“The thought occurred to us, let’s make a raid.”
Perry Dean Ross October 22, 1955

“There is nor ever has there ever been any racial
issue or bitterness between the white and negro population.”
District Attorney Wellborn from the office in Henderson¹, Rusk County December 20, 1955

In June of 2009, Kaylie Simon of the Civil Rights and Restorative Justice Project at
Northeastern University School of Law began to investigate the murder of John Earl Reese.
Simon began by gathering and documenting the facts of what transpired. Over time, Simon and
colleagues at the Civil Rights and Restorative Justice Project developed a thorough
understanding of the case and considered what remedies might be available to the family and
community in East Texas.

**Legal and Political Context**

The racial violence prevalent in East Texas’s Gregg County in the 1950s that ended in
death for 16 year old John Earl Reese seems to have gone unnoticed and unaddressed. In the
famously requiring southern school districts to desegregate “with all deliberate speed,” and the

¹ Wellborn was Ross’s defense lawyer in the State of Texas v. Perry Dean Ross.
lynching of Emmett Till on August 28, 1955, Gregg County was the home of the tragic civil rights-related murder of Reese. His death is a striking example of the anti-civil rights era violence that defined the period across the South.

**Local Politics and the Cycle of Violence in East Texas**

In the summer of 1955, Kilgore Junior College (KJC) in Longview, Gregg County, was the first junior college in Texas to be placed under a federal court order to desegregate.\(^2\) Violent white supremacist activity discouraged blacks from even attempting to enroll at KJC and it became one of the last schools to actually desegregate.\(^3\) While tensions over the desegregation of KJC in Longview mounted, anti-black sentiment also fueled a debate over whether to upgrade a neighborhood all black high school in Mayflower. Mayflower was just over the border from Gregg County in Rusk County. The Tatum Independent School District included the black Mayflower High School and the white Tatum High School, both in Rusk County. Residents of the area disagreed about whether Mayflower High School should be upgraded and remain in Mayflower, or whether it should be moved closer to Tatum High School.\(^4\) A predominantly black community, Mayflower was just one town over from Tatum.

Two political factions were split over the location of the school.\(^5\) One, led by Pat Shaw, the white superintendent of the Tatum Independent School District,\(^6\) comprised school board members, and city and county commissioners. The Shaw group sought to upgrade and keep the Mayflower school in Mayflower. The opposing faction, led by Jim Kuykendall, also white and a


\(^3\) Id.

\(^4\) *Rangers Hunt River Banks for Weapon*, TEXAS PRESS CLIPPINGS BUREAU DALLAS, TIMES, DALLAS TEX. HERALD, January 27 1956.

\(^5\) *May Have Held Up Solution Price Asserts*, TEXAS PRESS CLIPPINGS BUREAU DALLAS, LONGVIEW TEX. NEWS, January 27, 1956.

\(^6\) Texas Rangers, Texas Department of Public Safety, Investigation, January 27, 1956.
former county commissioner, was comprised of farmers, small business people, and property owners, rejected giving money to the Mayflower school and preferred the school be built in Tatum.\(^7\) Kuykendall’s faction did not want to invest in upgrading a school for black children.\(^8\) Dating back to the late 1920s a small group of Tatum citizens, led by Kuykendall, had significant influence in local politics.

In September 1954, the school board ordered a bond election regarding school funding.\(^9\) The election was held on September 18, 1954.\(^{10}\) Kuykendall’s faction fought hard and successfully defeated the bond issue; as a result of the vote Mayflower School would not receive funds to upgrade.\(^{11}\) On March 3, 1955, another bond election resulted in a vote of 462 to 311\(^{12}\) and the approval of bonds worth $200,000 to improve both white and black schools in the Tatum Independent School District.\(^{13}\) That bond election, however, eventually did not carry.\(^{14}\) Thereafter violence erupted in the area and this victory for Shaw’s faction became an impetus for a series of violent incidents.

**The Violence**

The day after the March 3\(^{rd}\) election, a large skull with crossbones appeared on the wall of the white Tatum High School and on the office window of the Gregg County Tax Assessor.\(^{15}\) Slurs - “son-of-a-bitch” and “Negro lover” - accompanied the images.\(^{16}\) A few days after this

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\(^7\) Negro Boy Murder in East Texas; New School for Negroes May be Issue, THE TEXAS OBSERVER, November 2, 1955.

