

The McNeil train robbery – May 18, 1887

The intersection of several railroad lines and the old McNeil General Store are meager reminders today of the existence of the old town of McNeil, which was swallowed up and later destroyed by ever-expanding white lime mining operations in the 1950s. Few who pass along nearby McNeil Road—or take a wrong turn and bump over the railroad crossing into Austin White Lime Company’s processing facility—know of the crime committed a short distance south.



McNeil Junction as it appears today.

In 1887 the tiny town of McNeil was nestled approximately thirteen miles north of Austin near the Travis/Williamson County line. Consisting of a small railroad station, general store, no more than a dozen houses, and the beginnings of a white lime strip mine, McNeil was the crossroad of the Missouri-Pacific Railroad and a narrow-gauge railroad line that connected Austin with the Hill Country towns of Burnet and Marble Falls. The narrow-gauge line was constructed specifically to provide a means of transporting thousands of red granite blocks needed to construct Texas’ state capitol building in downtown Austin.

At 9:15 p.m. on a pleasant summer evening, a Missouri-Pacific passenger train bound from San Antonio to Dallas pulled to a halt immediately south of the switch at the junction of the Missouri-Pacific and narrow-gauge railroad lines. The train’s Negro porter, climbing down from the locomotive, slowly walked ahead to “flag the crossing” and throw the switch that would permit the train to move east toward Taylor, approximately thirty miles away. Nearing a well-armed group of men, the porter was fired upon, several bullets whistling overhead. According to the *Austin Daily Statesman’s* May 20 issue,

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The porter ran back, crying out: "Don't shoot, don't shoot. I'm not a convict," evidently supposing the men to be a party in search of escaped convicts.

Well over one hundred shots were fired in the direction of the waiting train, all in an effort to intimidate the train's passengers and crew. Hearing the shots, Mr. Harry Landa, a passenger from San Antonio, raised his window and looked out. An order was immediately given for him to draw back inside and close the window. However, before he could comply, a bullet struck him in the arm. According to the *Austin Daily Statesman*,

There was considerable confusion about the train. Passengers lay down on the floor and crawled under bunks to escape the flying bullets.

Express Messenger A. J. Northacker closed and locked the express car's doors when the shooting started and "when ordered to open them, pluckily refused to do so."

The gang's leader, a tall, slender man with light whiskers "that looked in the dim light to be a false beard," ordered the door to be broken down. Forcing the doors open, the robbers struck Northacker on the head and ordered him to hand over all cash and "registers." S. R. Spaulding, the train's postal clerk, told the robbers that the train did not carry any postal registers, as the "day line carried the only registers."

The *Austin Daily Statesman* quoted one of the railroad officials as saying,

"The men who held us under cover chatted with us pretty freely, talking about how much they expected to get. One of them asked me for a chew of tobacco, and made me give him my hat, saying he had lost his own."

Once their work was done, the bandit gang lined up along a fence paralleling the railroad tracks, permitted the train's porter to throw the switch, and ordered the engineer to proceed; the entire robbery taking approximately twenty-five minutes.

Because the station's telegraph key had been broken earlier, word of the robbery was delayed in reaching Austin and Georgetown. News of the robbery was passed from Round Rock, several miles northeast of the scene of the robbery, to Austin City Marshal James Lucy shortly before 11 o'clock p.m. It was immediately forwarded to U. S. Marshal John T. Rankin in San Antonio and Sheriff John Olive in Georgetown.

Because Travis County Sheriff Hornsby was ill, the task of raising a posse in Austin was left to Travis County Deputy Sheriff Sam Platt and Marshal Lucy. According to the *Austin Daily Statesman*,

A crowd was speedily gathered but some delay was experienced in getting horses, and a still further delay in obtaining Winchesters (rifles). Application was made to the adjutant general's office, but Captain Spiker declined to furnish the weapons, it is said, alleging, as a reason, that the state had already lost so many guns by loaning them out that he did not feel warranted to comply with Captain Lucy's request.

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A special train was in readiness and men and horses were hurried on board and rushed to the scene. Sheriff Olive and the Round Rock city marshal each led posses to the scene, arriving shortly before dawn.

The exact amount of the robbers' haul was not immediately known, but it was reported in the May 19 issue of the *Austin Daily Statesman*, "The amount has been variously estimated at from \$21,000 to \$55,000."

Several days later the Missouri-Pacific Railroad company stated that approximately \$4,000 in coin and paper currency was taken in the McNeil robbery.

The \$2,000 the robbers stole from the northbound express was considerably less than the total amount routinely carried on Missouri-Pacific's southbound express. According to the *Austin Daily Statesman*,

It is stated that the south-bound express, the same night, had \$300,000 in cash on board, a theory exists that the expedition was organized for the purpose of touching this train, but for some reason there was a "flash in the pan," and rather than give up and go away empty handed, it was determined to attach the up-bound express instead.

