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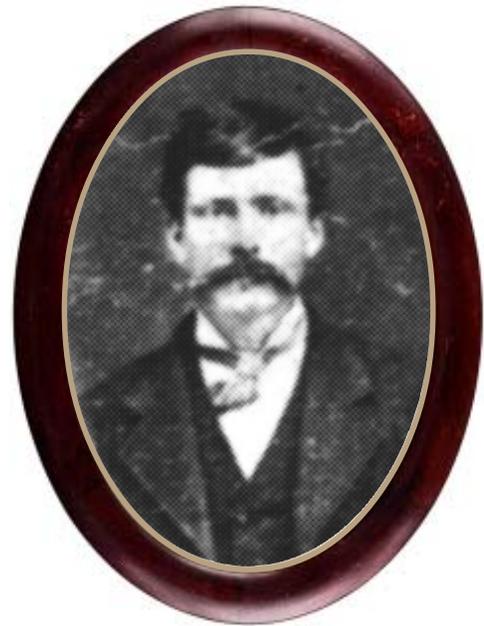


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*and*  
*the death of* **Texas Ranger**  
**GEORGE R. BINGHAM**



## Chuck Parsons

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*Some Texas Rangers have gained national recognition for their contributions to the establishment of law and order. In the rush to tell their stories, it is often forgotten that relatively unknown privates also contributed, acting bravely, following orders, and engaging outlaws in life-threatening situations. Private George R. Bingham of Frontier Battalion's Company D, a virtually unknown Texas Ranger, died in the line of duty while engaged in a gunfight against outlaws in West Texas. His life before the tragedy remains obscure; his origins are uncertain. It was only when he joined the Rangers that his actions were recorded:*

The other three desperadoes were captured and lodged in jail at Fort Davis. Among those captured is Jesse Evans, one of the most notorious highwaymen now living. He operated in Colorado and New Mexico, and was known by all as a brave, daring robber, who defied the officers and took possession of whole towns when it suited his purpose. This was his first trip to Texas, and to be gobbled up by Gen. Jones' men, has no doubt disgusted him with Texas in general and the alert wide-awake Texas rangers in general.<sup>1</sup>

<sup>1</sup> *Daily Democratic Statesman* (Austin, Texas), 9 July 1880.



Western buffs readily recognize Jesse Evans, the desperado whose name will be forever linked with that of Billy the Kid. Virtually every book dealing with the Kid devotes some space to Evans. We are concerned here not only with the Texas crimes of Jesse Evans, but also the man whose death placed him behind the unforgiving walls of Huntsville State Prison: George R. Bingham, a Texas Ranger of Company D, Frontier Battalion, who was killed in action.

Although the printed material about the Kid is voluminous, our factual knowledge of Jesse Evans is limited. Two book-length biographies give recognition to the man. The first, *Jesse Evans: A Texas Hide-Burner*, was written and published by the late Texas historian Ed Bartholomew.<sup>2</sup> The second, *Jesse Evans: Lincoln County Badman*, by Grady E. McCright and James H. Powell, focuses principally on his involvement in the Lincoln County War of New Mexico Territory.<sup>3</sup> Even with these two biographies and numerous articles dealing with Evans, he remains “one of the many enigmas relating to the Wild West.”<sup>4</sup> Almost as if to prove that the outlaws attract much more attention than the lawmen, not even a single periodical article has been devoted to George R. Bingham.

Two descriptive lists in the Texas Adjutant General’s Records provide scant information about Texas Ranger George R. Bingham. One identifies him as G. R. Bingham and a native of Missouri. His occupation prior to joining the service is given as a stock raiser. He was described as five feet nine inches tall, had a florid complexion, red hair, and blue eyes. His ranger companions knew him as “Red.” He was born about the year 1852. This early list shows he was enlisted on 1 September 1878. A second descriptive list in the same grouping of records provides the same information, but adds that he was enlisted by Capt. D. W. Roberts in Company D in Kimble County, Texas.<sup>5</sup>

Ann L. Bingham, head of household, thirty-two, in the 5<sup>th</sup> Ward of St. Louis, is recorded by the Missouri census as living with three children: Laura, aged twelve; George, aged ten; and Charles, aged six years. All claimed Missouri as their place of birth.<sup>6</sup> The family has not been found on a census return of 1870.

