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Rangers law enforcement agency.

**The Following Article was Originally Published in the  
*Texas Ranger Dispatch Magazine***

The *Texas Ranger Dispatch* was published by the Texas Ranger Hall of Fame and Museum from 2000 to 2011. It has been superseded by this online archive of Texas Ranger history.

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Funded in part by grants from  
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Captain Daniel W. Roberts in the prime of life. From *Six Years With the Texas Rangers* by James B. Gillett.

## 19th Century Shining Star:

**Captain Daniel Webster Roberts**

**by Chuck Parsons**

**Captain D. W. Roberts probably enjoyed battling Indians more than any other frontier experience, but he also worked against Anglo lawbreakers. Roberts fought during the Civil**

**War before he served on the frontier, earning the respect of honest settlers and outlaws alike. He survived the dangerous years, living (almost) to the ripe old age of ninety-four.**

Roberts was born in Winston County, Mississippi, on October 10, 1841, the son of Alexander (“Buck”) and Sabra Roberts. Mr. Roberts moved the family to Texas in the year of the Alamo, 1836, but due to his wife’s concerns over safety, he sent the family to Mississippi in 1839. The father remained in Texas, along with his brother Jeremiah, and they fought at the battle of Plum Creek under Mathew Caldwell in 1840. Alexander shortly thereafter returned to Mississippi.

In 1843, the family again relocated to Texas and settled in Blanco County. When the Mexican War broke out, the family went back to Mississippi, but later returned to Blanco County in 1855. Mrs. Roberts died in that year, but the widower Roberts married again and had six more children. [1]

Now settled permanently in Texas, young Dan Roberts could look forward to an exciting career filled with adventures fighting Indians. When the Civil War broke out, he joined Captain W. H. Perry’s company of mounted rifles in the 26th Brigade of the Texas militia. He served as a scout against Indian raiders. On February 26, 1862, Roberts enlisted as a private in Colonel Peter Woods’ 36th Texas cavalry regiment, Company K. On February 2, 1864, Roberts and many others deserted when they were dismounted.

Dan did not come up against any Indians until August 1873, when a band raided near the home of Mr. and Mrs. Thomas Phelps in Blanco County. The bodies of the couple were mutilated. By the time the massacre was discovered, it was too late to pursue the raiders. Following this incident, the men in the general area met at Roberts’ home and made the following

resolution: the next time Indians raided, they would be followed and wiped out, no matter what. The next time was not long in coming.

Dan and his brother George T., Thomas Joseph Bird, John O. Biggs, and Stanton Jolly pursued a group of Comanches. They were soon joined by Captain James Ingram, William Ingram, Frank Waldrip, and “Cam” Davidson. George Roberts was severely wounded in this fight, and Dan received a wound in the thigh that was not so serious. Coming to their rescue was a group under the command of Cicero R. “Rufe” Perry. Although the Comanches escaped, all was not lost. When Senator H. C. King learned of the skirmish, he dubbed it the “Deer Creek Fight” and introduced a bill in the legislature to award each of the warriors. This bill passed, and each man received a model 1873 Winchester. Roberts carried his throughout his career and was extremely proud of it. (The present location of the gun is unknown.)

Roberts later wrote his autobiography, and said this of the fight:

*The oftener I think of the Deer Creek fight, the greater is my wonder that all of us were not killed. We were outnumbered by more than three to one, had arms that were inferior to the enemy's and were compelled to fight in the open, at close range, while the Indians had shelter. I can account for the miracle of our escape only by believing that it was an act of Providence. [2]*

In May 1874, Governor Richard Coke created a battalion from six companies of seventy-five Texas Rangers each. The primary responsibility was to patrol the frontier from Jacksboro to the Rio Grande. The force was commanded by Major John B. Jones, a veteran of the Civil War and a successful businessman. Dan Roberts did not intend to join the Frontier Battalion initially because he meant to move to New Mexico Territory. On May 10, however, he met close friend Captain Perry, who convinced him to reconsider. Roberts acquiesced to Perry's entreaties and was issued a commission as 2nd Lieutenant in Company D under command of C. R. “Rufe” Perry. [3] The Perry and Roberts families had been friends for years, and as Perry knew the quality of man Roberts was, he knew he had a dependable man.

The first fight with Indians was not until August, and it was the first of many while the company was camped on the banks of the San Saba River, twenty miles south of Fort McKavett. During one fight, Roberts ran down an Indian brave who surrendered, begging for his life. Although many a Texan would have killed him on the spot simply because he was an Indian, Roberts could not slay a man surrendering to him. He took him prisoner instead, and the Indian was taken to Austin and sentenced to serve time in Huntsville State Prison. His name, as determined by white officials, was Little Bull. While there, he became friends with the Kiowa chieftain, Santana, incarcerated for atrocities committed against the white man. In prison, Little Bull developed tuberculosis and died.