\(^8\) Interview with Johnnie Mae Thompson-Johnson, December 12, 2009.


\(^10\) Id.

\(^11\) Id.

\(^12\) Supra note 7.

\(^13\) Id.

\(^14\) Texas Ranger Investigation File, Conversation between Captain Crowder and Colonel Garrison, Received by the Bureau of Intelligence Department of Public Safety January 27, 1956.

\(^15\) Supra note 7.

\(^16\) Id.
incident, a scrap of paper with an almost identical drawing was found in the pocket of the
trousers of Joe Simpson of Tatum, the nephew of Jim Kuykendall.17 On April 1, 1955, the bus
driver for the all-black Mayflower School in Rust County, H.C. Thompson - a black man and
supporter of the Shaw group - transported several carloads of black voters to the polling place for
another bond election, held because the prior bond did not carry. After the polls closed,
Thompson returned to the polling location to get a report of the results. He overheard a group of
white men from Kuykendall’s faction talking about the election report. The report showed that
the Shaw faction had won again. Thompson overheard one of the white men saying angrily, “We
can kill the Sons of B-----s if we can’t get rid of them any other way.”18

The next day, April 2, 1955, a trustee election was held to fill three expired terms for
school board members.19 The Shaw faction voted for the re-election of the existing board
members, and the three men seeking re-election won. These two victories for the Shaw group
rekindled the violence. On April 3, the night after the election, gunshots were fired into the black
school’s bus and into a parked car at the home of Thompson, the school bus driver. Then on June
19, 1955, four shots were fired from a passing car into the home of another black resident20 and
into the mailbox of a third home21 in Mayflower. There was virtually no publicity about these
shootings nor does there appear to have been any law enforcement investigation.

The Murder

On October 22, 1955, at about 11 pm, two white men, 21 year old Joe Reagan Simpson—the
nephew of Kuykendall, who in the previous March was found with the picture of the cross

17 Id.
18 Interview of H.C. Thompson, December 28, 1955.
20 The home of James Hendricks was shot at.
21 Tom Watkins reported shots fired at his mailbox.
and skull bone in his trousers - and 22 year old Perry Dean Ross, drove by the Hughes Cafe, a black owned establishment on Tatum-Longview Highway in Gregg County, intending to “make a raid” because, they claimed, they were frustrated with “uppity blacks.” Ross aimed a .22 caliber rifle out of the car window, firing several rounds. Ross later confessed, "I held the steering wheel with my left hand and laid the gun across the left door. I was going about 85 miles per hour at the time and I fired nine shots into the cafe." 

One of the shots fired by Ross struck John Earl Reese in the head and killed him. Only 16 years old, Reese had, on the day he was shot, just returned to Gregg County after spending the summer in Royce City, Texas where he had been picking cotton. He came home on October 22 to return to the Mayflower High School. Reese and his three cousins Woodie Gene Nelson, 11, Joyce Nelson, 13, and Johnnie Nelson, 15 had gone to the café, which was owned by another cousin, Anderson (Buddy) Hughes, to dance and drink soda pop. Reese died the following morning at Gregg Memorial Hospital. Both of the Nelson girls were shot and wounded, Joyce in her wrist and Johnnie in the shoulder. Their cousin Anderson (Buddy) Hughes and his mother Mandy Hughes took them to the hospital. Joyce Nelson, the only one of the three victims who is still living, recently told CRRJ, “We were children, doing nothing wrong.”

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22 Supra note 2 at 304.
23 Texas Ranger Investigation File.
24 Author Interview with Joyce Nelson-Crockett, July 14, 2009.
25 Id.
27 http://www.northeastern.edu/crrj/about_us/ “The Civil Rights and Restorative Justice Project (CRRJ) was launched in April 2007. Researchers, educators, lawyers, and policymakers contribute to CRRJ's documentation and educational programs, which are designed to: Document anti-civil rights violence, provide resources to lawyers, scholars, journalists, and civil rights activists, provide support to communities addressing civil rights-era harms through truth-seeking mechanisms, reparations, and litigation. CRRJ is housed at Northeastern University School of Law (NUSL). It is directed by NUSL Professor Margaret Burnham.”
The Violence Continued