What George R. Bingham did from his early years in Missouri until he entered Texas is a mystery. One published report stated he was in Denison, Grayson County, Texas, for a while prior to moving further west to locate in Menard County. The item, based on a special telegram from Austin, described Bingham as “a young man, a zealous and active officer and a lively and popular comrade. He came from Denison to Menard where he joined the rangers.”<sup>7</sup>

His name first appears on the Frontier Battalion Company D Muster Rolls in August 1878. Captain Daniel Webster Roberts, an experienced frontiersman, recorded that he was enlisted on 6 August as a private.<sup>8</sup> Bingham’s service records reveal that he first enlisted on 6 August 1878. The pay period ended on 31 August and he received thirty-four dollars for that service. In an apparent

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<sup>2</sup> Ed Bartholomew, *Jesse Evans: A Texas Hide-Burner* (Houston: The Frontier Press of Texas, 1955).

<sup>3</sup> Grady E. McCright and James H. Powell, *Jesse Evans: Lincoln County Badman* (College Station: Early West Series, 1983).

<sup>4</sup> Leon Claire Metz, *The Encyclopedia of Lawmen, Outlaws and Gunfighters* (New York: Facts on File, Inc., 2003), 79.

<sup>5</sup> Adjutant General Files, Texas State Archives. Hereafter cited as AGF, TSA.

<sup>6</sup> Federal Census, St. Louis County, Missouri, 5<sup>th</sup> Ward, 19.

<sup>7</sup> *Galveston Daily News*, 9 July 1880.

<sup>8</sup> Company D Muster Rolls, Austin, AGF, TSA.



contradiction, the first descriptive list which accompanied the Muster Rolls states he was enlisted by Captain Roberts in Kimble County on 1 September 1878.<sup>9</sup>

Under Roberts were two sergeants: Warren Wesley Worcester and Lamartine Pemberton Sieker; two corporals: John W. Lawhon and Edward A. Sieker; and two dozen privates. Of this aggregate of twenty-nine men, only Roberts had earned fame fighting Indians. Sergeant L. P. Sieker later rose in the ranks to become Adjutant General and Quartermaster of the Frontier Battalion. His brother Ed served less time in the service but gained recognition as a dependable servant of the state. The privates, who remain little more than names on the muster roll, were A. E. Alexander, H. T. Ashburn, Victor Barry, Bingham, J. S. Brown, S. D. Coalson, L. H. Cook, M. G. Coyle, Frank DeJarnett, William Garrett, D. W. Gourley, W. T. Harris, John Hetherly, J. H. Moore, Jerry Roberts, S. E. Shannon, John Stengel, W. F. Sheffield, C. F. Wall, T. A. Weed, C. M. Wilkes, J. C. Webb, S. A. Henry and H. W. Merrill.<sup>10</sup>

The Monthly Returns prepared by the captains provide only a brief summary of the scouts made, arrests made and attempts to arrest during a given month. The summary only identifies the ranger who was in charge of the scout. It provides his name, how many men were with him, and the number of miles marched. Bingham was certainly on numerous scouts, but with few exceptions, his name rarely appeared in the monthly returns.

Bingham recognized the danger involved in hunting for fugitives. He had never drawn his pistol at another human being to force a surrender—until his last day. On 30 April 1880, Privates Bingham and J. W. Miller left Camp San Saba to travel to Fort McKavett, where they arrested William Beavers, Ben Ellis, John Shaw, and A. Handy. The men were charged with disturbing the peace, but after their arrest and delivery to authorities, the charges could not be sustained and they had to be released. This scout took but one day and only ten miles on horseback.<sup>11</sup>

Perhaps unknown to Captain Roberts and the rangers was that a reign of terror was beginning in the far off Pecos and Presidio Counties area of West Texas. On 26 January 1880, Pecos County Sheriff Harry Ryan had sent a lengthy telegram to Adjutant General John B. Jones expressing his fears:

