interstate and foreign commerce be left to the Federal authorities. The commission has, at divers times and places, insisted that such is the proper procedure.

In regard to allocations to the state, the Railroad Commission of Texas has always taken the position that such allocations, called by the name of consumer demand or any other, are admissible evidence which the railroad commission will consider in fixing Texas' allowable production. The record will bear out the statement that the commission has, oftener than not, accepted the Bureau of Mines figures as the best evidence.

But to say the commission must accept the allocations, as such, of a board other than one created under the laws of Texas is another matter.

The Railroad Commission of Texas and this commission alone must bear the responsibility for the conservation of the natural resources of Texas. That is in our statute, section 6-a, the market demand statute. It was put in there for fear that controlling the market demand would keep the production down so low it would make oil very high by making it scarce, or make it scarce and therefore, making it higher, gasoline would go sky high, and in spite of the fact that we have 530 separate and distinct oil fields in Texas with 51,000 wells producing 9,000,000 barrels per day, there are still many sections of the state which have no oil, many counties, and that provision of the bill was put in there at my suggestion and at the very great insistence of Senator Dubarry, who comes from an agricultural section, to protect the consumer from the high price of gasoline. I have a firm conviction that there are more consumers of gasoline and lubricating oil than there are producers thereof. I may be wrong about it, but that is my conviction, and I think the public, not only in our state, but anywhere else, should look to the whole and not just to the oil producers, not to the refiners, not to the pipe liners and not to the filling-station man, but all of them, consider them a part of the whole.

We are charged by law to look to the interests of the consumer as well the interests of the producer.

It would be just as sound to say that Texas shall tell the Federal Government how much oil may be imported into this country as to say the Federal Government shall issue an edict to control production within the state of Texas. We have on various occasions, I admit, expressed our opinion as to the amount of oil that should be allowed to be imported, but we have not yet attempted to say how much could be imported. That would be outside of the realm of our jurisdiction; and, to be perfectly candid, the Federal Government has not followed our recommendations. We have no fuss about that. That is the Federal Government's distinct and separate duty and privilege.

The commission, of course, always will be glad to give a courteous hearing to any recommendations for administrative or legislative improvement in Texas.

The control of oil production, I have found from studies, is a progressive problem. We experiment, we retain, and we discard. Fresh problems arise and current ones are conquered. We have the situation well in hand until something bobs up, usually a court decision. And, by the way, we recently passed a new statute, the legislature did, at our request, giving us jurisdiction over the production of crude as well as products, and to go into effect the 25th of December—a 90-day law—and we had previously issued orders requiring tenders on products which had been stricken down by the district court. We appealed to the court of civil appeals, and day before yesterday the court of civil appeals affirmed our authority to require tender on products as well as crude; so it looks like we have the intrastate situation well in hand, both as to crude and products, just as the Federal Government is doing a beautiful job controlling the interstate movement of crude and products. It appears that this thing is really making progress, and I feel that most substantial progress has been made when a policy such as attempted interstate Federal control—a policy certain to give rise to dissension—has been discarded in favor of a cooperative State-Federal program which now promises definite results. I feel that most substantial progress has been made and most wonderful progress, when this attempted complete control on the part of the code authority, the Secretary of the Interior, has been abandoned, apparently, at least enough to send a tender committee down and sit at the same table with us, approach this common problem, each working in its own sphere. I can say real progress has been made when a policy certain to cause trouble and dissension has been dis-

carded in the field for one that is giving every encouragement for progress in solving this problem with definite results.

Really, gentlemen, up to the date of the discovery of the east Texas oil field, there was not much oil trouble. Everywhere production went along pretty good. We have had regulatory laws in Texas since 1919, but it was not very hard to apply them, just as it is not difficult to apply regulatory measures in the states that have small production. All of the oil they can produce, all of the oil that the operators want to produce can be produced and conserve their wells for orderly production so as to get the greatest amount of oil out of their well over the whole period. In states where they have small production, as I said before, there is no problem, because the local consumption takes it all up and the demand is for more oil in those states than they produce.

It is only when you have an east Texas field that is gives you trouble. It is the first one we have ever had like it.

I shall invite your attention most respectfully, gentlemen, to the fact that even before east Texas oil had been as low as a nickel a barrel; when Spindle-Top came in, oil went to a nickel. That was away back in 1900, and in 1930 oil was down to a quarter. That was before east Texas was discovered.

When you try to regulate the almost immutable law of supply and demand by man-made statutes, you are undertaking a rather large order, and it is not to be wondered we find difficulties and imperfections sometimes. People chafe under the idea that officials should be perfect and make a law work smoothly from the start, but the marvel is that we have done as well as we have. We started off with a law saying we could only prevent physical waste and restrict production solely to prevent physical waste. And we got along pretty well with that until east Texas came in and we found that merely restricting production to the point where waste was not being created was not enough. Too much oil could be produced and no waste created at all. So, we had to find some other artificial restraint to keep it down so as to keep men from making money producing oil at 35 cents a barrel and selling for a dollar. That is about the problem.

A very large executive told me night before last at the banquet—in fact, he is the head of the largest company of all, Mr. Farish, head of the Standard of New Jersey, told me—they could not afford to pay a dollar a barrel for oil when they could produce it for 35 cents. That is very simple, and that company has almost approached the point where it produces, through its subsidiary, the Humble, as much oil as it needs for all its purposes; and when you reach that point it would not make much difference what the regulations are—you have got your own wells, your own pipe lines and refineries, and you have your own market for it.

And several companies are approaching that condition where they have a vertical arrangement. They are self-sufficient. Regulations suit them fine, because they can turn their wells up or down and get a few more wells if the provisions are too tight, but on any schedule have all of the oil they need. Regulations suit them fine, but such rules are a little tough on the fellow that does not have anything except a well where he wants to produce his oil and sell it. They are a little hard on the refinery that has to pay a dollar a barrel for his crude and sell his gasoline in competition with others at, say, 4 cents a gallon.

Really, I think the proper ratio is about 20 to 1. In other words, the price of crude ought to be about 20 times the refined price. If gasoline is 4 cents at the refinery, then crude is not worth but 80 cents a barrel. If gasoline is 5 cents, then 20 times that is a dollar for crude.

The Government tried the other day to work out a plan—or, rather, the industry did, with the Government's consent—to make nickel gasoline and dollar crude, trying to reconcile the price of gasoline at the present price of crude at a dollar a barrel.

I understand that an arrangement like that is being worked up or has been worked up and is awaiting approval and also I have found that people get along pretty well when they can live and let live; but when you have this complete surplus as was indicated by, just for example, the Humble and the Standard of New Jersey, where they have from their own production

—and, by the way, 85 per cent of their wells are flowing, flush wells, having in good business judgment farmed out or sold their smaller pumping wells, the ones that are not so profitable or productive, and that is good business—but I only wish to point out to you gentlemen the cycle that that makes.

If you wish to find the perfect cycle, perfectly complete cycle of regulation, of production, by the Government and somebody else controlling the outlet, you only have to go up into the Panhandle and see the gas fields up there, which, I understand, you are going to take a look at. There you have a tremendous gas field, very large, perhaps the largest in the world, where the outlet was exclusively controlled by a few pipe lines. They had all of the market. There are many, many gas wells. They are great producers, many of them making 100,000,000 feet a day, and for 10 years that gas field sat there with no market except the market furnished by the major pipe lines going out of that field and when the Railroad Commission of Texas sought to pass an order requiring them to buy ratably under our market demand statute from all who had gas in the field on the basis of potential ability to produce, so that each and every man in the field could sell ratably in the markets, those companies took us into the Federal court at San Antonio, or Austin, I believe it was, and pleaded that they were not in fact purchasers at all, since they purchased no gas from anybody but took from their own wells and their own leases, through their own lines, to their own customers, just what they needed; and, since they were not purchasers in fact at all, how could we compel them to be common purchasers. That was sustained by the court, and there you are. That is the situation that the oil business finds itself in when these companies, large ones, get all of the oil that they need from their own wells through their own pipe lines to their own refineries to their own filling stations, and then if you make it a public utility and make one have to take out a certificate of convenience and necessity, a permit before anyone can drill a well, build a refinery, put in a pipe line, or put in a filling station, while all know that it would be a good idea to eliminate about 1 in every 3 filling stations, especially in the residential districts, still I cannot help but invite your attention to the cycle that is starting into work. If the thing will be completely worked into a utility, there will be no opportunity for development, and that will lead necessarily and inescapably to cheap crude as evidenced by the testimony of Mr. Dawes here this morning, when he testified to you gentlemen that the reason he did not want to take oil from the outside, the reason he was complaining of our law and allocations, was because he could produce from his own wells cheaper than he could buy outside at a dollar a barrel. As a matter of fact, he can produce it 80 cents a barrel cheaper. They are producing in Van at around 20 cents a barrel and naturally do not like to have to go out and buy when he has got wells of his own.