Besides fighting Indians, Roberts was also responsible for assisting officers of the court and protecting settlers from white renegades. These were not the only activities of this young man on the frontier, however. On September 13, 1875, he and Miss Luvenia Conway, the daughter of John and Henrietta (Renfro) Conway, were married in her hometown of Columbus in Colorado County. [4]

Prior to his marriage, Roberts considered resigning from the Rangers and relocating in New Mexico Territory. To demonstrate the confidence he had in Roberts, Major Jones told him he could get married and also remain with the

Rangers because he gave him permission to keep his new bride in the Ranger camps. Fortunately for history, Mrs. Roberts spent six years in camps, recording her memoirs in *A Woman's Reminiscences of Six Years in Camp With the Texas Rangers*, first published in 1928 and reprinted by State House Press of Austin in 1987.

One of the most perplexing problems Major Jones experienced was the feuding between the Germans and the Americans in Mason County. This feud, popularly known as the Mason County War or the "Hoo Doo War," involved the stealing of cattle, the killing of prisoners, the waylaying of men on the public road, a jail delivery, and the lynching of prisoners. Trying to subdue the conflicts were such notables as William Scott Cooley; John Ringo, later of Tombstone fame; Sheriff John Clark, and Roberts.

On February 18, 1875, Roberts left camp and rode to Mason to obtain grain. At the local jail, five men accused of cattle theft were currently incarcerated. Suddenly, a mob of some forty or more men appeared, intending to break open the jail to lynch the prisoners. Sheriff Clark, a man named James Trainer, and Roberts initially attempted to discourage the mob from carrying out its intention, but to no avail. They were badly outnumbered, so they had to back off and let the mob do its work.

The angry mob marched the prisoners down the Mason-Fredericksburg road. About a half mile from town, they strung the men up and began shooting at them. Thinking the mob was shooting at them, Roberts and the men with him returned fire. They rushed to the lynching site and managed to get to the prisoners before all of them were dead. One ran as soon as the noose was off from his neck. Roberts got to another in time to save his life, providing him with water from a nearby creek.

*I ran to a branch nearby, dipped water in my hat, ran back to Turley, poured it on him, rubbed him, and he soon showed signs of returning to life. He gradually came to life, with a glassy stare in his eyes. He could not talk until next morning. [5]*

The Mason County grand jury attempted to learn the identity of the mob members, but even Roberts was reluctant to speak before them. He justified his reticence by saying:

*I was summoned before the grand jury, and they fired into me, and crossfired, until I began to think they were prying into state secrets. I knew nothing, at the time, that I thought the grand jury ought to have, and I parried them with the semi-truth, and we made a drawn battle." [6]*

No one was ever indicted for participating in the mob's action of breaking open the jail and executing prisoners. During the entire feud, even though fifteen or more people were murdered, only George Gladden was tried and sentenced for murder. Roberts explained why the law was so ineffectual in Mason County:

*The Rangers could only support the civil authority in cases of actual bloodshed, as Mason County was not under martial law. The Rangers could arrest criminals, indicted by the courts, and even more, they could arrest on information, or actual observances of crime, but Mason County had never brought a man to trial, during this feud. Sheriff Clark, seeing that it would take 'eternal vigilance' for him to live in Mason County, resigned*

*the office of sheriff, and left for parts best known to himself. Other principal actors, against him, went to Arizona, then considered a far off land from Texas. The war died out and Mason County is now prosperous and happy. [7]*

Roberts resigned his commission in 1878 and moved to Houston, but not for long. Due to troubles on the Mexican border, Major Jones convinced him to return to his command, which he did. He went back to Company D, then stationed in Laredo on the border.

Roberts found success on the border, managing to cooperate with Mexican authorities in fighting the banditti. In concert with an unidentified Mexican major, Roberts was able to cross into Mexico in pursuit of bandits with no fear of repercussion from his superiors.

The most notable exploit of Company D occurred in the area of Fort Davis. Roberts recalled that about June 25, 1880, he received a telegram from Judge G. M. Frazer of Fort Stockton, asking for help. Numerous stores and other business firms had been robbed in recent months, and local authorities were unsuccessful in dealing with them. The military from nearby Fort Davis would not assist in civil matters, so Frazer called for help from Captain Roberts.