Violence continued throughout the night after Ross and Simpson fired into the cafe. The two men drove about six miles past several white occupied homes along the Tatum-Longview Highway until they reached the black neighborhood in Mayflower, Rust County.29 Around midnight, in Mayflower, the two men attacked homes located on the same street as the all black Mayflower School. They fired at a school bus and car parked at the home of Thompson, the same vehicle that had been attacked on April 3rd.30 The men then shot into Fannie Nelson’s mailbox. They fired nine shots at the home of John Beckworth, brother of the principal of the Mayflower High School. At the time, Beckworth’s wife, Mary Jane Beckworth, was beside her bed saying her nightly prayers.31 The bullet barely missed her; gun-powder burned her face as she fell to her knees.32 Several shots were also fired into the Mayflower School, which was located directly across the street from the Beckworth’s home.

The Investigation

Sheriff Orr was the first officer on the scene of the shooting at the Hughes Cafe. The following morning Orr inspected the school bus and the Thompson’s car. Carrie Thompson, H.C Thompson’s wife, told investigators that she and her husband voted for Sheriff Orr, but that she did not think he was interested in solving the case because he knew that some white men had done the shooting.33 While some local authorities were indifferent to the murder, others, motivated by racism and personal relationships, wanted to cover it up. One official, Tatum City

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28 Author Interview with Joyce Nelson-Crockett, July 5, 2009.
29 Author Interview with Joyce Nelson-Crockett, January 22, 2010.
30 Interview with Carrie Johnson-Thompson, December 28, 1955.
31 Supra note 18.
32 Supra note 27.
33 Supra note 28.
Judge J.B. Williams - a cousin of Ross, the shooter, told investigators he was dissatisfied with the efforts of Rusk County officials to control the violence. Superintendent Shaw told Captain Crowder, who was eventually the lead investigator on the case, that “Rusk County Sheriff and several other county officials are backed by the opposing faction led by Jim Kuykendall and that these officials are prejudice (sic) and will not take the necessary action to stop the violence and other acts of intimidation in the community.”

Reese and the Nelsons were raised by their grandmother, Carrie Hughes. Hughes was the daughter of former slaves who worked and died in the same area where she lived her entire life. Joyce Nelson-Crockett recalls that her grandmother was arrested the day after the shooting. According to Nelson-Crockett, authorities claimed that the grandmother had her grandchildren shot in an effort to kill them for insurance money. Nelson-Crockett recalls spending that night alone in the house, shaken from the shooting, mourning her cousin’s death, and longing for her grandmother. She states that the authorities brought her grandmother home the following day after she spent the night in jail. Nelson-Crockett explains, “they were saying anything to keep from saying those white boys shot us.” Nelson-Crockett recalls that authorities even attempted to claim that two black men did the shooting. They “tried to make them (the black men) say they did it. Anything to keep them white boys from getting picked up, and knowing all the time that they [Ross and Simpson] did it.”

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34 Interview with J.B. Williams, December 28, 1955.
35 Id.
36 Supra note 7.
37 Supra note 28.
38 Supra note 28.
39 Supra note 28.
40 Supra note 28.
41 Supra note 28.
boys who authorities accused.\textsuperscript{42}

Corruption and political protection hampered the investigation of the murder throughout the process. The investigation took place in three counties: Gregg and Rusk primarily, and Panola County. The shooting death of Reese occurred in Gregg County while the other shootings were in Rusk. In an interview with investigators, Sheriff Orr claimed that he did not know Joe Simpson, but investigators later learned that Orr knew Simpson well and had spoken with Simpson’s aunt and others about the incident. At one point before the interview, Orr spoke about Simpson to Gregg County deputy sheriff J.W. Sweatt and said there was no need to investigate Simpson because the sheriff had eliminated him as a suspect.\textsuperscript{43} Sheriff Orr was in front of James Henrix’s home when Ross and Simpson fired shots a short distance away at John Beckworth’s house and the school.\textsuperscript{44} Beckworth, whose house was sprayed with shots, told investigators that Orr could have stopped the suspects if he wanted to on the night of the shootings.\textsuperscript{45}