Now, if he has enough of his own supply it would not make any difference how low you put it. He could adjust to his needs, and then it would not worry him at all what the regulations were.

Then, if you make a utility out of it, fix it so that nobody else can get into the business, and create a monopoly, you will have a complete monopoly with the government guarding production and keeping it down, and making the crude cheap, and there will be no incentive for anybody to get in unless he can find a market. He cannot get a market without a certificate of public necessity and convenience, at a hearing, and then you have cheap crude and high-priced gasoline, which I know that we are not wanting.

We are gradually solving the East Texas problem. The oil industry and the authorities in charge have learned more in the last four years than in the two previous decades.

The courts, both federal and state, have never been afforded an opportunity to pass on many of the questions involved. But now, well-grounded and sound opinions are being handed down by the courts.

Our path is being charted along the solid lines of constitutional government.

Our legislature guided by these sound opinions are now progressively passing constructive and helpful legislation to make more effective the desired constitutional results in conservation of oil and gas in Texas.

This meeting in Dallas, Texas, by the Cole Committee was the turning point on the federal control fight for oil and gas.

The committee, in Dallas, got for the first time some real testimony on the actual facts and the accomplishments and endeavors of the Commission toward effective control of oil and gas to prevent physical waste thereof in the production.

These meetings were held in various parts of the country but in the end, the committee recommended against federal oil control.

While this active fight for federal control of oil and gas was being waged in Washington, D. C., Colonel Thompson and I went up there several times to try to defeat the measure and preserve our rights as a sovereign state to handle our own local affairs. Senator Tom Connally and Congressman Sam Rayburn, who was then Chairman of the Committee on Interstate Commerce that had charge of the measure. Congressman Marvin Jones and most all the Texas delegation in Congress were active against the effort for federal control. By their untiring and effective work the bill was laid to rest and we as Railroad Commissioners continued to regulate and control this greatest of all our industries—oil and gas.

Excerpts from an address of C. V. Terrell, delivered over radio station KNOW—Austin, Wednesday, August 19, 1936, for Thompson.  
My Fellow Citizens:

I belong to a political school which believes that a political campaign should be conducted on principles and not personalities; which believes that men should recommend themselves to the voters on the record of their accomplishments and not seek to win the votes of citizens by a campaign of slander and abuse. In the days when the political thought for which I stand predominated in Texas' politics, public office was regarded as a public trust and men were elected to positions of responsibility on their own merits, not on the alleged demerits of their opponents.

The average citizen of Texas does not know, but should know, that the oil and gas resources of Texas are the great treasure house of our public school, University and A. & M. College systems of Texas, and that the conservation of these resources is of vital importance to the people of Texas, since, without such conservation, millions of unborn children of Texas will be robbed of their heritage. During the last 10 years our public school fund has received from oil and gas \$11,812,000.00 and the University and A. & M. have received \$25,000,000.00.

When the Railroad Commission of Texas undertook the enforcement of the conservation laws of Texas, these great natural resources were being wasted by the few who were able to profit by their waste at the expense of the land owners and of the great educational systems of Texas, whose treasure house was being depleted by the waste of our oil and natural gas resources. I understood, when this great responsibility was imposed upon the Railroad Commission of Texas, that those who were acquiring quick riches through the waste of these natural resources would resist all efforts to enforce the conservation laws of Texas, and that they would be bitter in their opposition to and their criticism of the officers of the state of Texas charged with this duty.

Time does not permit me to review the battle to secure the conservation of these natural resources, but the fact is, my fellow citizens, that the Railroad Commission of Texas was involved in hundreds of law suits, both in the state and federal courts, and that we were required to go to the Legis-

lature, time after time, to secure more legislation to strengthen our hands in preserving for the people of Texas these great natural resources.

When the battle for the enforcement of the conservation laws of Texas began, the great East Texas oil field was running wild and those who were seeking their own enrichment, regardless of the rights of their neighbors and regardless of the great educational fund of Texas stored in these natural resources were making millions; but oil was selling for ten cents a barrel in Texas, and the citizens of Texas, who had the good fortune to have oil beneath their lands, and the great public school system of Texas, and its University, and A. & M. College were having their resources dissipated. After three years of strenuous effort, the Railroad Commission of Texas succeeded in enforcing the conservation laws of the state, and oil is now selling for a dollar per barrel instead of ten cents per barrel. The best illustration of what this means to the people of Texas would be its application to our public school, University and A. & M. College fund. With oil at a dollar a barrel, the direct revenue from rents and royalties of oil lands belonging to the public school fund of Texas is now \$2,912,156.00 per year, and the rents and royalties to the University and the A. & M. College fund is now over \$2,060,000.00 per year; while, if oil were still selling for ten cents a barrel, these revenues to the public school fund would be only \$291,215.00, a loss of \$2,620,000.00, and the revenue to the University and A. & M. College fund would be only \$206,000.00, a loss of \$1,854,000.00.

I am not a candidate for public office, but my colleague Ernest Thompson, is. He is seeking his second term as a Railroad Commissioner of Texas. They say they want to turn the oil industry loose in Texas, just as those people who sought to defeat the regulation of railroads when inaugurated by Governor Hogg in 1892 sought to defeat him on the slogan, "Turn Texas Loose." The people of Texas were not deceived in Governor Hogg's campaign; he was returned to office and the state of Texas blazed the path for all the states of the nation in the proper regulation of the transportation facilities of Texas.

I am sure that the people of Texas will not be deceived now by the slogan, "Turn the oil industry loose," and I am sure that they will understand that it means simply that they who garnered riches when the East Texas oil field was loose, while oil was selling for ten cents a barrel, will not again be permitted to waste the natural resources of Texas for their own enrichment and to the destruction of the property rights of the landowners of Texas and our great educational system. "They think like Greeks, they pray like Christians, but they plunder like Romans."

That you may understand what this means, my fellow citizens, the proration order issued monthly by the Railroad Commission is the order which provides how much oil can be produced from every oil field in Texas, and how much oil can be produced from every well in every oil field in Texas. This proration order, in fact, my fellow citizens, is the true measure of the conservation program of Texas. There can be no waste of the oil and gas in any field where the production is properly regulated, and there must of necessity be waste if the monthly proration order of the Railroad Commission is improperly entered.

My fellow citizens, there is no further justification of the record of the Railroad Commission needed than the simple fact that the oil industry of Texas enjoys today more stability and prosperity than it has ever enjoyed in the history of the state; that oil is selling for a higher price than it has sold for in many years, and that the consumers of gasoline are buying that commodity at the lowest price that has prevailed in years.

Those denunciations of the Railroad Commission of Texas is as much a denunciation of myself as it is Ernest Thompson.

My fellow citizens, at the time the great task of enforcing the Conservation Laws was entrusted to the Commission, there came to that body a young man who has been a splendid soldier in the world war and a great mavor of the city of Amarillo, where he won the admiration of the people of Texas by his fearless and successful fight to give the people of that city lower public utility rates and lower taxes. It was at a time soon after the discovery of oil in East Texas, the greatest oil pool in the world. We had no proration laws to guide us and no decisions of any court in the world to

direct our course. It was an unexplored wilderness we had to traverse with no trail or chart to lead us, no one to cast overboard a postport or display a signal. Thus he came to us "like a shower to a summer dried fountain", when our need was the sorest.

