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SUMMER 2015

INDEPENDENT

VOL. 2 NO. 1

VOTERS INCORPORATE KINGSBURY

THE NEWEST CITY IN TEXAS ASPIRES TO ESTABLISH A NEW MODEL OF LOCAL GOVERNMENT

Staff Writer

KINGSBURY— Residents of Kingsbury made history by voting to approve the newest city in Texas. At the May 9, 2015 general election the residents of the proposed city of Kingsbury voted to incorporate into a Type C general law city in an electoral landslide of 66—2. The new city is named the "City of Kingsbury, Texas." The community has existed for the past 140 years and is named for William Gilliam Kingsbury, a dentist, agriculturalist, and immigration agent for the Galveston, Harrisburg and San Antonio Railroad. He was responsible for a mass influx of German, Czech and English immigrants along the Sunset Route (I-10 corridor) between Houston and San Antonio, including what is now the City of Kingsbury.

Establishing a new city is a relatively rare event in Texas, which averages less than 1 new city per year over the last two decades. Other recent cities include nearby Staples and Sandy Oaks in Bexar County.

The Kingsbury election came as nearby City of Seguin embarked on an aggressive annexation down the middle of IH-10, SH 90, and the SH 130 tollway. The annexations caught the small community of Kingsbury in the extra-territorial jurisdiction (ETJ) of Seguin and limited the citizens of Kingsbury to the regulations of a city 10 miles away.

Kingsbury will be a Type C general law city, which is designed for smaller communities. It has a



MEMBERS OF THE COMMITTEE TO INCORPORATE KINGSBURY POSE WITH GUADALUPE COUNTY JUDGE AND COMMISSIONERS ON THE DAY THE CITY OF KINGSBURY WAS INCORPORATED.

mayor-commissioner form of government which consists of a Mayor and two Commissioners who are elected at large. The three constitute the city council. Because the council will consist of three members, the Mayor in a Type C municipality votes regularly. This is different than other types of cities where the Mayor votes only in the case of a tie. The election for Mayor and Commissioner will be held in November. Anyone wishing to run for Mayor or City Commissioner needs to fill out an application with the Guadalupe County Judge's Office by August 24, 2015 at 5:00 p.m.

**KINGSBURY INCORPORATION
 RESULTS—MAY 9, 2015**

	TOTAL VOTES	%	EARLY VOTE	ELECTION DAY
For	66	97%	43	23
Against	2	3%	1	1

The effort to incorporate Kingsbury into a limited government form of municipality was conducted by the Kingsbury Incorporation Committee (KIC). KIC began by holding a series of public hearings on the issue to gather community support. Issues from services to proposed city boundaries were discussed over the course of several meetings.

Ultimately a petition was circulated and submitted to the Guadalupe County Judge who ordered the election on incorporation. The effort was assisted by Art Martinez de Vara, an attorney specializing in new city formations and Jess Fields of the Texas Public Policy Foundation.

Congratulations to all Kingsburians on the birth of our new city!

GENO'S GARAGE — THE MECHANICAL AND PHILOSOPHICAL EPICENTER OF KINGSBURY

**By Bob Grafe
 Kingsbury Independent
 Correspondent**

KINGSBURY — Some small to medium size Texas towns and cities have a wide variety of coffee shops, diners, parks and more where one can sit for a spell, rest a bit, chill out or just fill up. Other places along the Texas roadways take that a step or two further.

Take Kingsbury for example. There's only one place in Texas that I'm aware of where you can get your flat tire fixed, play a game of cards or dominos with other friends and customers while sitting on an old radiator, drive-shaft or empty fuel tank, where the coffee's hot, the aesthetics are surprisingly comfortable, the views are down-home, and the conversation is just downright politically incorrect when the locals gather to debate the hot topics of the day.

It doesn't matter whether its winter or summer inside or outside of Geno's Garage located in the center of "downtown" Kingsbury at the blinking light of U.S. Hwy. 90 and FM 2438. There's no heat in the winter except for an aging but very

efficient, if you're close, wood stove and no cooling in the summer except for the occasional modern and cost-effective cross ventilation when the roll-up door is partially or fully open and an opposite pedestrian door is left ajar.

No matter. The place is always abuzz with customers and part-time

or full-time mechanics alike at Geno's ... inside and out ... all year around.

Reportedly built around 1928 as a gas station and garage, as one customer told me: "You want something ... just about anything mechanical ... fixed in Guadalupe County, you take it to Geno's."

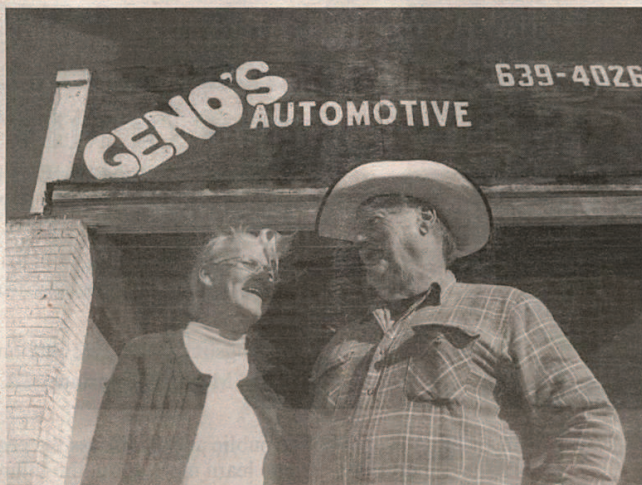
And, that's been the sentiment for the past two decades and a little more since Geno Boeck and his wife Irma opened their business located about mid-way between Luling and Seguin on Hwy. 90.

Geno was raised mostly in the San Antonio area. However, he had to come to Kingsbury to find his sweetheart ... and he found her while out riding a horse with her brother not too far from his business location in town. Geno said "That was quite a few good years ago." Irma was raised around the Dean's Store area a few miles north of Geno's Garage. She says that she "Loves everyone in Kingsbury. It's almost perfect here and we want it to stay that way."

Picking up on what his wife said, Geno added "Kingsbury is still a sleepy little place. We mostly all get along. A great place to live."

Geno and Irma Boeck have two children and one grandchild. Along with long-time mechanic friend "Bo," they operate their Geno's Garage business Monday through Friday and can be reached at 830-639-4026.

Geno's Garage in Kingsbury is truly a Texas Treasure!



IRMA AND GENO BOECK STANDING OUTSIDE OF GENO'S AUTOMOTIVE LOCATED IN KINGSBURY, TEXAS

EDITORIAL: IF YOU CAN'T FIGHT CITY HALL, MAKE YOUR OWN



By Jess Fields
Center for Local Governance
Texas Public Policy Foundation

EDITORS NOTE: This editorial originally ran on March 3, 2015 on Briart.com prior to the Kingsbury's incorporation election. It is reprinted here in its entirety with permission of the author.

The old expression "you can't fight city hall" seems more relevant than ever, with cities all over the state and country imposing massive new regulatory schemes that threaten both our liberty and pocketbooks.

But rather than struggle upstream against big government policies and central planning agencies at the local level, some Texans have figured out an innovative new way to protect their rights from usurpation. Instead of fighting their cities, they are just creating their own.

This concept – where Texans create new cities for the express purpose of pro-

tecting their liberty – is called the "Liberty City." On Tuesday, the Texas Public Policy Foundation released a new study called "The Liberty City: A New Concept for Self-Governance," which looks at the concept and encourages the Texas Legislature to act to promote this exciting new effort. And last week, State Senator Konni Burton filed a bill to put the Liberty City idea into law.

The small community of Kingsbury, just outside Seguin, may become the next Liberty City. Last Friday, the Guadalupe County Judge signed an order calling for an incorporation election for Kingsbury on May 9. If it passes, Kingsbury will become its own municipality. Kingsbury's incorporation effort is a shot across the bow to the big neighbor next door, the City of Seguin. Seguin has been expanding its Extraterritorial Jurisdiction – or ETJ – for a number of years as the city has grown by annexing more and more territory. Recently, Seguin annexed enough land to bring much of historic Kingsbury into its ETJ.

The ETJ acts like a second set of city limits, extending out miles from the actual city limits of Texas municipalities. While citizens living in the ETJ are not taxed, they can be regulated, and they are not allowed to incorporate.

They also aren't allowed to vote in city elections, meaning that the ETJ really acts like "regulation without representation."

The Liberty City proposal allows residents of an area that may be subject to annexation by a bigger municipality to

form their own community, even if they are in the ETJ. This allows local residents to protect their rights.

Senator Burton's bill, SB 710, creates the Liberty City in state law as an option for citizens who are trying to resist big government by creating their own freedom-loving small city. When incorporating, citizens have an option between Type A, B, and C general law municipalities. If Senator Burton's bill passes, they would also have the option of creating a "Liberty City."