In a few days an attempt will be made to forcibly seize a heard [*sic*] of cattle in this county and take them to New Mexico & the result will be a cow war[.] Should the New Mexican party succeed it will be a precedent for band[s] of Lawless men to come from new Mexico and Rob cattle in Texas[.] When the fight begins life & property will be very insecure in the vicinity & in view of these circumstances I request that Capt [Junius] Peak be ordered to the Pecos where I will meet him. Answer so that I may know if I can depend on the Rangers.<sup>12</sup>

A “cow war” did not commence as Sheriff Ryan feared, but troubles escalated for the honest people of Presidio and Pecos Counties. In June 1879, burglars broke into the home of rancher George Crosson. They were captured but then escaped jail, and only one was re-captured and sent to Huntsville. The others were at large until May 1880. About the same time, George Claxson

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<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> Monthly Record of Scouts, 30 April 1880, AGF, TSA.

<sup>12</sup> Monthly Record of Scouts, AGF, TSA.



was murdered and robbed by unknown parties. Early settler Diedrick Dutchover lost fourteen head of horses to raiding Indians within a mile and a half from town. Juan Gutires was slain by Indians only a few miles from Fort Davis. Adolo Reiqis was murdered in late July 1879. His murderer was captured but then escaped jail and fled to Mexico. Perhaps most terrifying of all was the murder of W. H. Banks, the assistant jailer, who was murdered *inside the jail* on 23 November 1879. The murderers and prisoners who escaped also left Jailer A. McAfee near death, but he recovered from his wounds. There were numerous other examples of horses, cattle and sheep being stolen, as well as burglaries and murders—by both Indians and white outlaws. One county official recorded outrages he was aware of and mailed the list to the adjutant general's office in Austin.<sup>13</sup>

It was indeed a “deplorable state of affairs” in that section. To the good citizens of Pecos and Presidio Counties the governor could not act quickly enough. The *Statesman* of Austin reported that the rangers were requested. “It seems” reported the *Statesman*, “that large numbers of lawless men congregate around the cattle camps in New Mexico, and from there raid into the state [of Texas] and commit depredations.”<sup>14</sup>

Governor Oran M. Roberts and Adjutant General John B. Jones were acting upon the requests for Texas Ranger assistance. If there had been doubt before, there wasn't after the most outrageous blow from the lawless; the general merchandise store of Joseph Sender and Charles Siebenborn in Fort Davis was robbed in broad daylight on 19 May 1880 by a trio of thieves. The men were recognized as Jesse Evans of New Mexico, and brothers Bud Graham alias Ace Carr, and Charles Graham, alias Charles Gross. How many district courts wanted Jesse Evans is undetermined, but the two Graham boys had been indicted for murder in Williamson County, Texas. While Evans and the Graham brothers were doing their work in Sender & Siebenborn's store two others—John Gunter and another Graham brother—acted as lookouts. Anyone who rode up was invited to take a drink with them to divert attention from the actual robbery. The trio of thieves got away with a thousand dollars, plus merchandise valued at one hundred dollars. They also robbed Edgar G. Glime and F. W. Ruoff, two men who happened to be in the store at the time. The next day August Diamond's house was burglarized “by unknown parties.”<sup>15</sup>

The daring robbery of the Sender & Siebenborn store caused concern as far away as El Paso. Two days following the robbery, several merchants feared the robbers were headed their way to continue their depredations. On 21 May, men representing the firms of Kettesen & Dayton, S. & W. Schutz, Ynocente Ochoa, and B. Schuster & Co. telegraphed Adjutant General Jones that “a band of outlaws headed by one Jesse Evans of Lincoln Co. fame have robbed stores at Fort Davis in broad daylight yesterday & that they are on their way up here to commit probably the same outrage[.]” It was understood by this message that they wanted the rangers to come to their assistance.<sup>16</sup>

Pecos County Judge George Milton Frazer wanted ranger assistance as well. He telegraphed Governor O. M. Roberts on 24 May about the band of robbers camped near on the Pecos River. He