Chairman Thompson's opponent has distributed circulars and spoken loudly over the radio about our employees, calling them inefficient, and political dodgers, and they seem especially sore because they found an embalmer and a barber on the force. Most of these criticisms are as "false as dicer's oaths", and without one particle of proof to sustain them or one reason to justify them. They claim we hired all kinds of disreputables besides sheep doctors, undertakers and barbers, and I plead guilty to the charge and will go further and tell you we employed men of almost every vocation. We have ditch-diggers, school teachers, college graduates, rail splitters, farmer boys, drummers, clerks, garage men, and men of almost every calling—they all look alike to us, if they are honest, capable and can do the work required of them. In the oil fields, we need gaugers, guards, inspectors, men to check railroad tank cars and oil trucks, men to watch refineries, men to locate and dig up by-passes, destroy earthen tanks and many other things in addition to Petroleum Engineers and experienced oil operators. We never close the door of hope on a man because he wasn't born with a silver spoon in his mouth.

"The rough hard hand of the Carpenter,  
The delicate hand of the Prince Untried.  
The bold brown hand of the Harvester  
Shall all be upheld with an equal pride.  
And the prize it is his to be crowned or blest,  
Prince or peasant, who bears him best."

That poor embalmer they so loudly made fun of turned out to be a great success. He only worked for us a few months. When a large oil company saw his splendid work and hired him away from us by giving him a much larger salary, where he is now working to the honor of himself and his employer. His name was Bruce Meyer, and happened to be the bright and capable son of our honored and trusted member of the Board of Control, H. C. Meyer. And what do you think of that awful young barber who had the audacity to want to watch an oil tank and dig ditches in the East Texas oil field for the commission instead of cutting whiskers. That fellow was Luther Belew, a Fort Worth barber. I had known him for many years and know him to be one of the best barbers that ever sharpened a razor. I felt like I was depriving the barbers profession of one of its best members, but he wanted to learn the oil business and I wanted to help him. I know you will be glad to hear he made good from the start and now occupies one of the most honored and important positions with the commission. He has charge of one of the largest oil districts in Texas with offices located at Abilene. Go by, when out that way and shake hands with him. He has the confidence, respect and endorsement of every oil operator and landowner in his entire district of 21 counties and as proof of his able services, every county in his district gave Ernest Thompson a majority over his present opponent.

This charge against Ernest Thompson of putting this barber on the commission is utterly false. The appointment was made Sept. 5, 1931, before Ernest Thompson was a member of the commission. I have in my hands the order appointing him, signed by whom do you think, Lon A. Smith, chairman, with Pat. M. Neff and C. V. Terrell, commissioners.

The oil industry, my fellow citizens, brings to the surface of the earth and into the channels of trade and commerce every day in the year \$1,150,000.00 of new wealth because the efficient enforcement of the conservation laws has stabilized the industry and established a price of one dollar per barrel.

No man familiar with the history of Texas under conservation would want to turn the oil fields of Texas back to the days of unbridled waste which robbed many and enriched a few. No man who appreciates the wisdom of the fathers in providing for the education of our children would rob the unborn of their heritage.

The great natural gas lands of Texas are a storehouse of the ideal domestic fuel of the world. Before the enforcement of our conservation laws, one billion feet of natural gas was being wasted every day. This has been stopped.

We have reduced the gas rates in 51 towns in Texas where the consumers are already getting the benefits of reduced rates. We have reduced the gas rates in 108 other towns, but the gas companies have appealed to the courts. But we expect to win a glorious victory over them.

Not one single reason can be given by anyone why any fairminded, patriotic citizen should not vote for Ernest O. Thompson for his second term.

The shippers, the producers and the farmers are for him because of the great reductions we have made in freight rates on livestock, feed-stuff, cotton and all other Texas products.

A few years ago the rate on cotton from Fort Worth, Dallas, and other North Texas towns to the Gulf Ports was \$4.00 a bale; now it has been reduced to about one dollar a bale. That alone is a sufficient reason why every farmer in Texas should cast his vote for Ernest Thompson.

The legitimate truck and bus operators of Texas are for him; labor and the rail carriers are for him, because of his able services in enforcing the laws and regulating these utilities to the best interest of the people of Texas.

98% of the law-abiding oil operators, both independent and majors, are for him, because we have enforced the laws, stopped hot oil, stabilized the industry, and thereby raised the price from ten cents to over \$1.00 a barrel. By holding the production down in all the fields in Texas, and by preventing waste of this great natural resource, we have averted ten cent oil and saved many of the banks in Texas and all of the independent oil operators and landowners from bankruptcy and utter ruin. A return of one half billion dollars a day into Texas for oil alone, is over \$80.00 per capita, or \$400.00 for each family in Texas, and is an achievement worthy of the praise and plaudits of all good, patriotic citizens of Texas.

The railroad men of Texas have endorsed him; the truck and bus men have endorsed him, the Independent Oil Association of America; the Independent Oil Association of Texas; the Independent Oil Association of North Texas, and the Independents of Cisco, Wichita Falls, and Beaumont have all endorsed him.

The courageous fight, we made in Washington, defeating Federal control of the oil industry, is enough alone to make him one of the outstanding citizens of this nation.

During the past four and a half (4½) years, no man in this state in all history, has done so much for Texas as Ernest O. Thompson, and yet no man in Texas, unless it was General Sam Houston or Governor James S. Hogg, has been so maligned and slandered. I read in history of the vituperation and slander that was heaped upon the greatest of all our heroes, General Houston. I was a delegate to the Car-shed Convention that nominated Governor Hogg. Then I went home and made speeches for him and I know the bitterness and slander in that celebrated campaign. I have just about come to the conclusion that no one who really does great things can escape the venomous tongue of the slanderer. But, my friends, the Savior, our Lord, condemned these four-mouthed muck-rakers and assassins of character, when he said: "Beware of false prophets who come to you in sheep clothing but inwardly are ravenous wolves. Do men gather grapes from thorns or figs from thistles? Wherefore, by their fruits ye shall know them."

But my friends, in addition to his superior and preeminent qualifications and service, there is another impelling reason why all patriotic citizens should support him. Colonel Thompson, for bravery and gallantry on the battle field of France, was promoted by General Pershing to Lieutenant Colonel, the youngest colonel in all of the United States Forces.

In this Centennial Year, when the fire of patriotism has been kindled anew in our hearts, we should all rededicate our lives to the sacred duty of preserving these great principles of democracy and liberty bequeathed to us by our fathers. May I say that during the World War I was chairman of the exemption board in Wise County and sent those young heroes to war. I had

a son and four nephews in the service. I remember the many anxious days and nights we all spent in solicitude for their lives; how we prayed that the "Leaden Messengers of Death that flew upon the velvet wings of the wind would fly with false aim, and pierce not their young hearts." How we rejoiced all day long on Armistice Day for the safety of our boys and for the great victory, for liberty and freedom. This young man, Ernest Thompson, in the mud and in the rain in France at daybreak, went over the top and led his comrades and risked his life for you and for me.