This would allow people in Kingsbury's situation to resist being brought under the thumb of another city without their consent by just creating their own city. As it stands, Kingsbury doesn't have that option. So they are incorporating what they can, which is the slice of their community not within the ETJ of Seguin.

It shouldn't be so difficult for the residents of Kingsbury to protect their rights

from Seguin, and that's why the Liberty City concept is so necessary. As big cities trample on the rights of Texans all over the state, there has to be a way to fight back.

If this idea is successful, Texans will gain the opportunity not just to fight city hall, but to create their own – one focused on protecting their individual rights, spending their money wisely, and fighting big government.

Perhaps Kingsbury, if the incorporation election is successful, will become the next Liberty City. If the Liberty City legislation passes, they won't be the last.

The Hon. Jess Fields is the Senior Policy Analyst in the Center for Local Governance at the Texas Public Policy Foundation and a former College Station City Councilman. He may be reached at jfields@texaspolicy.com.



46TH ANNUAL BENEFIT BAR-B-QUE & DRAWING

Benefitting the Kingsbury Volunteer Fire Department

Kingsbury, Texas

Saturday July 25th, 2015

Serving 5:30 - 9:00

Adult Plate \$8

Child Plate \$7

Water Slide— Games for the Kiddies — Amusements

Country Store — Live Auction — Silent Auction

D.J. Bo-Peep Will Play 1-5 P.M.

FREE DANCE UNDER THE STARS

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CLINT TAFT & THE

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KINGSBURY RESIDENTS TESTIFY BEFORE THE TEXAS SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS ON ANNEXATION REFORM AND LIBERTY CITY LEGISLATION



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NOTICE OF MEETINGS

THE NEXT GENERAL MEETINGS OF
THE KINGSBURY INCORPORATION COMMITTEE

Are scheduled for Friday, June 19, 2015 at 7:00 P.M.
and Friday July 17, 2015 at 7:00 P.M.

At the Kingsbury VFD Fire Station located at
1060 FM 1104, Kingsbury, TX 78638

This meeting is open to the public and to discuss the proposal to incorporate Kingsbury into a city. Come learn more about the future of our community.

For more information, contact us at kingsburytexas@gmail.com

THE TEXAS 'LIBERTY CITIES' REBELLION



By Anthony Zurcher
BBC News
North America Reporter

EDITOR'S NOTE: Kingsbury's efforts to incorporate and preserve its identity has gained international attention. BBC News, (the British Broadcasting Company) recently profiled Kingsbury and what they called the Texas "Liberty Cities" Rebellion. The article ran in the United Kingdom, Canada and on its North American News website. It is reprinted here with the permission of BBC News.

As with many old Texas settlements, however, the trains - the lifeblood of commerce - eventually stopped visiting. The lumberyard shuttered, the hotels closed and the bank burned down after the manager ran off with all the money.

Now all that remains of Kingsbury are a few shops, a volunteer fire department, a local cafe and houses dotting large pastures replete with grazing cattle. Lots of cattle.

That's just the way many Kingsbury residents like it, of course. They - or their forebears - did not come to the area to be part of the hectic city life.

Even the modestly sized town of Seguin, Kingsbury's closest neighbour, grew by more than 14% from 2000 to 2010.

Its population is now 27,000 - not big by any measure, but it's likely to keep booming, thanks to the arrival of a massive engine-manufacturing plant in 2014 and a global food-processing facility slated to open in 2016.

Shirley Nolen, a fifth-generation resident of Kingsbury, eyes Seguin warily. She says the town is laying claim to potentially lucrative real estate near Kingsbury, setting the stage for the kind of municipal regulation - and, eventually, taxation - that country dwellers like her had sought to avoid.

"We basically report to Seguin," says Bob



"THE BANK WAS THE NICEST BUILDING IN TOWN," SAYS BOB GRAFE, A KINGSBURY RESIDENT



SEGUIN'S "CITY LIMIT" SIGNS ARE CREEPING EVER CLOSER TO KINGSBURY



KINGSBURY RESIDENTS HOLD THE PROPOSED BOUNDARIES OF THEIR INCORPORATED TOWN

"We wanted to be out in the country," says George Hext, a retiree who calls Kingsbury home. "It's nice and quiet."

But while folks like Hext may not be keen on Texas cities, metropolitan Texas could be heading their way.

It is a fate familiar to a growing number of rural residents in this booming state.

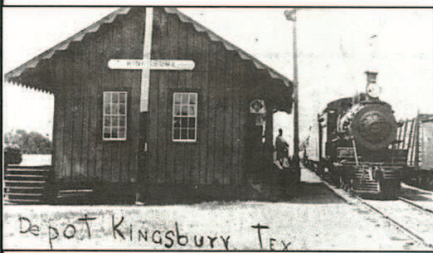
Although it is known more for big skies than big skylines, Texas is swelling with people. The state as a whole saw its population surge by 451,321 - the most in the nation - from July 2013 to July 2014. Five of the 10 fastest-growing cities in the US in 2014, according to Forbes magazine, are located in the state.

Grafe, a Kingsbury resident. "It's regulation without representation."

And so Nolen, Grafe and a handful of residents in and around Kingsbury have come up with a plan. They want to incorporate what they can of Kingsbury and make it a low-tax, low-regulation symbol for other small towns battling big-city encroachment across the state.

"We want our downtown," Nolen says. "We want our churches. We want our post office. We want our community back, and we're not stopping."

Texas is known for its low taxes and limited government - but its big cities look a lot like big cities anywhere, with their own rules and regulations. As they spread across the neighbouring countryside, some unhappy rural residents are



drawing a line in the sand.

There's not a whole lot to Kingsbury, Texas. In fact, it's not even really a town.

Technically Kingsbury is just part of Guadalupe County, in the central part of the state. It is a name and a postal code on a row of dilapidated buildings dating to the early 1900s, when the area had a bustling railroad depot, lumberyard and supporting businesses.

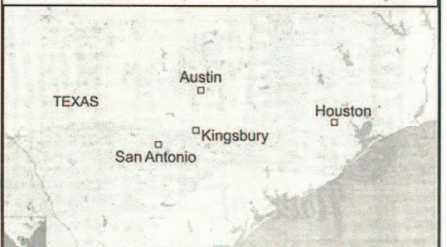


SHIRLEY NOLEN'S MOTHER (TOP RIGHT) GREW UP IN KINGSBURY

THE MOVEMENT BEHIND THE TOWN

Kingsbury's would-be founders are making their little piece of the Texas countryside the latest battleground in what's been called the "liberty city" movement.

It is a cause championed by Jess Fields, a pol



KINGSBURY IS LOCATED BETWEEN THREE OF TEXAS' LARGEST METROPOLITAN AREAS

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ITALIAN OPERA IN THE HEART OF KINGSBURY? YOU BET!

BY ALLISON WARD
KINGSBURY—On November 1st, 2014, Italian opera was heard ringing across Railway street from the front of Johnny Harborth's shop. The man singing was Adrian Owen, and he sang the song in trade for a jar of barbecue sauce, a cupcake and a chocolate bar.

The song was part of a Trading Post project by Habitable Spaces, a farm and artist residency program located in Kingsbury. The idea was to build a small structure that would mimic the old buildings along Railway street in downtown Kingsbury. Inside the building, performance artists Seth Larson and Abigail Entsminger acted as merchants, trading farm goods from Habitable Spaces for artwork in the form of fine art, songs, performances, poetry or handicrafts. The crew from Habitable Spaces built a small structure in the empty lot between Johnny Harborth's shop and

the Kraft Saloon. Made with old wood from Geno's scrap yard, the structure resembled a miniature trading post, complete with a mounted elk's horns, compliments of Johnny Harborth.

It wasn't long before the community of Kingsbury started getting involved in the event, with a small farmer's market threading its way down the sidewalk in front of the buildings on Railway street. Some of the highlights of the farmer's market were the Kingsbury Incorporation Committee bake sale, which offered many home baked goodies for passers by, the crochet wonders offered by Diane Perfetto, and the beautiful ceramic sculptures inside the old post office, which has now become a gallery and studio space for Brenda Wurz. Luling Ice house pottery and Trea's Treats and Treasures from Seguin were there offering up their handicrafts at the farmers market as



well. The Railway Jumpers played classic country tunes while fast paced bartering was going on inside the Trading Post. The project was a huge success, involving the entire community of Kingsbury, and with guests and participants as far afield as New York City, Puerto Rico and France.