A white man, 42 year old Willis Brown, Kuykendall’s best friend, was in contact with Simpson and Ross the night of the shootings.\textsuperscript{46} In an interview with investigators, he stated that around 10am on October 22nd, he went to a “Negro” cafe near the Mayflower School where he got into a verbal altercation. He then went to his friend, Jim Kuykendall’s home, told him of the altercation, and complained that he was tired of the way the “negroes” were acting out there. That evening, at around 10 pm, he went to Green Lantern, a bar in Longview, where he talked with Ross and Simpson. Reese’s father later said he suspected that Brown was in the car during

\textsuperscript{42} Supra note 28.
\textsuperscript{43} Texas Ranger Investigation File.
\textsuperscript{44} Id.
\textsuperscript{45} Supra note 18.
\textsuperscript{46} Interview with Willie Brown, Memorandum, January 17, 1956.
the shootings. Soon after the incident, Brown was picked up by officers, spent a few hours in the Rusk county jail, and then 72 hours confined in Longview. Upon his release, Brown promised Officer Sweatt he would go to Mayflower and get information about the murder. Brown informed local investigators that, “Jim Kuykendall told me to keep my mouth shut and to keep away from them negroes out at Mayflower.” In the end, Sheriff Orr took no action on the case. John Earl Reese’s death certificate issued by the County coroner recorded the condition leading to death as a gunshot wound. It lists the antecedent causes as a fractured skull and claims the cause of death was “accidental.”

The Texas Rangers Take the Case

It was not until three months after the shootings that Captain Robert Crowder of the Texas Rangers opened the case for investigation by the state. Ross was arrested on January 25, 1956 at a Marshall, Texas plant where he was working. Simpson was arrested in Houston on the same day. They remained in jail in Longview and bond was set at $5,000 each. Both men confessed to the shooting. Ross signed a statement that he fired the shots into the “negro” dance hall which killed John Earl Reese and wounded Joyce Nelson and Johnnie Nelson. He also claimed responsibility for riddling an “unoccupied negro” school bus with bullets and firing into the home of John Beckworth. Simpson also admitted firing shots, shattering a Mayflower “negro” school bus. Simpson and Ross told police they tied the gun to a log and tossed it in the Sabine River. District Attorney Ralph Prince concluded that local police mishandled the murder

47 Texas Ranger Investigation File.
48 Texas Ranger Investigation File, Voluntary Statement, L.E. Willis Brown.
50 Texas Ranger Investigation File, XF1149ACS NM.
51 Texas Ranger Investigation File, D11ACS.
52 Texas Ranger Investigation File.
investigation. In an interview after the incident, Captain Crowder told Public Safety Director Colonel Homer Garrison, that Gregg County, where the shootings took place, “didn’t do a thing [to investigate the case].”  

Ross was brought to trial in Longview for the “murder with malice” of John Earl Reese. No charges were brought against either man in connection with the shootings of Joyce and Johnnie Nelson, nor were charges brought in connection with the shooting assaults on the houses and cars. While black people were on the venire for jury selection, none were chosen and the Ross jury was comprised of twelve white men from Gregg County. Ross’s lawyer, Gordon R. Wellborn, sought to show in mitigation that Ross was intoxicated. He asked the jury to "call it a bad day and let the boy go on in life." District Attorney Prince, on the other hand, argued that the jury should give Ross a jail sentence because "that will deter others from committing a similar crime." The defense argued to the jury that “if you believe the killing of John Earl Reese was the result of an accident, then the defendant, Perry Dean Ross, should be acquitted and you will say by your verdict ‘Not Guilty.’ ”

While District Attorney Prince gave a passionate closing statement, he did little beyond that in prosecuting Ross. Ronnie Dugger, a well-known journalist who covered the incident and trial, reported at the time that Prince, “did not call any prosecution witnesses to attest to Ross’s reputation, he did not call any witness to arouse sympathy for the dead boy, he did not introduce the murder pellet into evidence (which Erisman (defense counsel) pounded on heavily in 

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53 Supra note 13.
55 The State of Texas vs. Perry Dean Ross, No. 5126-B (124th District Court, Gregg County, Texas).
57 Supra note 42.
58 Defendant Requested Instruction, the State of Texas vs. Perry Dean Ross, No. 5126-B (124th District Court, Gregg County, Texas).
closing), he let 15 months pass before pressing the indictment, and he did not himself ask for punishment, leaving it to his assistant, Paul McClung to ask for punishment.”