#### TEXAS MINERAL BOARD

The Texas Mineral Board is composed of the governor, its chairman, and the land commissioner and the chairman of the railroad commission. In 1937 Governor James V. Allred called me over the phone and asked for a meeting of the Mineral Board in his office. When I arrived he and former land commissioner James Walker were in the room. The governor asked me if I knew about the two deep oil tests in the Kemp-Monger-Allen oil field in Wichita County. I said only casually. He said "they are both fine wells, and only a short distance from the Big Wichita River bed which oil belongs to the public schools and our Mineral Board is charged with the duty of selling or leasing it, but our land commissioner, he said, has released this river bed land for one dollar an acre. I suggested that we should have the lease cancelled and lease it ourselves, to this he agreed. He then called the land commissioner and H. C. Bishop, the board secretary, and Mr. Walker retired from the room. After a few words between the governor and the land commissioner the record shows that the governor made a motion that we the Mineral Board in writing request the Attorney General of Texas to bring suit to cancel the leases that we thought were illegally made. I seconded the motion. The governor put the motion and he and I voted EYE and the records show that the Land Commissioner voted NO. Suit was filed and soon after I received another ring from the governor and he said we had been offered a compromise in the suit that he believed would enable the public school fund to get at least a million dollars. I asked him what the attorney general thought about gaining the law suit and he said he thought he could gain it but as most all suits are more or less doubtful he would not say absolutely that he could. I then suggested that we horse trade a little, you tell them that Terrell thinks we should have more. The Governor agreed. Later on he called me again and said they had offered a compromise that would likely make the school fund two million dollars. I then said "let's accept it". He agreed and the compromise was affected, and we felt sure eventually we will get well over two million dollars instead of about three hundred dollars. It is my guess that Mr. Walker who was then representing the University of Texas, handling their land and oil and gas leases put Governor Allred on to the release. Since then I have always had a high opinion of Governor Allred because

he could have remained silent and obtained probably a million dollars for doing so, but as all honest public officials should do, he preferred to do his duty rather than graft and deprive our public school fund of that amount.

### GAS UTILITY DEPARTMENT

The Gas Utility Law, (known as the Cox Bill), regulating gas utilities in Texas became effective September 16, 1920, four years before I became a member of the Texas Railroad Commission. Under that law the Railroad Commission was charged with the duty of regulating the new industry, and to fix rates the users of natural gas should pay for same. The first order of the commission signed by me as a commissioner was where we reduced the rates charged by the Municipal Gas Company of Sherman, Texas. I helped hold the hearing and it was issued largely to protect the schools of that city. Then after hearings, we issued orders reducing the annual rates in the following towns and cities: McKinney, Dallas, Rising Star, Brownwood, Brady, Texarkana, Jake Hamon School District and McLean—of the following gas companies:

1—Lone Star Gas Company serving 275 cities and towns amounting to .....	\$1,000,000
2—Public Service Corporation .....	20,000
3—Community Natural Gas Co. (Sherman).....	28,000
4—Community Natural Gas Co. (Wichita Falls).....	42,000
5—Texas City Natural Gas Co. (Waco).....	55,000
6—Community Natural Gas Co. (Denton).....	28,000
7—Lone Star Gas Co. (Fort Worth).....	350,000

Total reduction to consumers.....\$1,523,000

Then at a later date we reduced the gas rates to the consumers of gas of the following companies furnishing natural gas:

1—The United Gas Co. (Laredo).....\$	25,000
and refund to the city of Laredo.....	120,000
2—Texas Gas Utility Company serving cities.....	10,000
3—Dalhart Gas Co. (Dalhart).....	8,500
refund to the city of Dalhart.....	8,000
4—West Texas Gas Company (serving 42 towns and cities) .....	275,000
5—United & Public Service Company (San Antonio)....	120,000
6—Southwest Natural Gas Company (serving 6 towns) and refund to Cuero of .....	27,000
	14,000

Total .....\$ 605,000

Making a grand total of.....\$1,523,000 saved to the consumers of gas.

The commission also has reduced the rates to the consuming public on the United Gas System operating about 4000 miles of pipe lines and serving 130 cities and towns, the Rio Grande Valley Gas Company operating about 200 miles of pipe lines and serving 15 cities and towns. All of the above orders of the Texas Railroad Commission were issued while I was a member of the commission or its chairman.

Since I retired from the commission about 8 years ago, I have not noticed in the papers, not heard of any orders by the commission reducing gas rates or changing the above orders. If there are none it undoubtedly is a tacit admission that none were necessary. That the present commission, the city and town counsels, and the public using natural gas believed that the above orders are fair and just. No finer compliment could be paid the old commission than their act of silence. Surely some action would have been taken if they thought it were needed. I deem it proper to give due credit to our employees who worked so faithfully to bring about the above results, viz: Clifford Stone, Laten Stanberry, F. L. Kuykendall, Will Fitzhugh, Olin Culberson, Dave Henderson, Will Wirtz and many others who worked in the department.

### ANOTHER INCIDENT

One morning as I was about to leave the lobby of the Austin Hotel, Bob Stewart, an old Wise County friend, but now of Oklahoma City, came up behind me and put his arm around me and said "I have a friend out here on the sidewalk I want you to meet". We went on out and he introduced me to Dr. H. G. Bennett, and said Dr. Bennett was president of A. & M. College of Oklahoma at Stillwell. I remarked to the doctor that Bob and I were good friends both being from Wise County. The doctor then said every time I pass through Decatur I always lift my hat, because I was born there. I then asked him if he was in anyway related to Dr. Bennett who used to be the Baptist pastor there about 50 or more years ago, and he said "Yes, he was my rather." I said 54 years ago Dr. Bennett married me and Mrs. Terrell in the old wooden Decatur Baptist Church, just under the hill north of the public square.

### WILL ROGERS MEMORIAL CELEBRATION AT AMARILLO

When Amarillo gave a celebration in memory of the lamented Will Rogers all of the state officials were invited and many of us attended. There were also many of the Hollywood stars there. Will Rogers, Jr. was there, Gene Autry, Monta Blue, Tex Ritter and others.

They gave an elaborate banquet and had a long and imposing

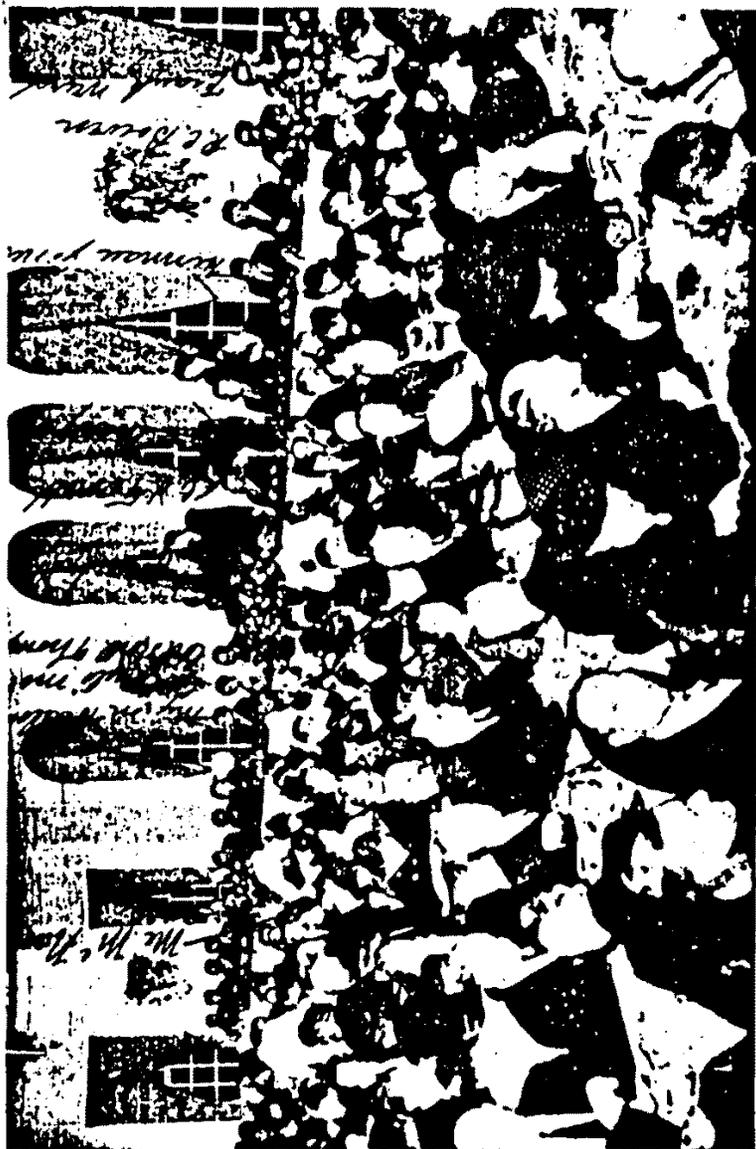
parade. A good friend of mine up there furnished me a beautiful saddle horse and I rode in the parade. I recall I was just behind Will Jr. and rode by the side of Tex Ritter. When introduced to Tex he asked me if I were related to Jno. Terrell who attended the University of Texas and who played on the football team. I told him there were several John Terrells at the University. He then said we called him Dallas Terrell. I then told him yes I was his father. He said they were close friends in College, and he asked me where he lived. I told him in Houston and he then said he would hunt him up when he next visited Houston.