OBITUARIES: REMEMBERING KINGSBURIANS WE'VE LOST

Debbie Thompson—Debbie Bonorden Thompson passed away on April 10, 2015. She was born on July 23, 1959 in Port Lavaca, Texas to Malcolm Bonorden and Violet Hensley Bonorden Lillie. Debbie met the love of her life Loyd while working in San Antonio as an office manager in a tire center. She and Loyd moved to Kingsbury where they set up a shop of their own. When she was not working at the auto shop, she was busy volunteering at First United Methodist Church, serving as a Sunday school

teacher for the 2 and 3 year olds. Debbie is preceded in death by her father, Malcolm. Survivors include her loving husband, Loyd Thompson; daughter, Kristin Malatek; son, Nick Thompson; mother, Violet Bonorden Lillie; grandchildren, Landin, Kaylee, Rylee, and Jason; numerous other loving family members and many friends.

TJ Wilke—Thomas Joe "T. J." Wilke, age 56 of Seguin, passed away on April 24, 2015. T.J. was born on May 26,

1958 in Seguin to Paul Wilke and Maxine Wernli Wilke Garner. A lifelong resident of Seguin, he was well known for his love of family, community, and of course his cattle business TW&W that he ran with his wife Charmaine. T.J. will be remembered as a wonderful, caring, and loving man. T.J. is preceded in death by his father, grandparents, and cousins. He is survived by his loving wife, Charmaine and beloved heeler, Sugar; children Joey Wilke, and wife Rebekah, Travis Wilke, and wife Laura, Marshall Wilke, Kellie Whitson, and husband Martin, Todd Bush, and wife Kelly; granddaughter Scarlett Wilke; grandsons Sheldon, Tanner, and Brody

Whitson, Deegan, Trevor, and Braxton Bush; mother Maxine Garner; sisters Anne Henderson, and Audra Schultz, and husband Shane; nieces Megan Pierson, husband Michael, and Bridget Henderson; nephews Nathan Henderson and Wil Schultz, as well as numerous aunts, uncles, cousins and many friends.

Moosey Glenewinkle — August "Moosey" Glenewinkel III, age 88, of Kingsbury passed away on March 15, 2015. Moosey was born on May 13, 1926 in Kingsbury, Texas to August Jr. and Lena (Bittner) Glenewinkel. He is preceded in death by his wife, Lucile

CONTINUED ON PAGE 5 >

Habitable Spaces
and
Three Walls Gallery
Present
Kingsbury's
1st Annual
Summer Solstice
Film Festival

JULY 11th, 2015 6PM TILL MIDNITE

City of Kingsbury



Low or no debt! Low or no property taxes!
 A city made just how "we" like it!
 Support and protect Kingsbury's history and its future!

Bob & Janet Grafe
 Kingsbury, Texas

LIBERTY CITY, CONTINUED

ic analyst for the conservative Austin-based think tank the Texas Public Policy Foundation.

"The liberty city idea kind of goes back to the basic concept that people have a fundamental right to determine what kind of government they want to live under," Fields says.

He says the big Texas cities have veered far outside of the essential purpose of government, with lifestyle regulations that infringe on personal liberties - such as limits on the use of firearms, plastic bag fees, excessive building codes and punitive taxes.

"I don't deny that some of these regulations are well intended to promote public health and safety, but there's a point at which these good intentions are eclipsed by their clear, negative, unintended consequences," he says. "We don't want the government to tell you how to do every little thing with your property and what to do with your life."



DOWNTOWN KINGSBURY, THEN AND NOW



KIC MEETS AT KINGSBURY FIREHOUSE

Earlier this year state Senator Konni Burton introduced "liberty city" legislation, SB710, which would lower the hurdles to incorporation for small towns - if they agree to a "bill of rights" that includes the right to bear arms, religious practice and free speech, and protection from unreasonable

searches, "including the collection of data, surveillance and forceful search methods". It also requires that any change in property taxes are approved by at least 60% in a public vote.

According to Art Martinez de Vara, Burton's chief of staff, the guarantees would ease concerns of wary rural residents who think that, despite assurances to the contrary, newly minted local governments will eventually become as power hungry as their more established counterparts.

He says the legislation has been well-received, although it may take time for enough politicians to get on board.

"It's a really good experiment in democracy," he adds.

LIBERTY CITY ON A HILL

Martinez de Vara is a particularly well-qualified advocate for liberty cities, as he is also the mayor of Von Ormy, a small town near San Antonio that is held up as the shining example of what a liberty city can be.

When Von Ormy was founded in 2008, it had a minimal real estate property tax. That tax has now been completely abolished, and the limited city government is funded from business fees and a sales tax.

Every city service that can be outsourced - such as trash collection - has been. The fire station is mostly volunteers. The police force? Mostly volunteer as well, serving as a supplement to the county sheriff department.

"Other cities have a police department, and they don't want the sheriff in their town," he says. "They have high taxes. We try to do it differently."

He notes that the city has no gun restrictions and no smoking prohibitions, and is the only town in the county without a fireworks ban.

"You can buy cigarettes, carry them in a plastic bag, then smoke them in our town," he says. "We don't promote it. We don't not promote it. It's the free market."

He adds that they do have building safety codes, although inspection fees are minimal.

"We're not anarchists," he says. "We just believe in limited government."

Most big Texas cities have gone deep into debt to fund major infrastructure projects, as well as benefits - such as pension plans and healthcare - for city workers, he says. The only way to balance the books without raising taxes - and putting them-



MAYOR ART MARTINEZ DE VARA RUNS THE "LIBERTY CITY" OF VON ORMY

selves at a disadvantage compared to other cities - is to expand.

It is a short-term solution, he says, but it is unsustainable. More than that, cities are grabbing only the most economically viable of the outlying areas, leaving the rest with a minimal income base and little or no services.

"They're cherry-picking," he says, pointing to the example of Kingsbury.

"Is Seguin going to annex Kingsbury proper anytime soon? Probably not. But they're certainly going to pick around it, to the point where if Kingsbury were to wait 10, 15, 20 years to incorporate, there wouldn't be anything of value that they could make into a sustainable city. It's basically forcing them into generational underservicing."

For the residents of Kingsbury, however, it comes down to a simple goal. "We're here to keep Kingsbury alive," Nolen says.

A vote among the 166 registered voters will be held on 9 May, and a simple majority is enough to put Kingsbury, officially, on the map.



FORMER U.S. POST OFFICE, KINGSBURY, TEXAS

"This is home," Nolen says. "It may not be a lot to look at for other people, but to us it's home."

OBITUARIES, CONTINUED

(Weilbacher) Glenewinkel; daughters, Gem Henk and Melody Gavlik; son-in-law, Terry Brashears; brothers, Martin, Norman, Henry, and Elmer Glenewinkel; sisters, Elsie Wagener, Cora Jahns, Angela Mack, and Annie Heinemeyer. He is survived by his daughters, Joy Brashears, Gay Jackson and husband Don; son-in-law, John Gavlik; brother, Herman (Jake) Glenewinkel and wife Barbara; sister-in-law, Betty Weilbacher; numerous grandchildren, great-grandchildren, and even great-grandchild as well as numerous nieces, nephews, and friends.

James Cathey—James Scott Cathey, of Kingsbury, passed away on Wednesday, March 25, 2015 at the age of 56. He was born in Fallon, NV on March 5, 1959, to James Davis Cathey Jr., and Ethel Louise Pye. He is preceded in death by his wife Rhonda Cathey and his brother Randy Ray Cathey. Survivors include his parents, sister Christie Louise Cathey, as well as nieces, nephews and best friends, Jerod and Jason.

Clarence Dearing — Clarence Albert Dearing, Jr., age 74, of Kingsbury, TX passed away at his home on Sunday, April 19, 2015. He was born in San An-

tonio, Texas on December 16, 1940 to Clarence Albert Sr. and Clara Dearing. He was raised in Prairie Lea, Texas. He proudly served in the U.S. Navy. On September 10, 1960 he married his loving wife of 54 years Betty (Pinter) Dearing. Together they had four children. He is preceded in death by his parents; father-in-law Henry C. Pinter and grandson Zachary Dearing. He is survived by his wife Betty Dearing; children, Mike and Mary Dearing, Debbie and Frankie Daleo, Cathy and Mark Lane and Patsy Grimm; mother-in-law, Annie Pinter; brother Charles and Sally Dearing; Sister, Elaine Irish; He is also survived by his grandchildren, Jonathan Lane, Joshua Dearing, Darie Daleo and Tony Trojan, Amber and Jody Engelke, Kaleigh & Steven Arroyos, Dot Daleo, Rebekka Grimm and 11 great grandchildren and numerous nieces and nephews. He enjoyed spending time with all his family and his great grandchildren will miss the m&m's, tootsie rolls and scooter rides he used to give them.