In the early morning hours of May 20, lawmen from throughout Central Texas converged at the scene of the robbery. On hand to oversee the investigation was Texas Attorney General Hogg and Williamson County District Attorney Robinson. Williamson County Sheriff Olive arrived shortly before sunup with a group of deputies and the Round Rock city marshal. Austin City Marshal Lucy was accompanied by Travis County Deputy Sheriff Platt; Austin police officers Randall and Gassoway; and railroad detectives Beneken, Montgomery, and Robinson. Coordinating the pursuit was Sheriff Olive's longtime friend U. S. Marshal John Rankin.

According to the *Austin Daily Statesman*, the robbers were tracked to a spot about one-half mile from McNeil where they had kindled a fire and eaten their lunch. It was from the robbers' campsite that Sheriff Olive would retrieve a single scrap of paper that would tie one of the Barber brothers to the McNeil train robbery.

As word of the robbery spread throughout Central Texas, citizens began to report sightings of the train robbers as they scattered to the four winds. The *Austin Daily Statesman* reported,

Three of the Robbers Seen on Brushy Creek Near Taylor

TAYLOR, Tex., May 19 – John Burns, living on the Brushy, six miles south of this place, came to town early this morning and reported crossing three men heavily armed, going down the Brushy. He rode up to them but could get no satisfaction from them, of their movements, intentions, etc.

After hearing of the robbery he was convinced they were three of the fellows.

A posse of four or five of the boys mounted Winchesters, pistols and horses, and lit out to interview the gentlemen.

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Rumors ran rampant throughout Travis and Williamson counties as the various posses hunted for the desperados. Several rumors were printed in the *Austin Daily Statesman* and *Dallas Morning News*, only to be retracted the following day. One rumor printed in the May 20 issue of the *Austin Daily Statesman* was an eerie premonition of Sheriff Olive's death which would come five years later.

Another rumor was afloat last night that a fight had occurred between the officers and brigands in which Sheriff Olive of Georgetown was killed. Like all other rumors it spread rapidly, but lacked confirmation.

Daily reports of "robber" sightings continued until May 22, when the *Austin Daily Statesman* reported that an arrest was finally made. Sheriff Olive took into custody George Gillam, a farmer living near Round Rock. It was also reported that Sheriff Olive

returned home yesterday at noon and left again about night. He stated that, while the robbers exhibited extraordinary coolness, they were evidently green hands at the business.

While Gillam was later released due to a lack of evidence tying him to the robbery, Sheriff Olive proceeded, according to the May 24 issue of the *Austin Daily Statesman*, to arrest George Gilbreath, who would later turn state's evidence against four of his train-robbing accomplices.

Sheriff Olive quietly slipped into town (Austin) early Sunday morning bringing a prisoner with him. There was no display of the facts of the arrest, and so quietly was the man, whose name is George Gilbreath, and put him in confinement. The secret was well guarded yesterday, too; the excuse for the presence of Sheriff Olive in the city being that he was on the trail of parties who were thought to have escaped from the Brushy bottoms and gone to the southeast. This was given additional color, when, Sunday night, it was reported that four men had been arrested at Luling on suspicion of implication in the robbery. The report of the capture of these parties was confirmed yesterday morning. The arrests were made by Deputy United States Marshals Bell and Bailes, assisted by City Marshal Conway and Constable Nugent, of Luling.

Arrested on information provided by Charles Buckley, aka George Gilbreath, were brothers James and Abner Ussery, John Craft, and Craft's brother Charles (Chud). The men were residents of Guadalupe County, living a few miles south of Luling. Upon arrest the four were taken to San Antonio, where they appeared in Federal Court and were charged with interfering with the United States mail.

Sheriff Olive also arrested Joe Barber at his farm near Florence on Saturday, May 21. Barber, along with brothers Austin and John, were well known to law enforcement authorities in Williamson, Burnet, and Lampasas counties. At the time of the robbery, Austin Barber was serving time in the state prison at Huntsville for stealing horses, while John was under indictment and on the run for similar activities in Williamson and Burnet counties. John would be indicted several months later, along with his friend and accomplice Will Whitley, for the murder of Williamson County Deputy Sheriff Bill Stanley.

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The search for the train robbers was called off on May 25 with five suspected outlaws in custody. The *Austin Daily Statesman's* afternoon edition attempted to put into perspective the status of the case.

In an attempt to determine whether sufficient evidence was at hand to bring the suspected train robbers to trial, a preliminary hearing began at 10:30 a.m. on May 27 in the Travis County Courthouse. The humid springtime heat of Central Texas made the crowded courtroom almost unbearable.

