

CAPTAIN JACK RETURNS TO TEXAS

By Byron A. Johnson

The artifacts of Texas heritage have survived because of serendipity and the efforts of persons determined to preserve them for future generations. Such is the story of an extraordinary painting held in trust by the Texas Ranger Hall of Fame and Museum in Waco.

During the 175th anniversary of the Texas Rangers in 1998, Senior Ranger Captain Bruce Casteel was asked to unveil a historic painting at the annual Texas Ranger Reunion banquet. In doing so, he came face-to-face with his predecessor of 150 years earlier, Captain John Coffee "Jack" Hays. Aside from age, the two men were eerily similar—they were quiet, of wiry build with piercing eyes, and possessed natural leadership skills. Both had spent their youth in Tennessee and would serve in sheriff's departments, and both left their mark on the Texas Rangers.

Captain John Coffee Hays, depicted at age 24 in the painting now held by the TRHF, was the best-known early Texas Ranger commander. Born in Tennessee in 1817, he was the son of a War of 1812 veteran. After both parents died while Hays was still a teen, he trained to be a surveyor and accompanied crews mapping the new state of Mississippi. He excelled at technical details and logistics and showed character traits that would later prove to be invaluable.

News of Texas independence attracted Hays to the new republic about 1837 or 1838. His father's old friend Sam Houston appointed him to Erastus "Deaf" Smith's company of Rangers patrolling for Indian war parties and Mexican incursions between San Antonio and the Rio Grande. His dedication and ability resulted in a promotion to sergeant, and his surveying skills won him an appointment as deputy surveyor of the huge Bexar District.

In 1840 at 23, Hays was commissioned as captain of his own ranging company. Contemporary accounts describe him as a commanding leader and brilliant strategist who did not look like the stereotype of a Ranger. He was of average height, a "slender built man...whose soft, beardless face did not betray his martial occupation and inclination anymore than did his black frock coat... Only in his

flashing eyes could a keen observer see traces of his hidden energy."

Hays learned and experimented constantly. He gained an extensive knowledge of Indian tactics and guerilla warfare by working closely with Lipan Apache allies. He adopted Samuel Colt's new revolving pistols and a rifle, drilling his men to fight on horseback instead of dismounting to fire as was the custom. He earned a legendary reputation fighting superior Comanche and Kiowa war parties at battles such as Plum Creek and Walker's Creek. Hays' defeat of Mexican expeditionary forces intent on retaking Texas presaged his effectiveness in the Mexican War.

After the outbreak of that conflict, Hays was offered a commission as colonel of the all-volunteer First Regiment of Texas Mounted Riflemen. His men performed as scouts, demonstrated cavalry and guerilla tactics to young officers such as Robert E. Lee, and conducted guerilla warfare. It is not an exaggeration to say that the Texas volunteers kept the U.S. Army from defeat or annihilation on several occasions. This did not endear them to the military command, nor did their lack of discipline and unauthorized reprisals. However, the Mexican War was the first to be covered by imbedded newspaper correspondents. The colorful and ir-



Courtesy of the TRHF.

regular Texans, their leaders Jack Hays and Samuel Walker, and their gargantuan Walker Colt pistols became frequent newspaper copy. When the war ended, Hays unexpectedly found himself a national celebrity.

After the war Colonel Hays married Susan Calvert in Seguin. But Texas was becoming tame, and the West beckoned. In 1849, Hays' fame and familiarity with the Lipan Apaches won him an appointment as Indian Agent along the Gila River in Arizona and New Mexico. However, the arid and hostile land was not to his liking. After a few months, the Hays family moved to San Francisco and the promising gold fields of California.

Hardscrabble mining held little appeal to Hays, so he ran for sheriff of San Francisco County and became a pillar of the Gold Coast. Some time after his arrival, he became acquainted with painter William Smith Jewett (1812-1873), newly arrived from New York.

Like Hays, Jewett was young, adventurous, and an early achiever. He had trained at the prestigious National Academy of Design, becoming a portrait painter to the rich and famous. In 1849, he caught California fever and set sail to make his fortune painting the influential and newly rich.

By 1851, Sheriff Hays was of an age and stature that warranted preserving his likeness for posterity. Evidently Hays commissioned Jewett to paint his portrait, not as a formal pose but in the form of a tableau. The painting was briefly mentioned in the December 8, 1851 issue of the *Alta California* newspaper, the same publication that made Mark Twain famous.

In Jewett's work, Captain Jack sits dressed in buckskin on a mountaintop. A fanciful river with ships is in the background—probably inspired by Jewett's familiarity with the Hudson River or the nearby San Francisco Bay. Despite these inaccuracies, the location that the artist was attempting to capture is widely thought to be Enchanted Rock near Fredericksburg. Captain Jack has a rifle in hand and a Colt pistol nearby. Small figures, which family tradition identifies as Comanches, are approaching in the distance.

The legend behind the painting holds that, in 1841, Hays was leading a survey crew or a ranging company near Enchanted Rock. He was trapped by a party of Comanche warriors, variously reported as "a few" to more than 100. Armed with only two pistols and a rifle, Hays managed to hold them at bay until he was rescued.

Unfortunately, no contemporary accounts of the incident exist. Some historians have cast doubt that this event happened, but it seems highly unlikely that Hays, with a surveyor's regard for accuracy, would have commissioned or sanctioned the painting of an entirely fictional event. The more likely explanation, as an oral tradition, "Jack Hays at Enchanted Rock" was enhanced in the telling and retelling. The story had become a canon part of Texas Ranger lore, and to paraphrase, when fact became legend, Jewett chose to paint the legend.

Hays kept the painting until his death in 1883, after which time, it passed to his descendants. Jewett went on to paint California landscapes and famous personages and in 1869, he returned to New York where he later died.

Fortunately, chance and exceptional advocacy meant that the painting would ultimately reside in Texas. Banker and history enthusiast Bob Thornton of Dallas and wife Vera were on a bird photography trip around Sisters, Oregon, in May 1993. A chance meeting introduced them to Roblay McMullin, 88, who was interested to learn that they were from Texas. On a visit to McMullin's home, the Thorntons were stunned when she showed them Jewett's painting of Jack Hays along with a .41 caliber Wesson rifle matching the one in the painting. McMullin identified herself as the widow of Jack Hays' grandson.

She was considering the future of the painting, which had been requested by several California museums because of its Gold Rush provenance. The Thorntons gently suggested that, instead, Captain Jack should return to Texas.

McMullin ultimately decided to donate the painting (and the gun depicted in it) to the Texas Ranger Hall of Fame and Museum in Waco on her death. She believed that "Texans have a good record of honoring their heroes." Today, 160 years after it was painted in California, this historic piece of art belongs to the people of Texas, thanks to McMullin and the Thorntons. ★

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