Elizabeth McClellan — Elizabeth Janiece McClellan of Kingsbury TX passed peacefully away on Monday May 18, 2015. Best known as "The Cajun Liz" she was famous for her spicy creole cooking, which she loved to share with friends and family. She is survived by

her husband of 50 years Jack, her daughter Roslyn and son-and-law Clark Faust. **Gene May** — Gene May, age 58 of Kingsbury, passed away on June 3, 2015. Gene was born on April 24, 1957 in Indianapolis Indiana to Eugene Edward May, Sr. and Janet Berry-Sifford May Fox. He was a 1976 graduate of Seguin High School and had retired from the Texas Department of Transportation. He is preceded in death by his parents and his step-mother, Marjorie May, his brothers Charles May and Stacy May and his sister Neva Reimers. Survivors include his loving wife of 35 years, Cindi May; his loving daughter, Shawna May; brother, Tracy May; sisters, Sherry Aaron and husband Harley, Frances Keller and husband John; step-father, Harold "Red" Fox; uncle, Charles Sifford; aunt, Barbara German and husband Lester; numerous nieces, nephews, cousins and other loving family members.

Bernard Brietzke — Bernard Brietzke, "Mr. Ben" passed away peacefully Sunday, October 5, 2014 at Guadalupe Regional Medical Center at the age of 96. He lived alone after his lifelong companion, his beloved Julie, had to be moved to a nursing home. For four years Bernard made daily trips to the nursing home to visit Julie. His wife died in December of 2013 at the age of

99. "Benny" as he was known to friends and family was born at his grandmother's home on the Gus Achterberg in Guadalupe County August 17, 1918 to Albert Rudolph and Bertha Alvine (Schievelbein) Brietzke. He and his wife Julia had only one son, Donald Ray, who died at birth. He was a true gentleman and friend whom was greatly admired. He was part of the "Greatest Generation" who fought WWII as a member of the 3rd Armored Division and served as a tank gunner from the beaches of Normandy where he landed on D-Day, to the capture of the rocket scientist Werner Von Braun at Nordhausen, Germany. His unit fought in five major European campaigns, and led the whirlwind summer offensive of the American First Army crack VII Corps, first in Belgium, first into and through the Siegfried line, and the first to take a German town. He fought in the Battle of the Bulge and Benny's unit made the longest 1-day tank advance in history going 101 miles in a day to fight the Germans. Benny worked for sixteen years for Petty Geophysical and then went to work for the State of Texas Roads department where he retired from as a roads maintenance supervisor. Benny was an independent soul and was well known for telling the best stories.

JOHN "HELLFIRE" ROGERS: KINGSBURY'S TEXAS RANGER

KINGSBURY—Texas Ranger Capt. John Harris "Hellfire" Rogers was born in Kingsbury, Guadalupe County, Texas, on October 19, 1863. He, "Augie" Old, and Thalix Cook came to be known as the "Christian Rangers." Rogers was an active member of the Presbyterian Church, served as a church elder, and contributed 10 percent of his income to the church organization. He believed that the use of whiskey led to most crimes and carried his Bible with his guns and could use both whenever needed. For this reason he earned the nickname "Hellfire."

Rogers father was Pleasant William Miles Rogers, son of Isaac and Mahala Rogers of Tennessee. Rogers' father was a Confederate soldier during the Civil war, and participated in the several battles in Louisiana. Family lore recalls how Isaac Rogers came very near being captured on account of his horse falling into a ditch which he attempted to leap, and was unable to extricate himself. The Federal cavalry was close upon him, but at this critical moment he was rescued and carried safely off the field by his brother-in-law, Lieut. John Wesley Harris, who gave the unfortunate young soldier a mount behind him. His mother was Mary Harris, daughter of John and Laura Harris, all old settlers of Guadalupe County.

On the 5th day of September, 1882, at the age of 19, John Harris Rogers joined Company B of the Texas Rangers, commanded by Capt. S. A. McMurry. Rogers remained with this company fifteen months, and then came home in December, 1883, and spent the holidays.

He enlisted again in the following spring in the company of Capt. Joe Sheely, at Cotulla, La Salle County. In the fall of 1885 the command went to Mitchell County, and in the following year went after fence-cutters in Brown County. Captain Scott was in command, and the outlaws were surprised in camp. Rogers was in front, and commenced firing as soon as he perceived them. The rangers all followed suit, and when the smoke cleared up two fence-cutters were seen lying dead on the ground. This was the first battle of young Rogers.

THE CONNER GANG

From Mitchell County a detachment of the rangers were ordered to Sabine County to arrest a gang of murderers and outlaws who had defied the civil authorities, and in fact the whole country. These desperate men were old man Conner and his three sons — Fred, William, and John. They were splendid shots, and lived almost like Indians in the dense pine forest which nearly covered that part of the country. When the rangers arrived in the vicinity of the Conners they were to meet a man at a certain

designated place after dark, who was to pilot them to the camp of the outlaws. He had been with the Conners often, and in fact had been placed in this work by the rangers on a previous trip, when they had failed to locate their men. He was a citizen of this locality, and had bought out the Conners, and they were now living in a camp in the dense pine woods, covered with underbrush. Two other citizens were with the rangers — Judge Polly, from Hemphill, and W. W. Wethered, from the town of Milam. The rangers rode around in the vicinity of the camp in the early part of the night, and their trail was discovered by the Conners while they were out fire-hunting with a torch.

Apprehending the significance of this trail, they at once repaired to their camp and prepared for defense. They took off the bell from a pack horse in piloting the rangers through the dark woods to the strong hold of the outlaws.

He carried them, as he thought, to within two or three hundred yards of their camp, and then went back a short distance, not wanting to be seen by the Conners. Captain Scott had told the man before this to slip down the gully on which the camp was situated and take observations, but not

hearing the bell, he was afraid he had missed the place. This was a new camp, and he had only been there in the night time. While he was gone on this reconnoitering expedition he thought he heard one of the Conners cough, and so reported. Captain Scott now told him not to leave the place, as he might be needed for a guide after the fight, and dismounted his men, who tied their horses to the trees. The party was now divided. Two rangers and two citizens were sent to the left, and the captain and five rangers went to the right. As the latter were the men who fought the battle, we will follow them and give their names, which were, besides the captain, Sergeant Brooks, Frank Carmichael, J. H. Moore, John H. Rogers, and William Treadwell. The intention of the captain was to find the camp between the two parties, but to remain near enough to each other so that when firing commenced they would not shoot by accident any of their own men. The right and left separated too far, and both parties passed the camp without discovering it. Captain Scott and his party finally

came to a gully, and Sergeant Brooks said if this was the one they were camped in it was no use to cross, but to turn back and keep up on this side. This was done, and all moved cautiously along. It was now nearly day. The time was the last day of March, 1886. Just at daybreak John Rogers saw the outlines of a man in a squatting position, and called the attention of Sergeant Brooks to the fact, but at this time the man raised up and the rangers covered him with their Winchester. He backed ten steps to a tree and stopped. Rogers called to him and asked if he was one of their own men. Without replying he raised his gun to fire, and was instantly killed by three shots from Scott, Rogers, and Brooks. One ball went through his head and two through the body. All struck about the same time, and he dropped instantly in his tracks. This was Bill Conner, second youngest. Simultaneously with these shots



TEXAS RANGER JOHN HARRIS ROGERS

other volley came quick, and young Rogers was wounded the second time, and he fell to the ground. He had his gun in position to fire, and the ball struck his left arm and went through the muscle between the main artery and the bone, cutting the nerve. Sergeant Brooks now advanced on the hidden marksman and continued to shoot in their direction, but was soon shot through both hands. He had his gun up to fire, and a ball glanced on the under side of his gun barrel, shot three fingers from his left hand, and lodged in the right. Unable now to work the lever of his Winchester, he sank to the ground to avoid other shots, and crawled back to Rogers on his knees and elbows. Then, with bloody and shattered hand, he drew his pistol, gave words of encouragement to the boys, and renewed the battle with his unseen foes. The bullets were now flying thick and striking the ground around the wounded men. Rogers was paralyzed in the left side and arm, but had use of the right, and with this worked the lever of his gun, holding the barrel between his knees, and fired repeatedly from

where he lay on the ground. The Conners finally retreated, and the firing ceased. Captain Scott was lying to the right of Rogers, and the latter made an attempt to reach him, but was unable. The other two rangers who had not been hit and had sprang to cover during the fearful fusillade, now came forward, and Carmichael placed a coat under the head of Captain Scott and elevated him so that he could breathe better, as in the position he was lying he was strangling with blood. He lay there now, and gave orders as to what should be done coolly and calmly. One man was to be sent to Hemphill, the nearest point, for doctors to give immediate attention, and Private Crowder was to go to San Augustine, forty miles away, after the best surgeon there. Crowder had been left at the house of one of the relatives of the Conners, with orders to arrest anyone who came there, and a citizen carried him the message from his captain. A doctor soon arrived on the scene and dressed the wounds of the stricken rangers, which were the shot fingers of Sergeant wounded John Brooks having to be amputated. The ball was cut out of Captain Scott; it had lodged below the shoulder blade on the left side.