#### Census of the Company

On June 14, 1880, U.S. census enumerator N. Q. Patterson visited the Texas Ranger camp in Menard County. He found Captain D. W. Roberts of the "State military" shown as "head of household." The thirteen men in camp were Charles Boyce, "hired Laborer," and twelve soldiers: L. P. Sieker, H. T. Ashburn, William Clements, J. H. Renick, N. J. Brown, L. H. Rogers, L. H. Cook, D. W. Gourley, R. G.

From his Menard County camp, Roberts sent Sergeant E. A. Sieker and Privates J. W. Miller, E. J. Pound, Nick K. Brown, Henry Thomas, R. R. Russell, D. T. Carson, S. A. Henry and George Bingham. Sergeant L. B. Caruthers of Company E also arrived on orders from Major Jones. The men scouted into the Davis Mountains and, on July 3, they finally caught up with a band, which resisted arrest. As Roberts later wrote:

*They were about a mile ahead of the Rangers and the boys being eager to get to them struck a little faster gait, which move caused the robbers to leave the road they were on and strike for a canon some distance from the road.*

The Rangers started straight for them at full speed, but the bandits reached cover first, dismounted, and took shelter behind the large rocks that fringed the area of the gulch. As horses are not all created equal, only four Rangers managed to get within close range. Sieker, Russell, Carson, and Bingham made up the quartet.

*As the Rangers approached, firing commenced from behind those rocks, two bullets striking Carson's horse and one through the brim of his hat, and Bingham was shot dead. Carson, Sieker and Russell dismounted, and as [robber] George Davis showed up from behind a rock to shoot, Sergeant Sieker and Carson fired at him almost simultaneously, Sieker's bullet striking him in the breast and as he fell Carson's bullet went through his head. [8]*

Seeing this deadly work of the Rangers, the three surviving robbers broke and ran. Finally realizing they could not escape, they chose to surrender upon the promise they would not be harmed. In the excitement of the gunfight, the Rangers had not realized that Bingham was dead. When

Kimble, S. D. Coalson, E. H. Wallace, and A. McDonald. Instead of listing them as Rangers, Patterson chose the term "State military" for their "Profession, Occupation or Trade."

The group represented numerous states. Roberts was from Mississippi, and his wife hailed from Illinois. Other states represented were Kentucky, Indiana, Alabama, Virginia, Tennessee, and Texas. Stereotypically, Texas Rangers were considered young men with no family. Roberts was thirty-eight, not surprisingly the "oldest" of the group. The average age of the other men was a little more than twenty-four years.

they did find out, they almost killed the surviving robbers. Sergeant Sieker, in charge of the scout, reported to Captain Roberts:

*We charged the party and took their stronghold. Then we had the advantage, for the first time, and then they surrendered. Had I known Bingham was killed, at that time, I should have killed them all. But we had disarmed them before we knew it. They then prayed for mercy. [9]*

The citizens of Fort Davis gave \$500 in cash to the Rangers, and the citizens of Fort Stockton gave them \$600. This scout was no doubt the most important one these Rangers ever performed. Jesse Evans, one of the robbers captured, had formerly been a pal of Billy the Kid. He was tried and found guilty of murder (for the death of Bingham) and sent to Huntsville State Prison. He managed to escape, however, and was never heard of again. [10]

Roberts resigned from the Rangers for the last time in 1882. With his wife's health at risk, he decided that they should move to Nogales, New Mexico, then a gold mining community. Mrs. Roberts, who had lived with Rangers for nearly six years, had this to say in her book, written circa 1928:

*It was with regret I parted from the Ranger camp where I had spent so many happy days. . . . [T]he whole time I was with the rangers, not one time did I hear an oath or an ungentlemanly word spoken. The Rangers were always ready and eager to do us a service, and we are indebted to their kindness for many of the conveniences we had. Many of them have answered their last call, and in a short time Texas Ranger will be only a name, but they have given a meaning to that name that will cause it to live forever.*



In Nogales, Roberts earned his living by mining and raising stock. Since he and his loving wife were childless, they adopted Lillie Roberts



and her brother Fred, both the children of George T. Roberts. (Lillie later became the wife of

Governor J. F. Hinkle of New Mexico.) The Roberts family moved to Austin, where they spent the rest of their days. At the age of ninety-three, Roberts was stricken with pneumonia. He died in his home on February 6, 1935. Luvenia Conway Roberts survived her husband by only five years, passing in Austin on July 14, 1949. [11] Both are buried in the State Cemetery in Austin.