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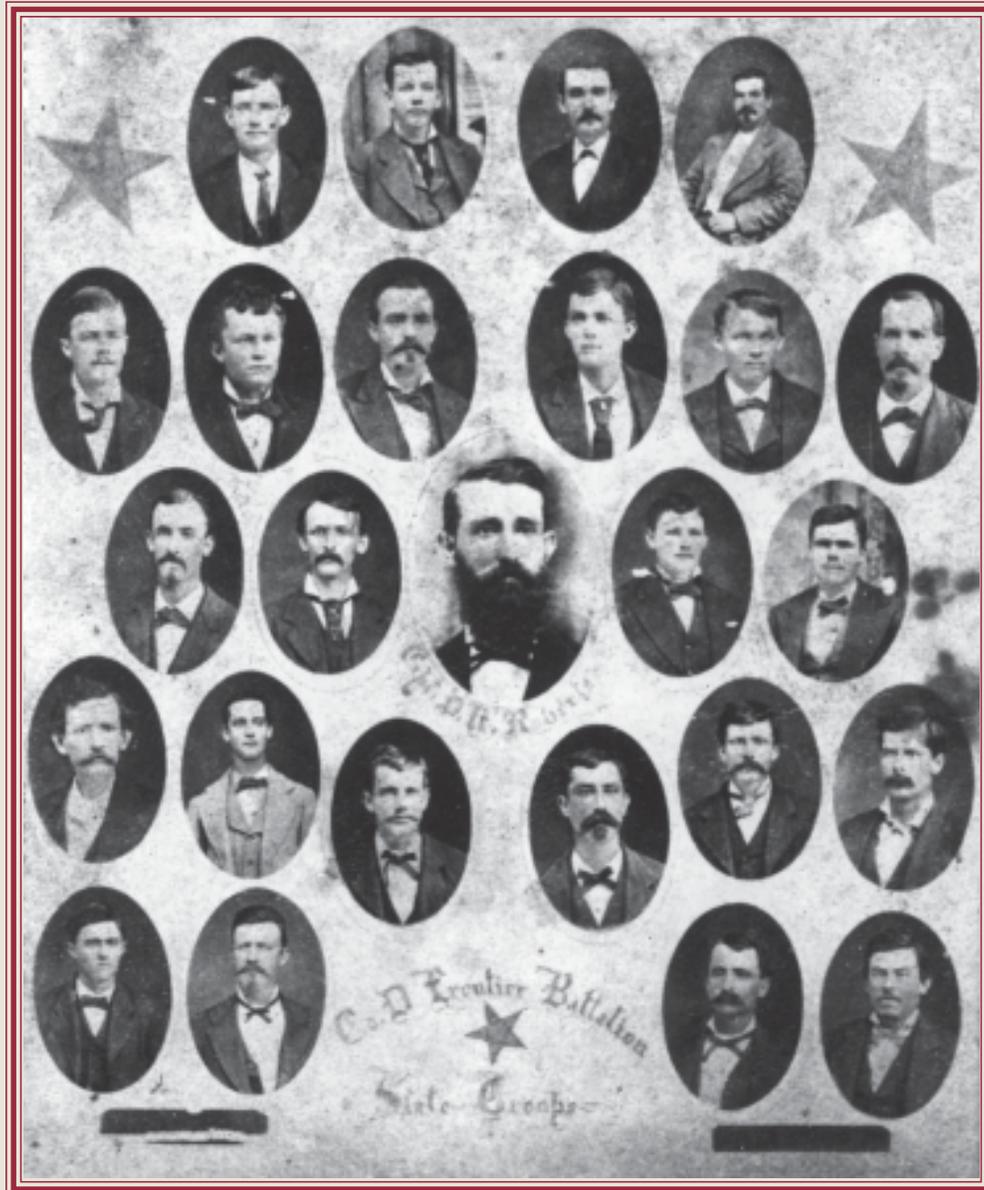
<sup>13</sup> “Outrages and Indian Raids in Presidio Co. from June 1, 1879 to June 1, 1880” [1–2], AGF, TSA. This seven page document hereafter cited as “Outrages.”

<sup>14</sup> *Colorado Citizen* (Columbus, Texas), 10 June 1880, reprinting an item from an undated *Statesman*.

<sup>15</sup> “Outrages”; Federal Census of Presidio County, 12 June 1880, 87.

<sup>16</sup> Telegram to Adjutant General John B. Jones, 21 May 1880, AGF, TSA.