Judge David C. Moore of the 124th district court allowed in evidence the confession of Ross. Texas Rangers Sergeant, E.J. Banks promised Edwin Ross, Ross’s father, that they would help Ross get a suspended sentence if he confessed. Ross confessed,

On the night of October 22, 1955, I picked up Joe Simpson in Tatum at about 6 O’clock and we came to Longview. We went to a beer joint and had a couple of beers and then we bought a half case of can beer and put it in the car, then we went to a Drive Inn Theatre and saw one show and most of a second one, and it was about 11 P.M. when we started on back to Tatum. I told Joe Simpson, ‘Let’s go make a raid,’ which was the name for shooting at the negroes in the Mayflower community. He said alright, and asked if I had a rifle and I said yes. I had a Mossburg .22 automatic rifle in the back seat and Joe Simpson loaded the rifle with about 10 or 11 shells. I was driving my car, which is a 1949 Ford 2 door, club coupe and it is dark blue in color.

When we got even with the Hughes Cafe, which is a negro cafe on highway 149 in Gregg County, Texas, out near Lake Cherokee, I told Joe Simpson to hand me the rifle. He asked me what I was going to do and I said I was going to shoot the gun myself. I held the steering wheel with my left hand and laid the gun across the left door. I was going about 85 miles per hour at the time and I fired nine shots in the front of the Hughes Café. We drove on down the road at a high rate of speed and stopped a little filling station and Joe Simpson reloaded the rifle.

We drove on until we got to the Mayflower turn-off and we came to where a school bus was parked by a house. Joe Simpson shot the rifle five or six times at the school bus. The rifle that Joe Simpson shot at the school bus with is the same one that I used to fire into the cafe.

After the second shooting we drove down and Joe Simpson loaded the rifle again and we got to a house and I asked him to pass me the rifle, and I did the same thing again. I shot at a house which I knew where some which I knew where some negros lived. I fired the rifle then we drove to Tatum. We pulled into a filling station which is run by Jim Young. We stopped at the filling station and talked to Freddie Murphy a while and had another beer, then we went on home. This was midnight about that time.

The next morning I got up and went to work and got back home about 5’ O’clock and heard that a Negro had been killed in the café and two others wounded. This shooting

59 Supra note 53.
60 Supra note 53.
happened on Saturday night, October 22, 1955, and on Sunday I got in touch with Joe Simpson and asked him to hide the rifle for me. The next night Joe told me he had buried the rifle. Joe Simpson and I in April 1955, fired into a school bus in the Mayflower community.61

Judge Moore instructed the jury that “the punishment for murder with malice aforethought, shall be death or by confinement in the penitentiary for life, or for a term of years not less than two.”62 Judge Moore explained that Ross was seeking a suspended sentence on the grounds he had never before been convicted of a felony. Judge Moore instructed the jury that “[i]n the event that you find the defendant guilty and assess punishment at not more than five years’ confinement in the penitentiary . . . then you may recommend a suspension of said sentence.”63

On April 23, 1957, the jury retied at 4:55 PM and deliberated for less than two hours. At 6:25 PM the jury returned a verdict for murder "with malice aforethought" and recommended a five-year suspended sentence.64 Ross was released from physical custody immediately. Joe Reagan Simpson was also indicted for the murder of Reese in Gregg County. However, the indictment against Simpson, allegedly the non-shooter, was eventually dismissed. Joyce Nelson attended the trial.65 She told CRRJ that “after court, they [the defendants] just came home.”66 When asked to comment, Reese’s grandmother, Carrie Hughes said, “We ain’t got no sayso about nothin’, I ain’t gonna say nothin about nothin.”67

During the investigation, Captain Crowder asked Ross, “Dean, now just between us boys,

61 Supra note 53.
62 Jury instruction, the State of Texas vs. Perry Dean Ross, (124th District Court, Gregg County, Texas).
63 Id.
64 Jury Verdict, the State of Texas vs. Perry Dean Ross, (124th District Court, Gregg County, Texas).
65 Id.
66 Id.
67 Supra note 7.
didn’t the school bond election have a great deal to do with you shooting into them?”68 Ross answered, “It sure did.”69 He said the fact that they were planning to build a new “negro” school in Mayflower prompted the whole thing.70 Ross also told Captain Crowder, in the presence of news reporters, that he was responsible for other “negro” shootings in March, April, and June of 1955.71 Court records show that lawyers on both sides of the case and the investigators, state and local alike, made every effort to claim that this incident had nothing to do with race and was, on the other hand, entirely “political.” Captain Crowder reported to Public Safety Director Colonel Garrison that “in our complete investigation, there has been no racial issues involved whatever.”72 In response, Garrison queried, “It is just a political situation?” and Crowder replied, “political.”73