The hearing, before Commissioner Ruggles, lasted four days and was reported in detail by both the *Austin Daily Statesman* and *Dallas Morning News*. Appearing before the court were Joe Barber, whose arrest had been based solely on a scrap of paper found at the robbers' campsite by Sheriff Olive, and the Ussery and Craft brothers, who had been implicated by Charles Buckley, a paid informant.

The first day of the preliminary hearing was exhaustingly reported in the June 8 issue of the *Austin Daily Statesman*. The story, which included a verbatim transcript of the day's testimony, is a classic example of nineteenth-century crime reporting.

Witnesses Willingly Tell the Tale of the Train Robbery

About forty witnesses and friends of the men who are held on a charge of complicity in the McNeil train robbery gathered yesterday morning at the federal courtroom, situated there by the fact that the preliminary examination was to take place at 10 o'clock. They were there from the hills of Williamson (county) and the broad land of Caldwell (county). They were there, men and women, small boys and babies. Assistant United States Attorney Solon Stewart, young, vigorous and intent on his work, was there. Col. Buck Walton was there, aggressive as usual, but, withal, as accommodating as a big soul can be. Col. Tom Sneed, easy going and full of the milk of human kindness, was on hand, and George Pendexter was also one of the elect, watching the points as they were produced. Commissioner (Ruggles) was as easy as an old shoe with all of the attorneys and accommodatingly made room on the corner of his table for The Statesman's spring poet to operate his lead pencil in the detention of hard-put facts.

The cases were called at 10:30. Col. Walton, who represents the Usserys and the Crafts, asked a severance as to them, which was granted. The district attorney then elected to try Barber, but before evidence was taken, the case was sent over until 2 o'clock.

The state's case against Joe Barber hinged on a scrap of paper torn from the May 5 issue of the *Williamson County Sun* and found near the scene of the robbery. After hearing from S. K. Spaulding, the train's route agent; W. E. Hawkins, the train's conductor; and William Cook, the train's porter, Sheriff Olive took the stand to explain the circumstances under which he found the scrap of paper bearing the name of Joe Barber's father, I. J. Barber.

"I am John T. Olive, sheriff of Williamson county; I know the defendant. I have known him about three years. I arrested him last Saturday for robbing the train at McNeil. After the robbery I

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went to the scene; it was May 18. On the 19th we struck out to hunt for a trail; struck one; first found some foot tracks, then some horse tracks; trailed them to where the horses had been tied, about 300 yards from the depot. I found where a small fire had been built. It seemed that they had lunched; there was a greasy stick, also part of a copy of the Williamson County Sun, of May 5, with the name of I. J. Barber on it. The tracks were all fresh and the indications were that the camp was of the night before. We came to another camp about a mile off where they left a morall and some money packages. The trail was northeasterly and would take us west of Georgetown. The country is rough. We picked up the packages and three or four dollars in silver. We followed the trail about a mile further when it seem to split up. The prisoner is the son of I. J. Barber. When I arrested the prisoner I told him what I arrested him for – the robbery. He said then that he was not in the robbery, had nothing to do with it, and the \$100 taken from him was his brother's (John); it had been in his possession for four months, for his brother who was a fugitive. He said, also, that the horse was his brother's. The money was four \$20 and four \$5 bills.

“He said he took the Austin Statesman and Georgetown Sun; and he had all of them at home, except one or two that the children had torn up. (The piece of paper found in the camp was produced.) This paper had the grease on it when I found it. The distance from the robbery to the defendant's house, the way the tracks were leading, would be about twenty-five miles. The trail was in the direction of the defendant's home. The horse in the field looked as if he had been ridden hard. Old man Barber left Taylor on the 18th of February. There is only one I. J. Barber that I know in the county.”

Sheriff Olive was followed by J. E. Cooper, editor and publisher of the *Williamson County Sun*, who testified that the scrap of paper was from the *Sun's* May 5 edition and that there was only one subscriber named I. J. Barber, the defendant's father. Cooper also testified that the newspaper was mailed to I. J. Barber's post office box at the Florence post office.

Further collaborating Sheriff Olive's and editor Cooper's testimonies, S. B. McLain, the postmaster at Florence, testified that I. J. Barber left instructions to forward his letter mail to the Cherokee Nation and give his son Joe the issues of the *Williamson County Sun* as it arrived weekly. He further testified that he was unable to say for sure when he saw Barber pick up the newspaper's May 5 issue.