## Company D, Frontier Battalion, Texas Rangers



Top: Doug Coalson, Ed Wallace, Lewis Cook, George Hughes  
Row 2: Nick Brown, Billy Sheffield, R.G. Kimbell, Tom Carson, R.R. "Dick" Russell, L.C. Miller  
Row 3: Ed Sieker, L.P. Sieker, Captain D.W. Roberts, Henry Ashburn, Doc Gourley  
Row 4: Tom Sparks, Bob Roberts, William "Slick" Clements, J.L. Rogers, George R. Bingham, Jim Renick  
Bottom: Jim Moore, Sam Henry, E.J. Pound, Henry Thomas



explained that this was the same gang that had robbed Sender & Siebenborn's store and that the gang was committing more thefts. Attempting to make the Texas administrator act out of a sense of guilt, he stated he wanted ten rangers "to assist us to capture them" but if "you can't it will be useless to ever ask any assistance again."<sup>17</sup>

Jones sent ten rangers from Fort McKavett in Menard County to the Fort Davis area. They had thirty days' rations and funds to purchase forage and were ordered to report to Judge Frazer and "operate against out-laws." Jones advised Frazer of the orders given the rangers and that they would "come as rapidly as possible" and that he had no men any nearer than Fort McKavett.<sup>18</sup>

The rangers were from Captain Daniel W. Roberts' Company D of the Frontier Battalion with Sergeant Ed A. Sieker in charge. The men were George R. Bingham, Samuel A. Henry, Richard R. "Dick" Russell, and D. T. Carson. Later Sergeant L. B. Caruthers from Company E arrived to join in the work, but the names of the others are not recorded. They reached Fort Stockton on 6 June. Ten days later, Judge Frazer communicated to Governor Roberts that they had as yet "not been able to apprehend any of the robbers but will get them if he [Sergeant Sieker] is allowed to remain."<sup>19</sup>

The outlaws then boldly rode to Fort Stockton and remained there for several days. On 1 June, a little before sundown, Sheriff Harry Ryan and a posse surrounded Silverstein's Saloon. Carr was arrested, "suspected of being one of the party that robbed a store at Fort Davis a few days ago. He is also believed to be one of the Peg Leg stage robbers, and a very dangerous character. A number of shots were fired during the progress of the arrest, but none took effect." Carr's friends made their escape.<sup>20</sup>

Judge Frazer, feeling anxious as the rangers had not yet arrived, telegraphed Jones on 3 June that "they should be here now" and advised that once they got there, there would be "plenty of work for them." Missing the irony of the situation that the citizens had already captured one of the robbers without the presence of the rangers, Frazer proudly announced that they had captured Carr and in addition left the other robbers afoot—as their horses had been captured. He believed they were "probably good to capture them if they do not get fresh horses before the rangers arrive." Nevertheless they captured no one but Carr and remained "in great fear and on the alert." Whoever wrote the report to the *Galveston Daily News* optimistically believed that the other gang members "w[ould] probably be captured soon." Carr was identified as one of the robbers by Joseph Sender and placed in jail "and a guard is on the lookout to prevent his escape or recapture by his friends."<sup>21</sup>

Once at Fort Davis, Sergeant Sieker had the responsibility of guarding Carr in the insecure Fort Davis jail. Since it was common knowledge that the rest of the gang was still in the area and would attempt to liberate Carr, Sergeant Caruthers ordered Sieker to take the prisoner to Fort Stockton, where the jail was more secure. Sieker and his detachment jailed Carr there on 18 June. Somehow the gang learned of the removal of the prisoner and made a plan to ambush the rangers in Limpia Canyon. Sieker suspected that might happen and took Carr by a different route to *durance*

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<sup>17</sup> Judge G. M. Frazer, telegram to Governor O. M. Roberts, 24 May 1880, AGF, TSA.

<sup>18</sup> Adjutant General John B. Jones, telegram to Judge G. M. Frazer, 25 May 1880, AGF, TSA.

<sup>19</sup> Judge G. M. Frazer, telegram to Governor O. M. Roberts, 16 June 1880, AGF, TSA.

<sup>20</sup> *Galveston Daily News*, 3 June 1880.

