



Official State Historical Center of the Texas  
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 It has been superseded by this online archive of Texas Ranger history.

Managing Editors

**Robert Nieman** 2000-2009; (b.1947-d.2009)

**Byron A. Johnson** 2009-2011

Publisher & Website Administrator

**Byron A. Johnson** 2000-2011

Director, Texas Ranger Hall of Fame

Technical Editor, Layout, and Design

**Pam S. Baird**



Funded in part by grants from  
the Texas Ranger Association Foundation

Copyright 2017, Texas Ranger Hall of Fame and Museum, Waco, TX. All rights reserved. Non-profit personal and educational use only; commercial reprinting, redistribution, reposting or charge-for-access is prohibited. For further information contact: Director, Texas Ranger Hall of Fame and Museum, PO Box 2570, Waco TX 76702-2570.



**Reenactment:**  
**The Trial of Texas Ranger Leander H. McNelly**  
by Chuck Parsons and Robert Nieman

On Saturday night, May 8, 2004, the place to be was the Knox Room at the Texas Ranger Hall of Fame & Museum in Waco. Approximately 300 people attended the mock trial and dinner, sponsored by the Hall of Fame and the Baylor Law School.

The trial was based on the events of November 1875. At that time, Captain McNelly and some twenty-six Rangers had crossed over the Rio Grande in what McNelly considered "hot pursuit" against a band of cattle thieves. McNelly and his men attacked the first ranch they came to, believing it to be the Las Cuevas Rancho. Mistakenly, they had rounded up the wrong ranch and killed some dozen allegedly peaceful and harmless men who were unarmed.

McNelly and his men spent three days in Mexico along the river, standing off several hundred Mexicans who believed their country was being invaded by an enemy force. Ultimately, McNelly did recover some stolen cattle. However, this was not before creating an international incident, one which could have easily ended with all his men as well as himself being killed.



***Defense Attorney John Sayles played by Prof. Gerald Powell, Baylor Law School***

What if charges had been brought against McNelly for his actions? This is the premise of the mock trial. Baylor Law School and the Hall of Fame presented a professional program that held the attention of the audience throughout the nearly three hour presentation. U. S.

District Judge Amos Morrill was played by real-life Judge Ed Kincade. The prosecution team was headed by U.S. Attorney General Edwards Pierrepont, played by Law Professor Bill Underwood. He was ably assisted by U.S. Attorney Andrew Jackson Evans, played by Tim Fults, and Sam Houston's son Temple, played by Jeremy Counsellor.

x



McNelly was ably defended by well-known attorney John Sayles, played by Professor Gerald Powell, and Thomas M. Jack, portrayed by Ben Selman.

*Capt. Leander McNelly*

McNelly was acted by John Deaver (a close lookalike). Other witnesses included U.S. Secretary Hamilton Fish - Craven Green, Brigadier General E.O.C. Ord - Dick Baker, Ranger Privates George Durham and William C. Callicott - Lee Sanders and Dan Sorey, respectively. Phil Martinez played the Minister of Foreign Affairs of the Republic of Mexico Jose Lafragua, and Maria Gonzales, whose husband and father were killed in McNelly's raid, was performed by Nicole Martinez.



*Prosecution Attorney  
Temple Houston played by  
Jeremy Counseller*

Hall of Fame Director Byron Johnson opened the evening with a few introductory remarks. The assembly then was ordered to stand up as Judge Morrill entered. The U.S. soldiers, dressed in appropriate period uniforms—carbines, pistols and saber—were members of the Badland Rangers organization of re-nactors. Several of McNelly's men were also present in the courtroom, including Sergeant George A. Hall, played by Jim Ryan.



*Witness Maria Gonzales  
played by Nicole Rodriguez*

Occasionally, the testimony of the witnesses was interrupted. Once, the questioning of McNelly brought about a near outburst from the McNelly's Rangers present in the courtroom.



***Bailiff US Marshall Dale  
Evans  
played by  
McLennan County  
Sheriff Larry Lynch***

***US Secretary of State Hamilton Fish  
played by Craven Green***



They approached the witness as if to protect him from the perceived insult to their captain's character. McNelly, managing to raise his voice in spite of his attacks of coughing due to consumption, managed to quiet them down without any serious disturbance to the progress of the trial. In lieu of the traditional jury seated in a box, this night each gentleman at each table was a jury member who marked his ballot after hearing the testimony and closing arguments. The final tally was a "not guilty" for McNelly. There was no question that McNelly and his men crossed the Rio Grande, the international boundary between two countries who were officially at peace. However, McNelly's defense lawyer John Sayles managed to convince enough members of the jury that the violence in the Nueces Strip area, the land between the Nueces and the Rio Grande Rivers, was not at peace but rather in a genuine state of war. This no doubt saved McNelly from being found guilty of the charge.



***US District Judge Amos Morrill  
played by US District Cour Judge  
the Hon. Ed Kinkeade***

When the verdict was announced, there was tremendous applause. Many stood and then rushed to McNelly to congratulate him.



***Witness Brig. Gen. E.O.C. Ord  
played by Dick Baker***

The enormous amount of research and planning of this event resulted in the trial being a tremendous success. Congratulations and thanks go to Dr. Gerald Powell, the creator and guiding force behind this creation, the actors

who volunteered countless hours of preparation, and the staff of the Texas Ranger Hall of Fame and Museum.



*Chuck Parsons (Left)  
and  
Robert Nieman*