District Attorney Prince claimed a newspaper editor “tried to turn the shootings into a racial incident and create the impression that the lives of other negroes were in jeopardy.”74 Even while Ross’s lawyer argued in court that Ross “wanted to scare somebody and keep the negatees and the whites from going to school together,”75 those in power maintained that the crime was politically and not racially motivated. Prince described the murder as “a case of two irresponsible boys attempting to have some fun by scaring Negroes.”76 Similarly, Captain Crowder complained that an Austin weekly attempted to make the shootings appear a racial issue. “We have proved that false,” he declared.77

68 Supra note 13.
69 Id.
70 Id.
71 Texas Ranger Investigation File, Xf149ACS NM.
72 Supra note 13.
73 Id.
74 Texas Ranger Investigation File, W1P1/27, received January 27, 1956.
75 Supra note 42.
76 Whites Accused in Negro Death, THE TEXAS OBSERVER, February 1, 1956; Texas Ranger Investigation File, UH216PCS.
77 Texas Ranger Investigation File, DH146P1/26.
In a letter dated March 7, 1956 Edwin C. Washington, Executive Secretary of the Texas NAACP branch, wrote to Colonel Homer Garrison that:

Law abiding citizens want wrong-doers punished and innocent ones freed. When a law enforcing agency investigates the circumstances of an alleged crime, finds the facts and promptly apprehends the perpetrators of the acts against the State, people, rich and poor, great and small, feel reassured that they can live freely and without fear.\(^78\)

**After the incident**

Reese was buried near Smith Chapel Church in Mayflower, Texas. Before his funeral, his grandmother said, “He dead. I wouldn’t let them bury him with the bullet in his head if it cost 100 dollars to take it out. Lawda mercy, I don’t think I’ll ever get over it.”\(^79\) His gravestone inaccurately states his date of death as November instead of October.

In 1956, a new all black school was finally built in Mayflower.\(^80\) In 1968, however, when the school district was ordered to integrate in accordance with *Brown*, the school closed.\(^81\) Students were sent to Tatum High School.\(^82\) A white family now lives in the building that was formerly Mayflower High School.\(^83\)

Joyce Nelson-Crockett is the only surviving witness to the shooting of John Reese. She spent her life working as a caregiver for Jim Kuykendall’s son, Harold Kuykendall, without knowing of his connection to the shootings and murder. She worked for him in his home until his death in 2009.\(^84\) Ross died in Panola County in east Texas in January 1976.\(^85\) Simpson died in June 1998 in Arizona. Reese’s father, John T. Reese, died June 23, 1986 in East Texas. John Earl

\(^{78}\) Edwin C. Washington, National Association for the Advancement of Colored People, to Colonel Homer Garrison, Department of Public Safety, February 13, 1956.
\(^{79}\) Supra note 7.
\(^{80}\) Author interview with Reporter Jimmy Isaac, December 11, 2009.
\(^{81}\) Id.
\(^{82}\) Id.
\(^{83}\) Supra note 28.
\(^{84}\) Supra note 28.
\(^{85}\) Civil Rights Era Murder Draws Renewed Attention, NEWS-JOURNAL.COM, Jimmy Isaac, December 5, 2009.
was his only child. The elder Mr. Reese never had the satisfaction of public recognition that his son’s death was not just a personal tragedy, but a civil rights travesty.

Until Kaylie Simon and Nataniel Johnson-Gottlieb of the Civil Rights and Restorative Justice Project met with Mayor Fullen of Henderson and Rusk County Commissioner Michael Pepper in July of 2010, Reese’s family had received no public recognition from either Rusk or Gregg County for their loss and for the discriminatory treatment they received from the Texas justice system. Now, 55 years after his death, public officials plan to work with community members and the Civil Rights and Restorative Justice Project to memorialize the life of John Earl Reese and to acknowledge the violence and injustice of years past in Mayflower.