At the Menard Ranger Reunion in Menard, 1927. Top left: Captain Ben F. Gholsen and Frontier Times editor J. Marvin Hunter. Seated: Captain D. W. Roberts. Courtesy the Western History Collection, University of Oklahoma Library.



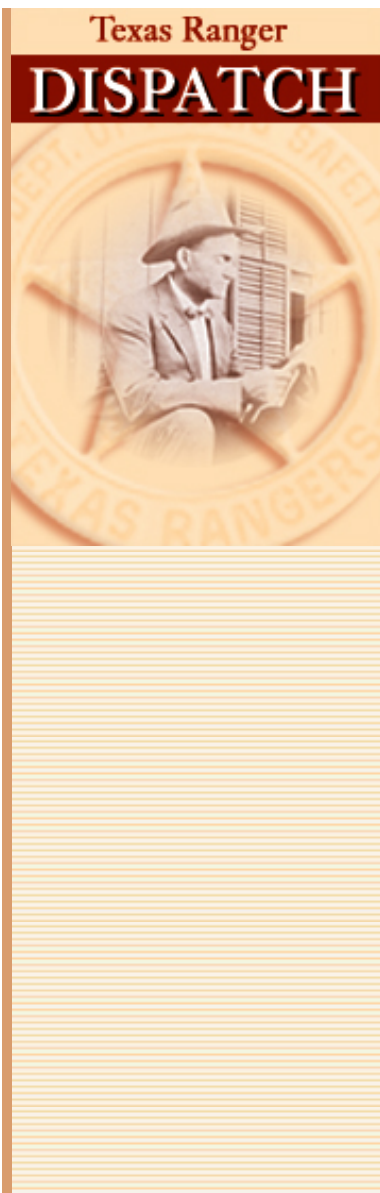
This well-known photo shows four Ranger captains and an adjutant general. Standing: Captain J. A. Brooks, Adjutant General W. W. Sterling (formerly a captain), Captain Frank A. Hamer (of Bonnie and Clyde fame) and Captain John R. Hughes.

Dan Roberts, the oldest of the group is shown seated with his cane. How was this picture made? When Sterling was adjutant general, his office became a popular place for Rangers of an older generation. On a

summer day in July 1931, Captains Brooks and Hughes were visiting, by chance in town on the same day. As Roberts lived in Austin, Sterling saw a once-in-a-lifetime opportunity for history. He called a photographer, and Sterling, Hamer, Brooks, and Hughes went to Roberts' house. "

The old Indian fighter was very feeble in body, but his mind was clear and alert. He gave us a cordial welcome, and seemed delighted to appear in what he knew would be his last picture." (William Warren Sterling, *Trails and Trials of a Texas Ranger*. Norman: University of Oklahoma Press, 1959, 212-13.) These four captains had served the state of Texas from 1874 to 1933. It is truly a memorable photograph. Courtesy The Texas Ranger Hall of Fame and Museum, Waco.

## Notes



- (1) "Daniel Webster Roberts" by Thomas W. Cutrer in *The New Handbook of Texas*, Vol. 5, 608-09. (Austin: The Texas State Historical Association, 1996).
- (2) Captain Dan W. Roberts, *Rangers and Sovereignty* (originally published in 1914, reprint by State House Press of Austin, 1987). p. 26.
- (3) *Ibid.*, pp. 33-34.
- (4) *Ibid.*, p. 81.
- (5) *Ibid.*, p. 89.
- (6) *Ibid.*, p. 90.
- (7) *Ibid.*, p. 93.
- (8) *Ibid.*, pp. 112-13.
- (9) Sieker's report appears in Ed Bartholomew's *Jesse Evans: A Texas Hide-Burner* (Houston, Frontier Press of Texas, 1955), p. 52. Curiously, Sieker's report was published in the *Mason County News* sometime in July 1880. Famed Ranger James B. Gillett clipped the item from that newspaper and preserved it in his scrapbook. He then sent it to J. Marvin Hunter's magazine, *Frontier Times*, to be the feature of a short article, "Texas Rangers Battle With Outlaws in 1880." This appeared in the August 1927 issue, Vol. 4, No. 11, pp. 1-3.
- (10) Although other historians assert that Evans escaped and was never heard from again, Gillett, in his *Frontier Times* article, states: "Evans in trying to escape was shot and killed." He identified the robbers as Evans, two brothers named Davis and the man killed, unknown.
- (11) "Luvenia Conway Roberts" by Debbie Mauldin Cottrell in *The New Handbook of Texas*, Vol. V, 610. (Austin: The Texas State Historical Association, 1996).

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