A Bible saved the life of John James H. Rogers. The ball would have gone directly through his body had it not first come in contact with the book. It went through the Bible, however, but who was shot deflected and passed out through the left hip. It will be noticed that all of the men who received wounds were struck on the left side, and it would appear that the Conners were aiming a for the heart. This, however, might not have been the case. Men shooting from behind a tree generally aim from the right side of it, and the first part of the man's body he sees at whom he is about to fire is the left side, and in quick, hot work he fires his piece as soon as he covers that part of the body. The trees behind which the Conners stood were thickly peppered with balls, showing with what true aim the rangers sent their shots in the direction from which came those of their foes, who were completely hidden from view during the battle.

The next day after the fight, April 1st, the wounded men were removed to Hemphill, nine miles away. Captain Scott was carried on a litter, and Rogers and Brooks in a wagon. They suffered a great deal on the way. The brave and gallant young Moore, who lost his life in this battle with the outlaws, was carried to Hemphill and buried before the wounded rangers reached there. His was the most largely attended funeral ever known there. Many ladies came and dropped bouquets in the grave of the dead hero. The citizens were all kind and sympathetic, and came to see the rangers in great numbers. The

"HELLFIRE" ROGERS, CONTINUED

wounded were all kept in one house, and many ladies came every day with flowers and nourishment. The relatives of Moore at Center Point were notified of his death, and Capt. Frank Moore, sheriff of Kerr County, his uncle, came at once. He carried the horse, saddle, and pistol of the gallant boy back home. The horse, a fine sort of pacer, was kept in the Moore family until he died. When Captain Scott recovered he married Miss Georgia Lynch, of Waelder, Gonzales County, Texas.

When young Rogers so far recovered as to be able to travel he obtained leave of absence, and came to see his mother at Kingsbury, Guadalupe County, his father having died when he was very young. When this leave expired he went back to his company, which had been continuously hunting the Connors ever since the fight, but being unable to find them, the rangers came back west to San Angelo, Tom Green County. Sergeant Brooks was now captain of the company, and John Rogers was made sergeant.

While at San Angelo, Sergeant Rogers and a deputy from Mitchell County followed a couple of horse-thieves and accidentally met them in the road, rather to the surprise of both parties. One of them raised his gun to fire, but Rogers was too quick for him, getting in the first shot, wounding him in the arm, and he dropped his gun. The sergeant then jumped down and caught his horse by the bridle. The deputy had his man covered, also, but turned his head when Rogers fired, and he succeeded in getting his pistol out, but in his haste let it fall, and both were captured and put in jail in San Angelo.

THE CATARINO GARZA REVOLT



CATARINO GARZA

The Catarino Garza War was an abortive effort in 1891-92 to organize a Texas-based revolution against the Mexican regime of Porfirio Diaz. Catarino E. Garza was a Mexican journalist living in Texas who had for many years launched editorial attacks against Diaz. Garza and his allies recognized no official border, considered themselves Mexicans, and were active in the internal politics of Mexico. On February 3, 1891, Garza's friend and fellow Diaz opponent Ignacio Martinez was killed by Diaz agents on the streets of Laredo. Martinez's assassination, combined with his own experiences with the regime, convinced Garza that he had to take up arms to defeat Diaz. Using Palito Blanco as his intelligence center, Garza reputedly organized a force of revolutionaries in 1891 to invade Mexico. On September 15, 1891, he led a group of twenty-six armed men across the Rio Grande at Mier, Tamaulipas, and proclaimed the "Plan Revolucionario." The revolutionaries returned to Texas after nine days and a brief engagement with Mexican forces. Over the following months, the Garcistas made at least two more incursions into Mexico.

According to Garza's own records, by the end of 1891 his army had 63 commanders, 186 officers, and 1,043 soldiers. Reacting swiftly, the Mexican government sent to the border Gen. Lorenzo Garcia, who so brutally suppressed anti-Diaz dissent that his cruelties caused a pro-Garza reaction in Texas.

Fearing border war, influential Texans urged South Texans to remain neutral and petitioned the governor for special rangers to drive out Garcistas. By December 1891 United States Army troops had been sent to patrol the border; one short skirmish occurred, at Retamal Springs. The army generally was ineffective, so the Governor sent in the Texas Rangers under John "Hellfire" Rogers.

In the fall of 1892 Sergeant John Rogers was sent with five men to locate Catarino Garza and his band, who numbered 165. In one of Garza's deserted camps papers were found which disclosed forty names of men and officers. Sergeant Rogers went twice to Laredo and begged for help, and finally a squad of soldiers came under the command of Captain Hardie. This officer was a fine man, and was very popular among the rangers.



TEXAS RANGERS SENT TO EL PASO TO STOP FITZSIMMONS - MAHER PRIZEFIGHT, 1896

It will be remembered that Garza was not making war against the Texans, but was organizing his force in Texas for the invasion of Mexico with the goal of overturning the Diaz government. The rangers and soldiers in conjunction broke up his band in Texas, and many of them were captured. Garza himself was not taken. After learning of that he was wanted by the Texas Rangers he made his escape to Cuba and joined the army of Maceo, the Cuban patriot, and lost his life in battle with the Spaniards.

On the 10th of October, 1892, Sergeant Rogers, having obtained leave of absence, married Miss Hattie Burwell, at Cotulla. Soon after the ranger company was sent to Realitos, Duval County. Sergeant Rogers was commissioned captain of the company by Gov. James Hogg on the 1st day of January, 1893. Tupper Harris, of Kingsbury, Guadalupe County, was elected first sergeant. The company was stationed at Alice. Curran Rogers, brother of the captain, belonged to the company, having joined soon after the Conner fight.

THE FITZSIMMONS-MAHER BOXING MATCH

In the nineteenth-century, before HBO and Pay-Per-View television, boxing was already a popular sporting event, and championship matches were well attended. While boxing was in the process of organizing and keeping statistics, the sport was very much a public show. Langtry's Judge Roy Bean was a showman, and he knew how to make a buck. February 21, 1896 was the day that Bean made his national reputation—the day of the Bob Fitzsimmons-Peter Maher Prizefight.

A Dallas promoter, Dan Stuart, the president of the Florida Athletic Club in that city, planned to sponsor a fight between James J. "Gentleman Jim" Corbett (1866-1933) and Robert Corbett (1863-1917). In 1892, Corbett was the first heavyweight champion to win a match governed by Queensbury Rules and wearing boxing gloves—instead of the previous bare-knuckle

matches. Fitzsimmons had already won the middleweight championship and was ready to fight in the heavyweight division.

Boxing, which was then called prizefighting, was illegal in Texas. A law passed in 1889 had made boxing a licensed profession, so that as long as the proper fees were paid, the governor could not stop the fight. Texas Governor Charles A. Culberson was publicly opposed to the proposed fight and to boxing in general. On October 1, 1895, Governor Culberson called the Texas Legislature into Special Session in order to pass a law prohibiting boxing and "kindred practices." The problem was that "nine men out of every 10 in Texas want the prizefight." When the Special Session was called, the legislative leaders were caught by surprise by the call. Nevertheless, on October 3rd, the legislature banned boxing. The fight was not going to be held in Texas.

Suggestions were made to hold the fight in some other place, but other states objected as well. "Governor Clarke of Arkansas made it clear he would enforce the laws of his state if the fight were scheduled there. 'I will enlarge the walls of the state penitentiary, if needs be, to accommodate the crowd,' he said." U.S. Attorney A. C. Cruce announced that the fight was not going to be held in the Indian Territory. Wisconsin and Illinois promoters tried to have the fight there but were prevented by local laws. A Missouri organization suggested holding the fight in the middle of the Missouri River. Overseas sites such as Australia were mentioned. Once El Paso became the focus of attention, the Arizona National Guard was called to prevent it from being held in that territory. New Mexico and Texas officials agreed not to allow the fight on the disputed land along the border of the two states. A suggestion was even made that the fight be held in a hot-air balloon, apparently to be above and beyond law enforcement authorities.