<sup>21</sup> *Ibid.*; Captain Neal Coldwell, telegram to Adjutant General John B. Jones, 10 July 1880, AGF, TSA.



vile. Now the rest of the gang, identified as Evans, August Gross alias John Gunter, and Jesse and Charles Graham, “continued to skulk through the mountains near this place , . . . watching [for] an opportunity to release the prisoner.”<sup>22</sup>

Sergeant Caruthers, who had arrived at Fort Davis the night of Sunday, 6 June, found everything “quiet now” but the people still wary and “always on the look out for the outlaws from Mexico and the Pecos. . . .” He had learned there were “a great many outlaws congregated on the Pecos, from Lancaster up to Seven Rivers, a good many of them are between the New Mexico line and Horsehead Crossing and have been compelled to leave New Mexico.” By then, the citizens of Forts Davis and Stockton had offered a reward of \$1,100 for the others who had robbed Sender & Siebenborn’s store. He also reported the arrest of Carr, but pointed out that there had been a gunfight with the citizens, “who only captured Bud, and let the other two escape—in fact was badly managed by the aforesaid parties.” Believing the Graham brothers were wanted in Williamson County he had wired for *capiases* to arrest them.<sup>23</sup>

Caruthers learned the gang planned to rob the stores of Abbott and Davis and O. M. Keesey, but the attack was delayed because of Ace Carr’s arrest. Caruthers also attempted to identify the gang members. Bud Graham, alias Carr, was a brother of Charles Graham, alias Charles Gross. Another brother was “Dolly” Graham alias George Davis. Graham, alias Davis, “being in town with a commorade [*sic*] by the name of John Gunter, but I find he passed in New Mexico, under the name of John Gross, but I think his real name is August Gross of Fort Griffin, the third party in the robbery here, one Jesse Evans, has several indictments against him in New Mexico.”<sup>24</sup> Further, Caruthers wrote, “the band [consisted of] some twenty men last year, and that they have their agents here and in Stockton, their agent here is Capt. Tyson, his real name is John Selman, who I find is Ind[ict]ed in Shackelford Co. I think from what I can learn that he is Chief of the gang and as he was getting very scarry [*sic*], I had him appointed Deputy Sheriff and Jailer as the Jailer had just resigned.”<sup>25</sup>

Caruthers apparently could not appreciate the irony of the situation of making John Selman a jailer, unless he believed Selman would do his “duty” to prevent prisoners from escaping. Caruthers had additional concerns. The outlaws constantly changed the location of their camps in the mountains. He had thought of a plan by which, he believed, the outlaws would make an effort to escape jail “and think it would have worked out all right, if the Sheriff (Captain Wilson) had not let all out on a drunk.”<sup>26</sup>

Although at this point Caruthers would not arrest Selman, “because I know, that I could not hold him here,” a week later he had him in custody. Apparently the arrest was made by Sergeant Sieker, although the details are unknown. Here Sieker complained of the small number of rangers he had, too few to guard the jail or do any effective scouting.<sup>27</sup> Selman offered to identify the members of

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<sup>22</sup> Captain Neal Coldwell, telegram to Adjutant General John B. Jones, 10 July 1880, AGF, TSA.

<sup>23</sup> Sergeant Caruthers, telegram to Lieutenant C. L. Nevill, 8 June 1880, AGF, TSA.

<sup>24</sup> Sergeant Caruthers, telegram to Adjutant General John B. Jones, 28 June 1880, AGF, TSA.

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*

<sup>27</sup> Semi-monthly return of Capt. D. W. Roberts, 1 July 1880, AGF, TSA.



the Shackelford mob which had murdered his partner John M. Larn back in 1878, apparently in exchange for his freedom. Caruthers refused of course, and managed to keep Selman in custody even though a jail release was almost successful.<sup>28</sup> Carr “came very near making good his escape through the kindness of the jailer at Fort Davis, who has since been recognized as belonging to the same gang. He is known on the Pecos river as Jno. Smith, at Fort Davis as Jno. Liesen and in Shackelford County, where indictments are against him, as John Sellman [*sic*].”<sup>29</sup>