Also crucial to linking Joe Barber with the McNeil train robbery was the money found on him at the time of his arrest. Currency, shipped as express “packets” by the railroads during the 1880s, was typically wrapped in paper and held together by string passed through a hole punched in the center of the packet of bills. The fact that the currency found on Joe Barber at the time of his arrest had a hole in its center indicated that the money was once part of a railroad express shipment. The problem facing the prosecution was in establishing from which express shipment Barber's money originated.

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Barber told both Sheriff Olive and Captain Lucy that the money was given to him by his brother John, now on the run for stealing livestock in Williamson and Burnet counties, to hire an attorney and arrange the release of their other brother, Austin, serving time at the state penitentiary in Huntsville.

Under cross-examination, Lucy stated that Barber told him that he had “paid Sneed a fee of \$50, and was to pay \$100 more to get a pardon for a brother who is in the penitentiary.”

Alva Barber, the defendant’s wife, was called to the stand next but, upon an objection by the prosecution, she was excused. She was followed to the stand by Mrs. Attie Hunt, Barber’s sister. In her testimony before the court, Mrs. Hunt linked her brother John—not Joe, the accused—to the McNeil robbery. She stated,

“I put up some grub or lunch in the piece of Williamson County Sun found near the robbery for John Barber, the fugitive member of the family. I saw Joseph at his house on the morning of the 17th. I recollected the date from the fact that the next day was baby’s birthday. This was the only time I fixed a lunch for John. I wrapped no lunch for my husband or brothers for a month before this time.”

Finally Joe Barber took the stand in his own defense, recounting in minute detail his movements on the day of the robbery. Barber then provided a detailed list of individuals he spoke to on his way home and the gist of each conversation.

The case against Joe Barber closed. As reported in the June 2 issue of the *Austin Daily Statesman*,

The case against Joe Barber seemed to fall apart when his sister, Mrs. Attie Hunt, took the stand to testify in his defense.

Mrs. Hunt, sister of Barber, testified that she put up some grub or lunch in the piece of Williamson County Sun found near the robbery for John Barber, the fugitive member of the family.

“I saw John some time last month, before the train was robbed. He came to my house and at supper. He only staid a few minutes. My husband had gone to put the horses in the pasture and John left before he returned. He ate a few bites of cold supper and said he would go before Mr. Hunt got back. I gave him a lunch, two or three biscuits, some butter and preserves. I wrapped them in a paper; it was either The Statesman or The Sun, I don’t know which. I have not seen John since the time. I don’t know what became of the paper I tore the piece from.”

The case against the Craft and Ussery brothers began the following day. The first to take the stand for the prosecution was Charles Buckley, a San Antonio resident who knew the four defendants. According to Buckley, a meeting had first been held at the home of Jim Ussery to plan the robbery of a train on the Sunset Road at Three-Mile Tank outside of Luling. After much discussion, the men had abandoned the plan because “there being so many trains on the road as to make the undertaking too hazardous.” The group then set about planning a robbery of the bank in Luling.

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According to the June 2 issue of the *Austin Daily Statesman*,

The bank was not robbed because it was learned that the bulk of the money had been shipped off and there was not enough on hand to warrant the attempt. It was then suggested the group go up about Round Rock and rob a train there.

A steady stream of the defendants' friends and relatives took their turn on the witness stand over the next three days, testifying to the whereabouts of the four accused train robbers. Although their testimony was often at odds as to the location of the various defendants, each witness testified convincingly to the fact that the accused could not possibly have taken part in the crime.

After eight days of testimony, the preliminary hearing for the accused train robbers finally closed, and Commissioner Ruggles rendered his decision as reported in the June 9 issue of the *Austin Daily Statesman*.

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End of the Train Robbery Cases

It was almost a foregone conclusion that Commissioner Ruggles would discharge the Usserys, Crafts and Barbour on the charge of train robbery, for there were but few who having heard the evidence doubted that the matter whereabouts had been clearly established under the testimony addressed by the defense. The commissioner in deciding the legal point presented the previous day, admitted the record of the conviction of Buckley in Bosque county, and struck out his testimony in its entirety. This done, of course, the whole case went to the ground. The parties were discharged about 11 o'clock and lost no time in getting money and starting on the homeward march.

Joe Barber would continue to have "encounters" with the law. In 1888 he was arrested by Sheriff Olive on a warrant issued in Burnet County for stealing livestock. He was defended by Georgetown attorney Captain A. S. Fisher and was acquitted.

The weary Central Texas lawmen who had tracked down and arrested the suspected members of the McNeil gang would have little time to rest. Only nine days later—on June 18, 1887—a gang of twelve desperados robbed a Southern Pacific train on the "Sunset Route" one mile east of Flatonia. The robbery would be the largest train robbery in Central Texas history, and the pursuit of its perpetrators would drag on for over a year.

(Excerpt from *The Noble John Olive* © by Jim Dillard)