While Stuart attempted to find a site for the bout, Corbett retired from

CONTINUED ON PAGE 8 >

SONG RIDERS STUDIO

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Larry Nolen, Jr.: Engineer

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**Important Dates For the November 3, 2015 City of Kingsbury General Election
(Provided by the Texas Secretary of State's Office)**

Authority conducting elections	County Elections Officer of Guadalupe County
Deadline to post notice of candidate filing deadline	Thursday, June 25, 2015 Saturday, July 25, 2015 for local political subdivisions that do not have a first day to file for their candidates
First Day to File for Place on General Election Ballot ¹	Saturday, July 25, 2015
Last Day to Order General Election or Election on Measure	Monday, August 24, 2015
Last Day to File for Place on General Election Ballot	Monday, August 24, 2015 at 5:00 P.M.
First Day to Apply for Ballot by Mail	Friday, September 4, 2015 (does not apply to FPCA)
Last Day to Register to Vote	Monday, October 5, 2015
First Day of Early Voting	Monday, October 19, 2015
Last Day to Apply for Ballot by Mail (Received, <u>not</u> Postmarked)	Friday, October 23, 2015 (regular ABBM) Tuesday, October 27, 2015 (FPCA)
Last Day of Early Voting	Friday, October 30, 2015
Last day to Receive Ballot by Mail	Tuesday, November 3, 2015 (election day) at 7:00 p.m. (unless overseas deadline applies)

SPECIAL INSTRUCTION FOR THE FIRST CITY OF KINGSBURY GENERAL ELECTION:

There will be a total of three (3) open elected official positions on the ballot consisting of one (1) Mayor and two (2) City Commissioners (city councilmen) with all positions being "at large" without separate districts. The initial term of office for each will be two (2) years.

Eligibility to file for any of the open positions are: Must be at least 18 years old on the filing date; must be a resident living within the corporate city limits of the City of Kingsbury for at least six-months prior to the election date; and must be a resident of the State of Texas for at least one-year prior to the election date. It is NOT a requirement to be a registered voter in order to file for any of the open positions.

For this election only, candidates will be required to complete an Application for a Place on the City of Kingsbury General Election Ballot at the Guadalupe County Judge's Office in Seguin at 211 W. Court telephone 830-303-4188. Future city election administration will be through the City Secretary of the City of Kingsbury who is yet to be appointed.

The polling location(s) for the November 3, 2015 General Election in Kingsbury have yet to be determined.

office. 'Persons desirous of attending the fight will report at these headquarters tonight at 9:45 o'clock. Railroad fare for the round trip will not exceed \$12.00.' Crowds milled around the building until only minutes before train time, when 10 extra cars were added." The spectators, the press and the law boarded the train, which pulled out of El Paso heading east late on February 20.6 (The proposal to film the fight brought up the issue of who would receive the money from the film rights: the fighters or promoters. The promoter made it very clear to an angry Fitzsimmons that the fighters would get nothing extra: "You boys are getting paid to fight not act.")

Speculation was that the train would take them to Galveston and the fight would take place on a barge hauled into international waters beyond the jurisdiction of American authorities. But Bean had something just as imaginative in mind. The train stopped at Langtry. The train-trip was timed to arrive just after a train from San Antonio delivered a fresh supply of beer, which Bean sold at a dollar per bottle. When the train pulled into Langtry, the ten carloads poured out, and Bean pointed them towards the Rio Grande.

Bean had set up a fighting ring on a sandbar in the Rio Grande—beyond the reach of the law. Mexico had also outlawed prize-fighting, but had no law enforcement personnel on hand. The ring was built on the floor of the canyon between the tall cliffs. Unfortunately, those tall cliffs cut into Bean's profit margin. The paying spectators had to pay a toll to walk across the pontoon bridge to the ring, which was surrounded by a canvas fence. The fence was not nearly high enough to block the view of non-paying spectators sitting of the cliffs above the ring. Some spectators paid twenty-five dollars to sit in the wet grass at ringside, but most sat on top of the cliffs which provided them with a clear—and less expensive—view.

The fight was held below the cliffs of the Rio Grande Canyon so many spectators saw the fight without paying admission.

The fight began, and the Texas Rangers under John Rogers stood by, powerless to stop it. The match, however, ended quickly. The fighters were brought into the center of the ring. A hammer sounded on the bottom of a tin pail. "Maher rushed Fitz, swinging wildly. Bob hemmed him into a clinch, then pushed him aside. Maher connected with a left that pulled blood from Fitz' mouth. Stung, Fitz pounced Maher halfway across the ring before landing the crusher—a right uppercut to the jaw. Like a steer struck by an ax, Maher slumped. He tried to pull himself up. He crumpled. Unconscious." In ninety-five seconds Fitzsimmons knocked Maher to the mat and the fight was over. Rogers and his

"HELLFIRE" ROGERS, CONTINUED

boxing. It looked like the fight was going to be called off. Corbitt had been ready to quit when he saw his sparring partner knocked out in sixty-three seconds by Irishman Peter Maher (d. 1940). Seizing the opportunity, Corbett congratulated Maher and resigned the championship in favor of the new, unknown fighter. Fitzsimmons was furious, but his manager immediately challenged Maher. The fight was on once again—if a site could be found.

It was at this point that Judge Roy Mexico, 150 soldiers were sent to Bean became involved in the fight. The citizens of El Paso raised a \$15,000 with the idea that the fight would be held across the border in Juarez, Mexico. Fitzsimmons traveled to El Paso to begin training. Shortly afterward, Maher arrived but then traveled to nearby Las Cruces to prepare for the fight. As spectators gathered, so did law enforcement authorities. U.S. Marshals, Texas Rangers under Captain John "Hellfire" Roger and, later, extra contingents of both arrived to prevent the fight. In

Juarez to block the event as well. Soldiers at Fort Bliss were ordered to stay on the post. And then Maher rode into El Paso with an eye ailment resulting from alkali dust. Doctors said it would heal quickly, but the fight was postponed. But the fight was not to be delayed for long. To keep the interest high, the promoter, Stuart, announced that the fight would be filmed with an Edison kinoscope, an early type of filming camera that took forty frames per minute. Eventually, "Stuart placed a placard in the window of his

"HELLFIRE" ROGERS, CONTINUED

Ranger Company returned to Alice, Texas.

The company remained at Alice five years, and then came back in June, 1898, to Cotulla, relieving Captain Brooks, the gallant sergeant in the Conner battle, who had been placed in command of a company, and his command went to Alice.

In September Sergeant Harris resigned, and H. G. Dubose was elected to fill the vacancy.

LAREDO SMALLPOX RIOT

A smallpox epidemic at Laredo that began in early October 1898 led to events that eventually climaxed in March 1899, when a violent showdown between Mexican Americans and Texas Ranger^{ovv} resulted in the immediate death of one man, the wounding of thirteen, and the arrest of twenty-one participants. On October 4, 1898, Laredo physicians began noticing a disease resembling chicken pox among the city's children.

The first death directly attributed to smallpox, that of a Mexican child on October 29, prompted Mayor Louis J. Christen and local officials to start a committee to investigate reports of the illness. By the end of January 1899, more than 100 cases of smallpox had been reported in Laredo. W. T. Blunt, State of Texas health officer warned that more systematic and thorough measures would have to be taken to control the epidemic. Dr. Blunt's instructions included house-to-house vaccination and fumigation, the burning of all questionable clothing and personal effects that could not be fumigated, and the establishment of a field hospital to disinfect patients. This field hospital was in effect a quarantined area, referred to as the "pesthouse." Most of the vaccination and fumigation efforts were directed at the poorer barrios of the city along Zacate Creek on the east side of town.

Conditions worsened to such an extent that on March 16, 1899, Blunt arrived from Austin to take charge of efforts to control the epidemic. A serious problem arose when a number

of Laredo residents began to resist the vaccinations and fumigations. Blunt responded by requesting the services of the Texas Rangers to help medical teams carry out house-to-house vaccinations and fumigations.

On the 18th of March, 1899, Captain Rogers received an order from General Scurry to repair to Laredo with a detachment of his men to assist State Health Officer Blunt in enforcing quarantine regulations

On Sunday, March 19, 1899, a small detachment of Rangers arrived from Austin and joined in the efforts to get all residents immunized. The arrival of the Rangers heightened the apprehension of some people being forced to submit to the radical health measures. Friction between Mexican Americans and Texas Rangers was long-standing in South Texas. Where the rangers met resistance, they broke down doors, removed occupants by force, and took all who were suspected of having smallpox to the pesthouse. A throng of angry protesters gathered and showered the rangers and health officials with both words and rocks. In the ensuing melee, Assistant Marshal Idar was hit on the side of the head by a stone, and one of the protesters, Pablo Aguilar, received a shotgun wound in the leg.

Captain Rogers, having but few men, wired Governor Savers to use his influence with the war department to call out troops from Fort McIntosh if found necessary. General Scurry at Fr. McIntosh wired Sergeant Dubose at Cotulla, to proceed with all of the men there to the assistance of Captain Rogers at Laredo. He arrived on the 20th with rangers. The ranger companies at this time had been cut down to not more than a dozen men each. Sergeant Dubose reported to Captain Rogers at the Hamilton House, and he and his men were quartered there.