C. V. Terrell in Parade at Memorial Celebration of Will Rogers Memorial

## APPRECIATIVE BANQUET AT FORT WORTH

My friends throughout the state decided to give me an appreciative banquet at some place in the state, and finally decided it should be held at Fort Worth near Decatur where I was born and raised and they selected the Texas Hotel as the place to hold it. It was first started by the bus and truck men of the state, but I suggested that all the industries, the railroad commission supervised should be invited to take part in the affair. That included the rail carriers, oil and gas people, pipe lines, and gas utilities, and all shippers of freight. They all took an active part in fostering the banquet. They sent out invitations to many of my friends throughout the state. They consulted me in regard to it, but I told them to go ahead and run it and use their judgment. They selected Ex-Adjutant General of the State, Gen. Mark McGee, as the Toast Master and he as usual made a jam up good one. I supposed it would be attended by a hundred or more friends, but the manager in charge was agreeably surprised as it turned out to be the largest attended banquet ever given any one in Texas. There were 1840 people present that took part in the festivities, with an overflow of over 300 who could get no table room. I was highly gratified and honored by so many of my friends attending. It was my desire for Mrs. Terrell to attend and sit by my side as an honor guest, but for some reason she could not attend, but suggested that our daughter, Mrs. Frank Ward go and take her place, so Margaret sat by my side at the banquet table. The large banquet hall comprising the entire top floor of the hotel was filled with tables and people. All the smaller halls were filled and many tables were spread in the various private rooms of the hotel. There were so many good friends that took charge of and assisted in making it a success that I hesitate to mention any of their names for fear I might leave out so many that worked hard for its success. But I do want all who gave assistance in making it so eminently successful as well as all who attended the banquet to know that I deeply appreciate what they did and shall never forget them because it was a great success from every view point. I know it honored me far beyond anything I deserved. However, it was one of the bright spots in my life and I know I do not want to fail to always be grateful to every one who was there and those who assisted in the great undertaking. I am sure I value my friends as highly as anyone but who wouldn't after such a banquet.



Appreciative Banquet given C. V. Terrell at Fort Worth

Friends unveiled my portrait at Denton and published a booklet from which the following is reproduced:

FOREWORD

"It is quite possible that the subject of these pages is a puzzle to the toplofty and the merely clever. For in this instance a man has retained the candor, the honesty and the clarity of a child. Such success as is honored here is a success of character; such wisdom is a virtue preserved rather than a faculty acquired. It was of such gumption that a great Englishman has written that "it is the whole and solid road and the worthy beginning of the life of man; and it is man who afterwards darkens it with dreams and goes away from it in self-deception."

From that solid road, Charles Vernon Terrell has never gone away. It is the source of his enthusiasm, his unflagging love for life, his unconcern with subtlety, his unabashed sentiment and his fierce jealousy of his honor as a man. All very boyish, all very simple and all very successful. For if the cynic is right in nine chapters, he is wrong in the tenth: men do honor integrity, character is indispensable and the true child of nature is always beloved.

And so because of his effection for youth and his great part in the establishment of the institution, a portrait was made for North Texas State Teachers College; and there gathered for its unveiling the friends of a lifetime. This feeble foreword is no attempt to keep company with the eloquence of that occasion.

But something comes to mind and it is this: Not so long ago a seemingly impossible situation arose in the East Texas oil fields and there came the crisis of his official career. Men frantic with fear and suspicion hurled desperate charges involving the honor of members of the Railroad Commission. Those not familiar with the heartbreaking problems faced by the Commission very humanly gave ear to scandal and there was voiced the old cynicism that every man has his price. It was then that one who had known him always said: "Vernon Terrell is honest; he has always been honest; they cannot change him now."

That Doric sentence is the story of a life, the secret of a unique popular confidence and the inspiration of the affectionate oratory at Denton."

PAUL LEEPER.

SALUTATORY

October 28, 1936.

Judge C. V. Terrell,  
Railroad Commissioner,  
Austin, Texas.

Dear Judge Terrell:

Every friend of education is indebted to you because you have always been a staunch supporter of every measure that tends to improve educational opportunities and facilities.

The tribute to be paid you next Monday, November 2nd, when your portrait is to be presented to the North Texas State Teachers College will be small compared to your contribution to education. If your picture were placed in every school that has been benefited as a result of your work, it would be found in every public school in Texas.

Your introduction of the bill and passage of the law creating the North Texas State Teachers College is but one of the many things you did while a member of the Texas Senate which helped promote education. As a result of your work as Railroad Commissioner, especially in the conservation of oil and gas, millions of dollars in revenue have been saved, which saving has inured to the benefit of the school children of Texas, as well as A. & M. College, Texas University and other institutions of higher learning. The people of Texas are proud of your achievements.

We are grateful to you, not only for the services you have rendered the state as a whole, but for a more personal reason. In 1923, when you were

State Treasurer, you conceived the plan of dividing one full time job into two parts and giving half-time employment to two students, thereby enabling two students to work one-half day each and go to school the other half. You were the first state official to put this plan into operation and we were the first two students so employed. If it had not been for your great desire to assist boys and girls in obtaining an education, and if we could not have found employment elsewhere, we could not have attended the University.

Since 1923 your plan has been adopted by the other State Departments in Texas, as well as the State Departments of other states and in the various departments of our National government in Washington. As time goes on this beneficent plan will continue to grow until multiplied thousands of young men and young women will be enabled to work their way through college and thereby equip themselves to become more useful citizens and through an enlightened citizenship build up the honor and glory of our nation. We deeply appreciate the help you gave us at a time when it was so badly needed.

We join the many, many thousands of people in Texas in congratulating you upon the honor to be bestowed upon you next Monday and in wishing you continued success and happiness.

Yours very truly,  
MRS. DAWSON DUNCAN,  
(nee) Bess Janes Logan,  
Austin, Texas.  
F. L. KUYKENDALL,  
Austin, Texas.

HONORABLE FRED H. MINOR, Denton, Presiding

Mr. President, Ladies and Gentlemen:

You are doubtless already aware of the purposes for which this great assemblage has gathered on this occasion. We meet today to pay tribute to a distinguished citizen of our State, and as a part of the ceremonies of the occasion to receive a painted portrait as a gift from the friends and employees of the honoree to the Board of Regents of this great institution. Thirty-seven years ago Judge Terrell, then a member of the State Senate, introduced the bill which converted this College into a State-supported institution. From a small beginning it has grown until today it is the largest State-supported Teachers College in the entire country. It was by virtue of the wisdom and foresight of such men as Judge Terrell that this great educational institution has been created and developed. Today it is known throughout the educational world as an outstanding Teachers College.

For half a century Judge Terrell has rendered outstanding and unselfish service to the people of his State. He has made for himself an enviable record of public service, and during all of that long period of time no man has risen to question the honesty, the integrity, or the sincerity of purpose of this distinguished public servant, and this serves to make his a perfect record. This great assemblage, representing every section of our great State, evidences the universal esteem in which Judge Terrell is held by his fellow-citizens.

We gladly join today to pay a just and well deserved tribute to the record and character of a great man.

The following telegram was then read:

Due to professional engagements regret inability to attend unveiling portrait Hon. C. V. Terrell who as State Senator rendered invaluable services to State and education in establishment North Texas State Teachers College. This is justly deserved tribute to honor a distinguished public official.

JOHN F. THOMAS,  
Lawton, Okla.

Excerpt from Address of Hon. A. C. Owsley of Denton:

"It was not an easy matter to get the bill through both houses as it was a hard that lasted six weeks, but at last we won out. You fully com-

plied with your promise to the people of Denton. You introduced the bill and stayed with it; we appreciate what you did. You were instrumental in creating a great institution that has already proven a great blessing to the State of Texas and will continue to be a blessing as long as the State of Texas shall continue to exist. You are worthy of all the honor that has been bestowed upon you and deserve all the good things that have been said of you."