To reduce some of the pressure on his rangers, Sergeant Sieker wanted Selman to be delivered to Shackelford County and notified Georgia-born Sheriff William R. Cruger to that effect. Cruger wrote that he “would not answer for John Selman’s life if I brought him here, and also that the charges against him could not be sustained by law.” Thus, Selman was not wanted back in Shackelford County—and if he were delivered to county seat Albany, “nine chances to one that the mob will hang him.”<sup>30</sup> To give Sieker and the authorities there some satisfaction, Adjutant General Jones ordered him to deliver Selman to Fort Concho, Tom Green County, and turn him over to the county sheriff there.<sup>31</sup>

Sergeants Sieker and Caruthers certainly had their work well defined: guard the jail, deliver Selman, watch suspected county officials for malfeasance, and scout the mountains for members of the Jesse Evans gang. The break they needed soon came.

On 29 June, someone informed them that some of the gang had been seen in the mountains in the vicinity of Presidio del Norte, almost one hundred miles south of Fort Davis. On the night of 1 July with Sergeant Sieker in charge, a scout was ready to begin the hunt for the Evans gang. Sieker selected Privates George R. Bingham, D. T. Carson, Samuel A. Henry, Richard R. Russell, and Sgt. Caruthers; they took Clato Herridio along as their guide. By the afternoon of the third, they were between fifteen and eighteen miles from Presidio del Norte, almost on the Rio Grande. Sergeant Sieker provided the best account of what happened then:

When within 18 miles of that place, we discovered four men, with pack horse, going towards the rough mountains. We advanced on them, they commenced running & drew their guns & fired on us. We shot at them & a running fight lasted for 1-½ miles. When they run up a large mountain, we followed. As soon as we were on top of the mtn. we soon discovered they were concealed behind a ledge of rocks, as a solid volley was fired at our little band. As there were but three of us at that time, before we dismounted, a shot cut Carson’s hat brim, and another passed under his leg, cutting his stirrup leather & wounding his horse in the side. They shot volley after volley at us, at forty yards range in open view & they behind the rocks. Carson shot one of the party in the side, but he was determined to ‘sell out,’ and kept firing, around our heads, very closely. When I saw him stick his head out to shoot, I shot him between the eyes, [the bullet] coming out at the back of his head. Bingham was to my left, and about 35 yards to the rear, when he was shot through the heart. 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. Then they prayed for mercy.<sup>32</sup>

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<sup>28</sup> Sergeant Caruthers, telegram to Adjutant General John B. Jones, 14 June 1880, AGF, TSA.

<sup>29</sup> *Galveston Daily News*, 8 July 1880.

<sup>30</sup> William R. Cruger, telegram to Adjutant General John B. Jones, 1 and 2 July 1880, AGF, TSA.

<sup>31</sup> Adjutant General John B. Jones, telegram to Sergeant Sieker, 12 July 1880, AGF, TSA.

<sup>32</sup> Sergeant Sieker, telegram to Governor O. M. Roberts, 21 July 1880, AGF, TSA.

Although initially the rangers outnumbered the outlaws, when the shooting started it was an even numbered affair—four outlaws and four rangers. Sergeant Caruthers was too far behind the rest of the group to participate. Private Henry was with the pack animal, riding a mule, as his horse had gone lame. Bingham had been shot and killed in the first volley from the outlaws' guns, leaving Sieker, Carson, and Russell to carry on the fight against the outlaw quartet.<sup>33</sup>

Carson had nearly been shot in the head and his horse was wounded, yet he continued to fight. Sieker maintained the presence of mind to get off a careful shot—under fire—and placed his bullet between the eyes of Jesse Graham. This demoralized the remaining three and with the odds even, they surrendered. The outlaws captured were identified as Charles Gross Graham, alias Charles Groves or Graves; August Gross, alias John Gunter; and Jesse Evans, “the noted New Mexico desperado.” As soon as the fight was over and the prisoners secured—and Bingham’s body discovered—Sieker sent guide Herridio to Presidio del Norte to request the services of a coroner.<sup>34</sup>

The next day Herridio and the coroner arrived, it was determined that “G.R. Bingham came to his death in the discharge of his duty—and that Jesse Graham came to his death by resisting arrest.”<sup>35</sup>