The next day the Laredo Times reported that Deutz Brothers, a local hardware store, had "received a telephone order for 2,000 rounds of buckshot to be delivered to a certain house in the southeastern portion of the city, but instead of filling the order the authorities were notified and given the location where the delivery was to be made." Sheriff L. R. Ortiz quickly obtained a search warrant and

took with him Capt. John Rogers and his detachment of Texas Rangers. The elite squad had been reinforced that morning with the arrival of more rangers on the train from Austin. Together they began a house-to-house search in the immediate area where the ammunition was supposed to have been delivered. At the home of Agapito Herrera, trouble began for Sheriff Ortiz and the rangers. Herrera, a one-time Laredo policeman, met the lawmen outside his home and took Ortiz aside to talk privately. As the discussion heated up, a youngster standing in the doorway shouted "ya!" and darted inside.

Almost simultaneously, while the nervous Rangers drew their guns, Herrera disappeared into the house and ran out the back door accompanied by several armed men. In the ensuing gunbattle, Captain Rogers was wounded in the shoulder by a bullet fired from Herrera's pistol. The ball that struck Captain Rogers broke the bone just below the shoulder joint, rendering his right hand powerless. The left arm had been disabled in the Conner fight and was not strong, and thus left powerless he withdrew and went down the street towards the Hamilton House, where he could get medical assistance, as he was bleeding profusely.

Herrera himself was shot in the chest by ranger gunfire. Ranger A. Y. Old ran up to the wounded Herrera and pumped two fatal shots point blank into his head. The dead man's sister, Refugia, was shot in the arm, and a friend, Santiago Grimaldo, was shot in the stomach. After evacuating Rogers, rangers returned to find an angry crowd of about 100, some of whom were armed, gathered around Herrera's lifeless body. After the hurling of more taunts, someone in the crowd fired a shot. The rangers promptly opened fire into the crowd, wounding eight, including one man mortally. As evening approached, the rangers retreated to Market Square. All through the night, sporadic gunfire could be heard in the same troubled neighborhood. Realizing that the situation could easily worsen, the rangers called on the cavalry unit stationed at Fort McIntosh for additional support in restoring order.

On the morning of March 21, the Tenth United States Cavalry, under the command of Capt. Charles G. Ayers, moved into the affected neighborhood to maintain the peace and assure that the work of controlling the smallpox epidemic continued unhampered. Rangers also patrolled the area, searching for and arresting anyone they thought involved in the riot. Liberal journalist Justo Cárdenas and twenty others were arrested. Few disturbances were noted in the days that followed. The army seemed to have taken control of the situation, and Mayor Christen pleaded with other areas of the state to send food and clothing to the victims of the epidemic. Throughout March many children continued to die of smallpox, but in April the number of deaths decreased dramatically. The situation had improved so much that by May 1, 1899, Blunt ordered the quarantine lifted.

On March 21st Captain Rogers was removed from Laredo to Santa Rosa hospital in San Antonio, and placed under the treatment of Dr. Graves who told the captain he could save his arm, but would likely have to make it shorter, and that evening at 5 o'clock he operated upon it, cutting out one inch and a half of bone. The captain had to lie in one position six weeks, but when able to sit up, was carried to his mother's house, who lived in San Antonio.

In three weeks he went back to his command at Cotulla. As a result of his wound in Laredo his arm was shortened, after which he used a specially constructed Winchester rifle.

In 1913 President Woodrow Wilson appointed him United States marshal for the Western District of Texas. He held this position for eight years. He subsequently served Governor Dan Moody as a ranger captain from 1927 to 1930. During his ranger career Rogers invested in lands near El Paso. This gave financial security to his wife, the former Harriet Randolph Burwell. They had two children: Brig. Gen. Pleas Blair Rogers, United States Army, and Lucile Rogers Reeves of San Antonio. Rogers died in 1930 at a hospital in Temple.



KIC MEMBERS BEING INTERVIEWED BY BBC NEWS AT THE KINGSBURY FIRE STATION



KIC MEMBERS HOLDING THE SIGHED ORDER OF INCORPORATION FOR THE CITY, MAY 2015

STATE OF TEXAS SET TO 'REPATRIATE' ITS GOLD

Texas wants its gold back.

On Friday, June 12, Texas Governor Greg Abbott signed legislation that will create a state-run gold depository in the Lone Star State — one that will attempt to rival those operated by the U.S. government inside Fort Knox and the Federal Reserve Bank of New York's vault in lower Manhattan. "The Texas Bullion Depository," Abbott said in a statement, "will become the first state-level facility of its kind in the nation, increasing the security and stability of our gold reserves and keeping taxpayer funds from leaving Texas to pay for fees to store gold in facilities outside our state." Soon, Abbott's office said, the state "will repatriate \$1 billion of gold bullion from the Federal Reserve in New York to Texas."

And the new depository will not just be a well-guarded warehouse for that bullion. The law Abbott signed calls for the creation of an electronic payments system that will allow gold, silver, platinum, palladium, and rhodium depositors to write checks against their accounts, making the depository into a bank — one that will create a metal-backed money supply intended to challenge the paper currency issued by the Federal Reserve — or "Yankee dollars" as one of the law's top supporters calls them. And in case the Fed or Obama wants to confiscate Texas's gold, nice try Fed and Obama! In keeping with this suspicion of the Fed and Washington, the new law also explicitly declares that no "governmental or quasi-governmental authority other than an authority of [Texas]" will be allowed to confiscate or freeze an account inside the depository. Gold that's entrusted to Texas will stay in Texas.

The depository law is the brain-child of a second-term state representative in the Texas legislature named Giovanni Capriglione, a 42-year-old Republican from Southlake, just northwest of Dallas-Fort Worth International Airport. A private equity manager with an MBA, Capriglione was elected in 2012 after beating an seven-term incumbent with the backing of Tea Party activists. He told the Star-Telegram that when he first announced his interest in establishing a depository in Texas in 2013, he "got so many emails and phone calls from people literally all over the world who said they want to store their gold ... in a Texas depository. People have this image of Texas as big and powerful ... so for a lot of people, this is exactly where they would want to go with their gold." On his official Facebook page, Capriglione said he has "just been overwhelmed with all of the contacts and write-ups and inter-

views" he's gotten.

Federal Reserve critics herald Capriglione's bill as a long-awaited and much-needed assault on the government's printing press. Ryan McMaken at the libertarian Mises Institute (named after Austrian economist Ludwig Von Mises) wrote that "while the Texas depository is a government-owned enterprise, it nevertheless is an improvement since it is a case of decentralization (and arguably nullification)" that will present "alternatives to the Federally-controlled monetary and banking systems." In what Capriglione — the depository bill's sponsor — called "an easy to read summary of the specifics" of the law described

saying it will come to this, but it is symbolic in retaining some liberty, similar to gun ownership in this country. It is not something that will likely be used against a tyrannical government because the symbolism itself keeps tyranny in check," writes Geoffrey Pike at Wealth Daily. The Tenth Amendment Center, meanwhile, predicted that "while [the bullion depository] won't nullify the Fed's monetary monopoly on its own, it represents an important step forward in that direction."

The depository, then, will insulate Texans from a just-around-the-corner economic and geopolitical catastrophe brought on by paper money and cauterize the seemingly-

website that ran on the same day as another predicting the coming of a "cashless society."

According to this narrative, then, Texas isn't just setting up its own depository, payments system, and a safe haven for gold that can't be confiscated by the federal government. Instead, it is signaling a loss of confidence in the United States by pulling its gold out of the largest gold vault in the world eighty feet below the Federal Reserve Bank of New York's Florentine-inspired headquarters in lower Manhattan. There, a special police force guards some 530,000 gold bars protected behind a 140-ton airtight steel and concrete framed door sealed with a 90-ton steel cylinder and time locks. Nobody enters the vault alone, ever; three people are present, even if it's just to change a light bulb. Most of the gold in the vault belongs to other nations; the Fed stores and guards it as a courtesy to allies.

However, as of late, America's European allies who have stored their gold in the New York Federal Reserve Bank since World War II have begun repatriating their gold back to Europe. Germany has been the most aggressive in this endeavor.

European central bankers are not concerned with the physical security of the gold, but the possibility that it is being lent or leased without its permission. The rise of gold ETFs (electronically traded funds) has resulted in the secondary market for paper assets that represent ownership of physical gold. However, trading houses like the COMEX in New York no longer require a 1 to 1 relationship between paper assets and physical gold. In fact, COMEX rules allows for the settlement of gold contracts with federal reserve notes when physical gold is unavailable for delivery. While this has yet to occur, as recently as May of 2015, concerns were raised about the lack of physical gold in the COMEX storehouses to cover outstanding contracts. JP Morgan Chase, a Federal Reserve Bank member, covered the outstanding gold contracts with a delivery of physical gold, giving rise among some to its origin.