The following telegrams were then read:

Regret not being present to pay honor to a noble citizen and public servant.  
JAMES V. ALLRED,  
HERMAN JONES,  
Carlsbad, New Mexico.

My inability to participate in services honoring C. V. Terrell is a matter of great regret to me. I consider him one of our most distinguished officials and greatest citizens.

Excerpt from "The Longview Daily News" Editorial:

It is better to keep in touch and sympathy with the young man and the young woman than to retain one's own youth, that evanescent chimeras which Ponce de Leon vainly gave his life the keep, which has been the fond goal of too many otherwise sage and useful men. C. V. Terrell today enjoys a youthful outlook in conjunction with the wisdom which befits his years. Who can doubt that his is the fuller meed of worth?

All Texas pays tribute to Judge Terrell with North Texas State Teachers College. Never were honors more worthily bestowed and, it is safe to say, more modestly received.

C. V. Terrell, your state salutes you!

CARL L. ESTES.

Excerpt from Address of Colonel Ernest O. Thompson:

The name C. V. Terrell always was to me a sign of honor and high regard, but during these more than four years of the closest kind of association through some trials and vicissitudes of administering a very recalcitrant industry during perilous times when all about us men were blaming the Railroad Commission for their own economic faults and lawlessness, I have come to love Judge Terrell just like a son loves his own father. I know he would not knowingly do wrong. He is the most cautious and careful and painstaking man I ever knew. He wants to do right himself, and he intends always to require that others also do the right and lawful thing.

What an inspiration his life is to all who contact him, and his contacts are wide and varied.

Lawyer, Judge, Soldier, Statesman, hunter, fisherman and football enthusiast.

Excerpt from Address of Honorable McDonald Meachum of Houston:

Not long ago I stood in the tower of London and saw the gorgeous jewels that had graced the English monarchs since the time of William the Conqueror in 1066. I saw there the jeweled scepter which is the emblem of power and authority wielded by kings, and as I stood there and gazed at these priceless jewels the thought came to me that mine was the blessed privilege, as it is each of yours, to live in a land where the humblest citizen might not depend on a royal robe or noble birth for his right to honor and acclaim. This program today, and the honor we are bestowing on Vernon Terrell is representative of that fact. Vernon Terrell rose from a humble boy to fame. Whether you consider him as a country boy working behind the counter in the village store, or see him as he made the long drive with oxen to Dallas, look at him as County Attorney of Wise County, District Attorney, Democratic Committeeman, State Treasurer, or member of that august body, the Texas Railroad Commission, you see him as a man without a blemish, and if he lives to be a hundred, the same will be said about him.

Part of remarks by Dr. McConnell:

Dr. McConnell remarked that as County Judge, C. V. Terrell signed his first teacher's certificate.



Senator McDonald Meacham

"North Texas State Teachers College now grants more degrees, transcribes more credits, and registers more students than any other teachers college in the United States," Dr. McConnell stated. "The great number of graduate students that we enroll is indicative of the fact that we are here enacting the function for which the school was planned. At the first we only had four years of sub-collegiate work, but now we start with the nursery, continue through kindergarten, grammar school, high school, four years of college work, and one year of graduate work. No other school of like nature in the United States compares to N.T.S.T.C., in graduate work. Our first year's enrollment of graduate students surpassed that of more than 1000 other colleges of like nature, or more than one-half of those in the country," Dr. McConnell said. "Judge Terrell should feel a glow of pride in these figures, to know that the institution has done so well.

Address of Honorable Clarence R. Wharton of Houston, presenting the

Portrait:

Ladies and Gentlemen:

The occasion is designed to do honor to Charles Vernon Terrell, an illustrious son of Texas, who was born on the margin of these cross-timbers many years ago.

I cannot remember a time I did not know Vernon Terrell. We grew up together in the hill country to the west where we first saw the light of day. His father and mine were pioneers and were in the Indian wars which were waged for the mastery of these hills and valleys. It was a harsh, cruel period in which we were born, and with no volition of ours we were thrust into life on a bloody border. The Confederacy had fallen and our people had returned from war to a desolate land. It was the day of the Carpet Bagger, the cruel, corrupt era of Reconstruction. The Indians were making their last stand for the land of their fathers. There were few schools, no colleges. But it was a generation of courageous, self-reliant people, who never knew the degenerate influence of governmental bounties. No one told us we were forgotten men, though we half-way suspected it, and went into action on

our own momentum and sought to improve our own fortunes.

We were sitting together in the little village of Cottdale when the semi-weekly Dallas news came with the information that the State Democratic Convention had just nominated Sul Ross for Governor and a young East Texas lawyer named James Stephen Hogg for Attorney General.

Forty-one years ago the law firm of Terrell and Wharton was organized in the old town of Decatur, and we began our professional careers with high hopes but little learning.

Forty years ago, after long, earnest conferences, it was decided that he should run for the State Senate in the old 31st District, which embraced the counties of Wise, Denton, and Montague. I was to stay at home and attend to our law practice which was grossing us about \$600 a year. But I found time to go with him on his visits to the outlying counties, and we came to Denton the very day that the cyclone of 1896 ripped across the prairie just west of town.

In the late summer of that year after he had received the requisite vote in the primaries to assure his nomination, the Senatorial Convention was held in Denton and I was a delegate from Wise. Frank Ford and I left Decatur late on a summer afternoon to drive to Denton, and out on the hills we saw some beautiful little civet cats disporting themselves. We were but boys and could not resist the temptation to chase them, and having tied our buggy horse to a fence, were off after them with rocks. In the excitement of the chase our zeal outran our discretion, and we got closer to them than we intended, with the usual result when one takes liberties with a polecat. We had not brought a change of clothes—I am not sure we had one at home. The next day I was chosen to preside over the Senatorial Convention, and when the delegates came near enough to address the Chair they had to hold their noses. It was recognized that there was a strong delegation from Wise.

In 1896 Vernon and I shook off the obligations of our law practice long enough to stump the cross-timbers counties for the Democratic ticket headed by Bryan, the "Boy Orator of the Platte."

Mr. Terrell sat in the Senate in the 25th and 26th Legislatures, and made a statewide name for himself, and Terrell became a household word in Texas. It was he who introduced the bill which provided for the creation of this great institution, and he may be called the Father of the Denton Normal. He has founded and helped maintain this splendid college so that boys and girls of a later day may enjoy advantages that were denied him.

Vernon Terrell has given his life to the public service in Texas, and there is no man living who can point to a dishonest act in his long career. It has been a life of sacrifice, for he has neglected his own affairs, even his own family, for the public service. Twice in his career he could have been easily nominated and elected Governor of Texas, but his modesty led him to seek an humbler office. Today he is the senior member of a great Commission whose powers and duties are more varied and exacting than any similar Board in the United States.

Although we separated long ago, our friendship has endured for these four decades, and often I have traveled across the State to tell him my troubles and he has come hundreds of miles to counsel with me about his. During these years we have shared each other's joys and sorrows. I have loved him for his great character and he has loved me despite my imperfections. And now, Vernon, we are growing old, our children are mature men and women and our grandchildren are growing up about us. Side by side we will go down into the twilight—thread the cloud aisles of the sunset. We have seen great changes in our time. The men of our boyhood are scattered and gone—Patterson and Carswell, Piner and Emory Smith, and the sainted Tully A. Fuller have long since passed away. New generations have arisen about us who do not know the terrors of the bloody border on which we were born or the poverty of the Reconstruction era in which we spent our boyhood or the obstacles we and those of our day had to surmount. When the history of Texas shall have been finished and the story of its illustrious sons has reached its last chapter, no name will be more worthy, no career more unsullied, than that of Charles Vernon Terrell.

"From such as he our country's grandeur springs  
That makes it loved at home, revered abroad.  
Princes and Lords are but the breath of kings,  
An honest man is the noblest work of God."