The excitement of the fight gradually ebbed away, with two dead men, Carson’s wounded horse, and two dead horses before them. They were all a mile and a half from the Presidio road, on top of a mountain, a mile above sea level. After the coroner finished with his examination, Bingham—and perhaps Graham—was provided with a temporary burial. “We buried him on the side of the road, and our little squad showed him all the respect we could. We formed and fired three volleys, over his grave, and with saddened hearts, we wound through mountain passes, to [Fort] Davis, arriving safely with our prisoners. The people are happy over our success, & will have Bingham’s remains buried here.”<sup>36</sup>

Sergeant Sieker kept his promise. On 11 February 1881, he and four men left camp in Musquiz Canyon to bury Bingham. He wrote in his monthly report they “disinterred him on 17<sup>th</sup> and sent him to Fort Davis where he was reinterred on 20<sup>th</sup> in town cemetery by Sergt Caruthers.”<sup>37</sup> Today, George R. Bingham’s remains still rest in the Pioneer Cemetery at the foot of Dolores Mountain in Fort Davis. This cemetery probably originated in the early to mid-1870s, and although not officially



**Outlaw Jesse Evans and an unknown woman. The woman holds the gun - not Evans. This photo is claimed to be Evans, but to this day, historians aren't quite sure.**

**Info: [angelfire.com](http://angelfire.com)**

<sup>33</sup> Sergeant Sieker, telegram to Captain D. W. Roberts, 12 July 1880, AGF, TSA.

<sup>34</sup> Captain Neal Coldwell, telegram to Adjutant General John B. Jones, 10 July 1880, AGF, TSA.

<sup>35</sup> *Ibid.*

<sup>36</sup> Sergeant Sieker, telegram to Governor O.M. Roberts, 11 July 1880, AGF, TSA.

<sup>37</sup> Sergeant Sieker, telegram to John B. Jones, 28 February 1881, AGF, TSA.



designated as a cemetery, it was used by people of all races and beliefs. Only a few stone markers remain there today.

Jesse Evans and the others paid for their crime of resisting the rangers. Not knowing that Bingham was killed at first fire, Sieker accepted their surrender. Had he known, the other three would have been shot as well, but instead of executing them, the prisoners were delivered to the jail in Fort Davis. On 7 July, Captain Neil Coldwell telegraphed Jones that the trio had had a “preliminary examination before Judge Duke on charge of murder of private Bingham & committed without bail.” He further explained what his men would have to do, that it was “necessary that we guard jail until these men are tried in October[.] the arrest of these men will put a quietus on the trouble heretofore existing here except horse stealing by Mexican thieves which is likely to continue until broken up by Rangers.” He estimated that if there were fifteen men stationed there, the country could be entirely free of thieves and fugitives from justice within three months. Five men would be needed to guard the jail and the others assigned to scout. Although the local populace could not produce enough dependable men to guard the jail, “citizens [were] much elated by [the] success of rangers & [said] that by their gallantry have broken the reign of terror here.”<sup>38</sup>

By late September, Captain J. W. Graham of Georgetown had arrived in Fort Davis to see to his sons’ defense. By the time court began on 4 October Mr. Graham had found an attorney who secured bond for them. Once out of their irons, the boys jumped bail and disappeared; their final demise is unknown. Jesse Evans was found guilty of participating in the robbery of Sender & Siebenborn’s store, and was also found guilty of the murder of Bingham. He was sentenced to ten years on each count and was received at Huntsville on 1 December 1880 as prisoner number 9078. On 23 May 1882, Evans escaped from a work crew—what happened to him after that date is unknown.<sup>39</sup>

Captain Roberts may have had nothing more to say about the whole affair, but what Adjutant General John B. Jones wrote in 1880 is perhaps the finest eulogy that could be given to Bingham:

The death of poor Bingham is much regretted but of course his fate is that which all take the chance of when they enter such service as we are engaged in.<sup>40</sup>

<sup>38</sup> Captain Neil Coldwell, telegram to Adjutant General John B. Jones, 7 July 1880, AGF, TSA.

<sup>39</sup> Philip J. Rasch, “The Story of Jessie [sic] J. Evans,” *Panhandle-Plains Historical Review* (1960).

<sup>40</sup> Adjutant General John B. Jones, telegram to Captain Roberts, 14 July 1880, AGF, TSA.



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