Texas has 4,200 gold bars bought in 2011 by the University of Texas's endowment fund (the second largest in the country after Harvard's). They are presently stored in the basement vault of HSBC's headquarters at 450 5th Avenue in New York City, just south of the New York Public Library. For the last four years, the endowment has paid an estimated \$1 million per year to store their gold there. While the new depository law does not require the university's endowment fund to relocate the gold to Texas, it does open the door for the Board of Re-



Gov. Greg Abbott
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the depository as a "game changer." The author of the piece, a metals dealer named Franklin Sanders, wrote that "since at least 1991 I have firmly believed that whenever an electronic payments system could be established using silver & gold, it could supplant fiat currencies worldwide within two years at most, less time given a crisis. Now Texas steps forward to make it stick. And if Texas has the nerve to carry through, it will make Texas a center of world finance to rival New York and London better than Switzerland, because it contains 27,695,284 Texans and all but two of 'em are armed & serious."

Other gold enthusiasts go further in blowing the secessionist dog whistle. "If the Fed gets too carried away with its digital money printing, then Texas will already have some kind of system to work off of in terms of not using the dollar. I'm not

still-fresh trauma of Franklin Roosevelt's 1933 executive order making gold coin hoarding illegal during the Great Depression.

But to the trained ear, there's an even more aggressively anti-Fed term being invoked in praise of the Texas depository: "repatriation." Ordinarily it's a word used to describe the movement of assets or currency from one nation to another. Yet on the website of SchiffGold, the gold brokerage owned by onetime U.S. Senate candidate Peter Schiff — whose claim to fame is to have predicted the 2007 housing crash — Texas is described "join[ing] the ranks of major global economies that want to bring their gold home from New York." "Germany, Austria, the Netherlands, and other European nations have already begun to repatriate gold from the New York Fed or have proposed to begin doing so," said a post on the firm's

GOLD, CONTINUED

gents to take such an action.

In case you're wondering why the university's endowment fund bought real physical gold to begin with that story seems to begin and end with a hedge fund manager named Kyle Bass. Bass, a former Legg Mason and Bear Stearns managing director and outspoken Federal Reserve critic, was named to the University of Texas endowment fund's board of directors and immediately began pressing his apparently suggestive colleagues to shift their gold options investments into a stake of physical gold.

Bass isn't just a casual metals speculator. When he believed nickel was undervalued he bought 20 million nickel coins to prove his point (they're stored on a pallet in a Brinks vault).

Like the others mentioned in this story, Bass believes that gold has an intrinsic value. In 2010 and 2011, he steered the University of Texas Investment Management Company's board of directors to put nearly 5% of the then-\$19 billion university and pension fund they manage into physical gold by converting options into bullion. Many large institutions invest in gold through paper investments like options. But few possess physical gold bullion due issues of storage and liquidity.

Coming off the 2008 financial crisis the University fund bought 664,300 ounces of gold in 100-ounce bars for \$764 million. Each of those 6,643 bars has enough of what Auric Goldfinger called "divine heaviness" that they can chip a concrete vault floor if dropped.

When the endowment fund bought the gold, their basis for calculating a return - called their cost

basis - was \$1,150.17 per ounce. The fund eventually traded a third of their physical gold stake for gold futures and other equities, but never reduced their overall exposure to gold. That's why they still own about 4,200 bars worth just under \$500 million. After a significant run-up and subsequent fall in 2012, gold traded on Monday at \$1,186. Over more than four years that's a 3% gain for the fund before you account for the cost of housing the gold in New York and the transaction costs that will be incurred if and when the endowment fund ships the bars back to Texas or sells them to a buyer. Over the same period, the S&P 500 index - a broad measure of owning stocks - gained 60%.

Gold investors - and physical gold investors in particular - can be tempted to think of gold as a different kind of holding. Texas state Rep. Giovanni Capriglione first in-

about re-designing the depository bill to outsource many of those more expensive functions to the private sector. Although the depository is performing the same functions in the new law as it had in the older version of Capriglione's bill, shifting the execution to private contractors yielded a so-called "fiscal note" in the legislature that calculated an "indeterminate fiscal impact to the state." Because it's outsourced rather than run by state employees, it is no longer counted as a concrete expense in the state budget.

Moreover, by privatizing the depository's operations, Capriglione said he was able to begin recruiting "stakeholders" who "are interested in being a part of the system we're creating." Rather than build a Fort Knox-type facility in Texas, Capriglione said "there are commercial vaults not being used or not at full capacity, and I've heard from groups

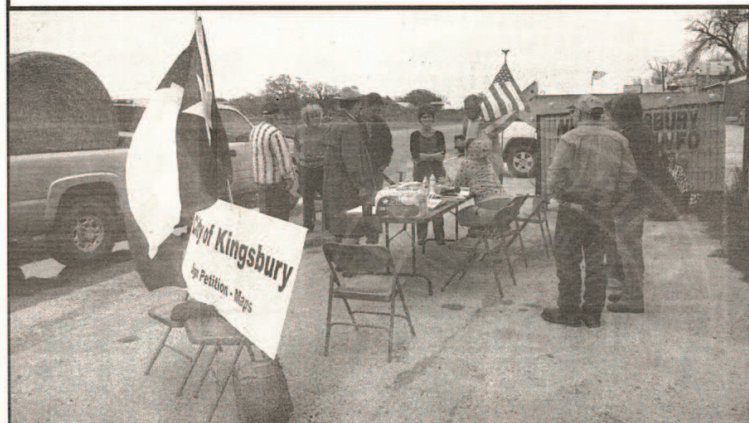
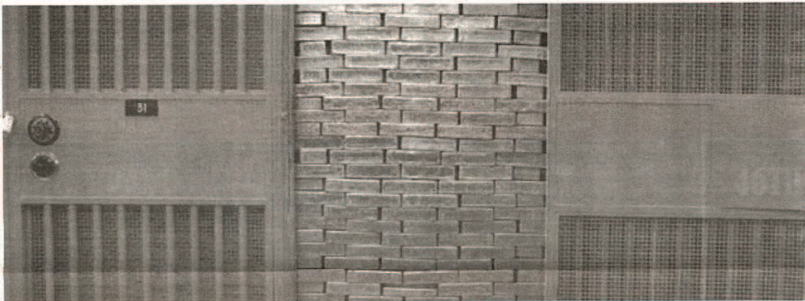
of supporters for the state depository. "These agents will be licensed and bonded," he said, "they're middlemen who can, say, deposit \$1 million of their own gold into an account and, acting as depository agents, make other accounts by virtually moving the gold." Capriglione saw his bill approved by both houses of the legislature and signed into law by Gov. Abbott.

Yet some details have yet to be worked out. "We're not going to allow entities outside of [Texas] to seize assets," he said. "In 1933, the Feds seized certain assets," he said, referring to Roosevelt's notorious executive order. He acknowledges that because the depository law bars the federal government from seizing or freezing gold accounts, it will be necessary for Texas to "do the right thing" in "civil asset forfeiture cases." "We don't want illicit goods to be repatriated or criminals or drug lords" to see Texas as a safe harbor, he added. "The [state] comptroller will have to come to a conclusion with the Attorney General" on setting policy.

As of yet, Capriglione doesn't know where the bullion depository might be located. But he dismissed a suggestion that a building known as the "Texas Bullion Depository" will attract criminal masterminds. "You don't need as much security because gold is incredibly heavy and hard to liquidate," he said. "There aren't many heists of gold bullion... nobody's going to be able to steal 80,000 pounds of gold."

Rushed for time, Capriglione cut short his interview before he could be asked if he had ever seen the films "Heist," "Goldfinger," "Ocean's Eleven," or "Die Hard 3."

This article was originally published on Talkingpointmemo.com. And is reprinted here with edits.



KINGSBURY—Many people ask "How do you start a new city?" Well, the answer is a bit complicated but consists of many scene like those depicted above. During the winter of 2014/15, members of the Kingsbury

Incorporation Committee (KIC) braved the cold weather to spread the word about forming a new city. Roadside stands were setup to gather signatures on the incorporation petition, distribute maps of the proposed

city and provide general information. Democracy begins organically, with neighbors talking to neighbors. It begins with discussion about how we should order our community for the common good. It begins on the side

of a road with a little sign, a folding table and an American flag. Hopefully the City of Kingsbury will always remember her roots as a movement to preserve the liberty and way of life of its residents.

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-COMPILED FROM PETITIONS, PUBLIC RECORDS AND OTHER LISTS

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