Chas. Vernon Terrell

At the conclusion of Judge Wharton's address the portrait was unveiled, the entire audience arising and applauding.

Hon. Thos. H. Ball of Houston, accepting the Portrait in behalf of the Board of Regents:

"It is now my pleasant duty and privilege as President of the Board of Regents of the Texas State Teachers' College to accept the portrait of Judge Terrell, which has just been unveiled, and to say to him whose friendship I have enjoyed for more than a quarter of a century, and who throughout his long career in public and private life has carried on with modesty and fidelity, which few equal and none excell and who can now look back upon the record he has made; that he has impressed it so as to bring to all who know him the knowledge that upon his breast has ever been worn "The white flower of a blameless life."

Without self conceit which is despicable, but with self esteem which is commendable, he has carried on throughout the years of his useful life, and it is my pleasure to assure him that the portrait which has been presented will bear an honored place upon the walls of this institution; that he will be remembered throughout all the years to come as a man, citizen and official whose career has been a benediction to the State, and a distinct contribution to the cause of education, to which we must look as our chief



Clarence R. Wharton

reliance in successfully maintaining a government which must rely upon its people in all ranks of life to conduct its affairs in a manner worthy of those who gave liberty to our nation and to Texas, whose independence and century of progress is being celebrated during this centennial year."

#### PRESS COMMENTS

Chas. V. Terrell, class of '82, veteran member of the Texas Railroad Commission, was highly honored recently at the North Texas State Teachers' College in recognition of his introducing a bill in the Texas Senate in 1899 creating North Texas State Teachers College. A beautiful oil portrait was unveiled at the ceremony. Presentation of the painting was made by Clarence R. Wharton, of Houston, representing Governor James V. Allred. Mr. Terrell has been active in Texas political life for many years and is one of the state's most highly regarded public figures. He is a member of the Association of Former Students and during his long lifetime has been an active and enthusiastic A. & M. man.—The Battalion—A. & M. College.

He originated the idea of half-time jobs at the Capitol so that University students might have work in their free hours. Under the system, the appropriation for a job is divided into two or three parts, and students are given the positions as part pay.—The Daily Texan—U. of Texas.

Editorials were published by the following newspapers:  
The Campus Chat, North Texas State Teachers College.  
Palestine Herald, Palestine.

Austin American, Austin.  
Dallas Journal, Dallas.  
The Frankston Citizen, Frankston.  
The Daily & Weekly Register, Gainesville.  
The Leader-News, Uvalde.  
Greenville Evening Banner, Greenville.  
Dallas News, Dallas.  
Longview Daily News, Longview.  
Bryan Daily Eagle, Bryan.  
Denton Record-Chronicle, Denton.  
The Houston Press, Houston.  
The Houston Post, Houston.  
Fort Worth Star-Telegram, Fort Worth.  
Fort Worth Press, Fort Worth.

The following letters and telegrams were received:

As a citizen of Texas let me thank you for the high honor which you pay Mr. Terrell whose long and continuous record of efficient patriotic public service should be an inspiration to on-coming generations and merits the highest commendation and gratitude of our entire citizenship stop. My congratulations to your school for tendering proper recognition to an outstanding living citizen and public official.

MYRON G. BLALOCK, National  
Democratic Committeeman, Marshall, Texas.

I am taking this opportunity to express our appreciation of your illustrious record as a public servant stop. Few Texans have contributed as much to the advancement of their state's best interest and your record will stand as an inspiration to future generations.

MARION MARTIN, Houston, Texas.

Excerpts from letters:

"It is gratifying to see the accomplishments of Judge Terrell recognized in such a fitting way."

H. C. WIESS, Executive Vice-President,  
Humble Oil and Refining Co., Houston.

"As a member of the Board of Regents, and because I number you among my best friends, I want to tell you how pleased I am that the Denton College is honoring all the Teachers Colleges by placing a portrait of you in the Denton College Library."

J. E. JOSEY, Chairman of Board,  
The Houston Post.

"I know that you are proud of the distinction being conferred upon you and your friends are all proud with you."

ROY B. JONES, President, Panhandle  
Refining Company, Wichita Falls, Texas.

"I have followed your career with admiration, and shall follow the proceedings at Denton with pleasure."

MRS. CECIL SMITH (Mary Wade Smith),  
Sherman, Texas.

"The State of Texas should be proud of your record, and the oil industry should not be unmindful of the debt of gratitude which they owe you."

JOHN R. SUMAN, Houston, Texas.

"I take this occasion to express to you my deep regret in not being able to attend the ceremony in Denton, on yesterday, honoring you. Quite frankly, based upon the service that you have rendered this state, I think you are entitled to all the honor and then more."

H. MASTON NIXON, Corpus Christi, Texas.

"The purpose of this letter, however, is to express my very great gratification that the program is being given in your honor. Surely there is no

man in Texas whose public service and whose personal life merits an honor of this kind more than you. Texas badly needs more men like C. V. Terrell, whose lives are dedicated to public service and the good of the State."

CARL B. CALLAWAY,  
Callaway and Reed, Dallas, Texas.

"Not only your friends who served with you in the Legislature during the years of your service in the Senate, and those who know you best, but all the people of Texas appreciate now what you did towards the creation of the wonderful North Texas State Teachers' College."

W. W. TURNEY,  
Turney, Burgett, Culwell & Pollard,  
El Paso, Texas.

"Although I shall be absent on this most auspicious occasion, I shall be thinking of the Honoree of this occasion, whom I have loved all these years and for whose splendid public service I have always been most deeply grateful. Nothing in the world would afford me more pleasure than to join his other friends in attending these exercises which are most appropriate in his honor."

BEN H. POWELL,  
Powell, Wirtz, Rauhut & Gideon,  
Austin, Texas.

"I have known Charles Vernon Terrell since our college days at the A. & M. College of Texas, and during all these years, I have kept up with his valuable service, and it is my undoubted judgment that there is no man in public position in Texas that is more worthy and deserving."

T. D. ROWELL, Sr.,  
Rowell & Rowell, Jefferson, Texas.

Telegrams and letters were also received from the following people:

W. E. Maxson, Galveston, Texas; Joe E. Carrington, Austin, Texas; Rev. L. S. Cole, V. V. Bailey, T. G. Jeter, County Judge; T. W. McGill, District Clerk; Father William H. Oberste, Ira Heard, Sheriff; J. L. Jones, J. J. O'Brien, J. M. O'Brien, L. R. Jeter, Major; Clarence Turman, J. P. Pool, all of Refugio, Texas; J. H. Hughett, Carl Phinney, Dallas, Texas; Frank Heafer, Houston, Texas; Gordon Griffin, Austin, Texas; E. E. Brown, Mayor, Edinburg, Texas; Sam Botts, Mayor of Harlingen, Texas; Harold H. Dietz, President, Palestine Chamber of Commerce, Palestine, Texas; Ned B. Morris, Jr., Chairman East Texas Oil Land Association, Palestine, Texas; R. B. Rentfro, Mayor of Brownsville, Texas; Albert Martin, Mayor of Laredo, Texas; Karl A. Crowley, Solicitor, Washington, D. C.; W. W. Callan, President, Central Freight Line, Inc., Waco, Texas; H. G. Giles, Mayor, Corpus Christi, Texas; Byrd Harris, Corpus Christi, Texas; J. K. Hughes, Mexia, Texas; Elbert Hooper, Austin, Texas; Dillard R. Simpson, Dallas, Texas; R. L. Wheelock, Corsicana, Texas; S. G. Reed, Houston, Texas; J. A. Elkins, Houston, Texas; John E. Hill, Amarillo, Texas; Chas. I. Francis, Vinson, Elkins, Weems & Francis, Houston, Texas; I. Scott McConnell, Armour and Company, Fort Worth, Texas; J. P. Pool, Presiding Judge, 4th Administrative, Judicial Dist., Victoria, Texas; C. K. Quin, Mayor, San Antonio, Texas; M. A. Childers, San Antonio, Texas; Rawlins M. Colquitt, Rep., Dallas, Texas; F. L. Hawkins, Judge, Court of Criminal Appeals, Austin, Texas.



Top row: Mr. and Mrs. Tully V. Terrell. Middle row: John P. Terrell, Miss Jane Terrell and Mrs. John P. Terrell. Bottom row: Mrs. Frank Ward, Frank Truett Ward, and Frank Ward, Sr.



C. V. Terrell Family  
Left to right sitting: Mrs. C. V. Terrell and C. V. Terrell.  
Standing: Tully and John Terrell.

EDITORIAL IN THE HOUSTON POST  
September 21, 1938

LAST OF THE TERRELS

The retirement of C. V. Terrell from the chairmanship of the state railroad commission foreshadows the passing of a figure from the Texas political picture in which he has been prominent for half a century.

Mr. Terrell has been a member of the railroad commission for 14 years. He signed the first proration order limiting the production of Texas petroleum, and has been a storm center in the perennial strife over the regulation of the greatest wealth producing industry in the leading oil state since the vast East Texas field began to flood the market nearly eight years ago. In this endeavor he has participated in the writing of economic history which school children of the Twenty-first century may be required to learn.

During much of his tenure of office Mr. Terrell usually has voted with the majority of the commission, especially when the proration and kindred controversies have had a tendency to cause cleavage; with Lon Smith when Clarence Gilmore and Pat Neff were the minority members, and then when Ernest O. Thompson succeeded Neff and began working in harmony with Terrell, and Smith became the minority. Thus Mr. Terrell has been on the positive, prevailing side of most of the far-reaching actions taken by the commission since he has been a member.

Mr. Terrell sought reelection this year, but, as he says, "the herd got stampeded and we couldn't stop them."

Having attained the ripe age of nearly four-score years, Mr. Terrell will soon retire to a well earned rest with the good wishes of hosts of friends, the last of a number of public officials whose services and accomplishments have made the name of Terrell the leading vote-getter in Texas elections of the twentieth century.

A LETTER BY EX-CONGRESSMAN HON. JOE H. EAGLE  
Houston, December 2, 1938

Honorable C. V. Terrell  
Austin, Texas

Dear Old Friend:

It was a real pleasure to me to read in this morning's Houston Post, an interesting article about you. What a life! What a record! Over one-half a century holding public office—without one broken promise, without one false statement, without one single blot upon a clean conscientious, diligent, useful, creditable record—an ornament to your family, a pride to your friends and your state!

We "played the game square" in your and my day and time—didn't we, old friend? We said what we thought, we voted for the public good rather than the class advantage. We told God's truth to all men—whether it were pleasing or not—thus our spirits were free as the air of heaven, and thus when we retire we have the benediction of honest men and the consolation of unsullied honor. We have come into a new day—wherein such primary virtues are the exception.

Now, in your age and again in your private life, you walk the highway of the king—on which no eye will look at you in contempt, but all eyes will feel respect for a clean and a noble life, and we who really knew the manner of man you are and always have been will look upon you, as always, with eyes of affection.

With every good wish, cordially yours,

(Signed) Joe H. Eagle



C. V. Terrell



Mrs. C. V. Terrell

## CLOSING CHAPTER

For more than a half a century Mrs. Terrell and I have walked side by side, hand in hand up and down the winding trail of life together. Sometimes in the valleys and sometimes on the mountain tops, much sunshine and some stormy weather. I am a little surprised that any woman could live with me that long, and I know her trials have been many; but my life has been blessed with contentment and much happiness.

Our three children that we have raised, Tully Vernon, John Preston and Margaret, have all been dutiful, obedient and fine characters. None of them has ever given us any trouble and we are proud of and thankful for every one of them. Tully Vernon married Miss Adah Smith of Corsicana, Texas, who was a teacher in the public school at New Gulf, Texas, where they now reside. They have no children. John Preston married Miss Louise Thompson of Greenville, Texas, whom he met while they were both attending the University of Texas. They have only one child, a daughter fourteen years old, Cornelia Jane. All four of her grand parents think she is, and she really is a fine girl.

Margaret married Frank Ward of Decatur, Texas, and they have only one son Frank Truett. He is eighteen years old, passed the examination for the army and has been inducted into the service. He is over six feet tall, good looking and a fine young man. August the 9th, 1893, in the little wooden Baptist Church north of the public square of Decatur, Texas, Mrs. Terrell then Miss Etta May, and I walked down the aisle in step with the wedding march and were married by the pastor of the church, Dr. James H. Bennett. She was one of the teachers in the Decatur public school and I was county attorney of Wise County. It occurred at 11 A. M. and we took the train at 11:30 A. M. for Colorado Springs, Colorado.

The small church was filled with curious and loving friends and all the windows and doors were crowded with people anxious to see the show. I was almost literally scared to death, nervous and trembling. She was calm, composed and beautiful. We were so anxious to surprise everyone that we made the announcement only a short time before the wedding, but it in some way got out and my mother heard about it before I told her. It broke her heart because I did not tell her first which I should have done and really intended to do. But like all mothers after I explained it to her she forgave me and prayed for our success and happiness. I owe so much to my mother and my wife that I give them joint praise for so patiently bearing with me through all the years. Surely they were the two best women in the world. My mother has been gone nearly a quarter of a century. I am eighty-

five and my wife is 79. We both are walking down the trail toward the setting sun. We can plainly see just above the horizon, the purple rimmed clouds that are so beautiful beckening us on. The Lord and the people have been so good to us that we are grateful and humbly thankful. In joy and in sorrow, somehow we have felt like the arms of our Savior were around and about us, and that He was caring for us.

"I know not where His Isles shall lift  
Their froned Palms in air;  
I only know we cannot drift  
Beyond His love and care."

I remember so well, and can never forget, that at night when my wife would put the "Kids" to bed, and tuck them in from the cold, she would always kiss each one of them, and the only audible prayer she uttered for their safety was, softly she would say "Good Night, Sweet Dreams."

THE ANCESTORS and DESCENDANTS of (C.V.) CHARLES VERNON TERRELL Decatur, Texas

October 1987

Dicken  
Page

- 75 WILLIAM TERRELL d 1727 or 1743 m SUSANNAH WATERS (cousins)
- 72 JAMES TERRELL ca 1700/05 - ca 1772 m Margaret d ca 1772  
Caroline Co. Va.
- 7/29/1761 Granted 700 Acres in Granville Co. N.C.  
1764 James sold this same land to his Brother JOHN.  
JAMES my NEVER have LIVED in North Carolina.

The LINE from James to probable son Philemon Terrell Sr. is NOT CLEAR

PHILEMON TERRELL SR. Listed in the 1790 Census of Robeson Co. No. Carolina

PHILEMON TERRELL JR. m 1809/10 Margaret Ratcliff  
7/27/1808 a DEED from PHILEMON SR. In 1811 the Family moved to ADAM CO. MISS.  
in Liberty Co. Georgia

SAMUEL LAFAYETTE TERRELL 11/19/1829 - 3/3/1882 m 1852 EMILY CATHERINE KELLUM 11/20/1832-ca 1921  
b in Miss. d in Texas from Little Rock, Ark.  
A Teacher

HON. CHARLES VERNON TERRELL 5/12/1861 - ca 1949 m 8/9/1893 ETTA MAY SOWARD b ca 1867  
b Wise Co. Texas Lived Decatur, Texas

County Attorney 1893; County Judge; State Senator; Texas Railroad Commissioner 1923 - 1938

Two Sons and One Adopted Daughter

TULLY VERNON TERRELL m Adah Smith Corsicana, Texas  
JOHN PRESTON TERRELL m Louise Thompson Greenville, Texas  
Cornelia Jane Terrell b ca 1932  
Margaret Terrell m Frank Ward Decatur, Texas

Frank Truett Ward b ca 1928

All-Name Index to  
"The Terrells -  
Eighty-Five Years Texas  
from  
Indians to Atomic Bomb"

Original Book by  
C.V. Terrell  
1948

This Index by  
Don C. Terrill  
Fairfax County, Virginia  
1990

The Terrells - 85 Years Texas, from Indians to Atomic Bomb

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