



TARRANT COUNTY TXGENWEB

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Civil War Veterans of Northeast Tarrant County

Jerry L. "Land" Gilbert

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Jerry L. "Land" Gilbert was a Confederate veteran who lived for a time in the 1880's in the Minters Chapel area of northeast Tarrant County. He spent the last years of his life in the Confederate Home in Austin. Most of this account was written from material supplied by Jan Wallace, a descendant of Land Gilbert's brother, James Henry Gilbert.

Land Gilbert was born July 24, 1831 near Spartanburg, South Carolina. Family researchers have not determined who his parents were, but he is known to have had at least three siblings: Thomas Perry Gilbert (who died in Mississippi, after which his wife Mary Ann [Mullendore] came to Texas and died); James Henry Gilbert (who also moved to Texas); and Eliza Elizabeth (Gilbert) Ray, the wife of Albert Ray, who [Eliza] lies buried in Pleasant Grove Cemetery No. 2 in Wise County.

He told pension officials in Texas he served from May 10, 1861 until the end of the War in Co. F, 24th Mississippi Infantry, and was with the same regiment throughout the war, with the exception of some time he spent as a provost guard. He said he left the service on or about May 5, 1863 at Franklin County, Tennessee. The National Archives says he enlisted September 15, 1861, in Itawamba County, Mississippi, and was mustered into the service on October 15, 1861 in Fulton, Mississippi. He was absent sick from the regiment at some point between July 1 and October 31, 1862. He was sent by the regimental surgeon to a hospital on August 20, 1863. He was shown present on the last roll which has survived from the company, dated January and February 1864, and was present at an issue of clothing to the regiment on April 30, 1864.

When Gilbert applied for a Texas Confederate pension, he said he had been in Texas since 1872; and records at the Confederate Home in Austin show he came to Texas in 1877. However, Jerry Gilbert and his wife, Eugenia, are clearly shown without children in the 1880 census of Union County, Mississippi. He was forty-two, she was twenty-two, and a native of Mississippi. Both her parents were Tennesseans.

By 1889, Gilbert was in the Grapevine area where he was involved in a shooting. Witnesses at that time stated he and his wife were separated and that she was living with her brother, Robert B. Hardin. Hardin and his wife, Sena (Burgoon) lie buried in Minter's Chapel Cemetery.

The newspaper articles which appeared at the time make an interesting story of the lingering frontier lifestyle in northeast Tarrant County at that time. On February 20, 1889 an article appeared on the first page of The Dallas Morning News: *"A MAN MORTALLY WOUNDED. Two Brothers-in-Law Fight Out a Family Feud with Pistols. GRAPEVINE, TEX., Feb. 19—Yesterday what is reported to be a tragedy occurred about five miles southeast of this place on Grapevine prairie. Two brothers-in-law named Al Ray and Lou Gilbert have had bad blood between them for some time, brought about in some way by the separation of Gilbert and his wife. Yesterday the two men were going home from church when the matter was brought up and a fight occurred in which pistols were used with terrible effect. The person who came after a doctor stated that both men were shot down in the road. He said Ray was shot in the face and Gilbert in the body. The doctor has not returned at this writing and nothing more can be heard. When a full report can be had THE NEWS correspondent will give it to the readers of THE NEWS.*

ANOTHER ACCOUNT. FORT WORTH, TEX., Feb. 19.--The news is brought in town to-day of a shooting affray in this county about fifteen miles from this city between Albert Ray and Louis Gilbert. The alleged facts are these: Ray and Gilbert are brothers-in-law. The trouble grew out of the separation of Gilbert and his wife. They met on a road. Ray, so the report runs, shot at Gilbert, killed his horse under him and Gilbert then advanced close to the wagon, in which Ray was seated, Ray firing five shots at him as he advanced, Gilbert fearing to shoot because of Ray's family, present in the wagon with him. When near the wagon Gilbert fired and shot Ray in the breast and bowels. Gilbert, who was uninjured, gave himself up to Dallas county officers. Ray will die."

The Dallas Daily Times Herald of February 21, 1889 ran a story on page 5 under "Court Proceedings" which said: *"RAY DIED AND GILBERT SURRENDERS. Al Ray, who was shot Sunday near Grapevine, by J. L. Gilbert, his brother-in-law, has since died. Gilbert came to town yesterday, and about 5 o'clock p.m., surrendered to the sheriff in his office after receiving a formal introduction to that official. Through his attorney, he, this morning, applied for a writ of habeas corpus, which was set for hearing instanter and then continued by consent until 9 a.m. to-morrow on account of the absence of witnesses, of whom, there is said to be only three and they live eighteen miles from the city."*

The Dallas Morning News of March 3, 1889 included a short note under "Fort Worth Local Notes" which said, *"One of the deputies took over to Dallas yesterday five attached witnesses to the case of the state vs. J. L. Gilbert, charged with the murder of his brother-in-law, Ray, on or near the boundary line of Tarrant and Dallas counties about ten days ago. It will be recalled the parties met in a road, and Ray was shot by Gilbert. From his wounds he subsequently died. Gilbert surrendered to the Dallas authorities, claiming he did the shooting in self-defense."* The same newspaper said on March 8, 1889: *"J. E. Gilbert, charged with the murder of Al Ray, his brother-in-law, was admitted to bail in the sum of \$3000."*

The trial began on April 18, 1889, and the Dallas Daily Times Herald reported: *“THE GILBERT MURDER TRIAL IN PROGRESS TO-DAY. The case of the state of Texas against J. E. Gilbert was called in Judge Muse’s court to-day. Gilbert is a farmer, and the crime with which he stands charged, is murder. On February 17, 1889, at Grapevine Prairie, in the northeast corner of Dallas county, a farmer named A. Ray, lost his life, and it is alleged that Gilbert is his murderer. Dudley G. Wooten appeared for the defense and Colonel D. A. Williams and Barry Miller prosecutes. The greater part of the morning session was devoted to the work of impaneling a jury from the special venire, and at 11:30, it was complete, as follows: W. E. Myers, John H. Mason, J. S. Anderson, F. A. Matlock, E. A. Crompey, J. S. Lanham, T. G. Cherry, W. F. Whitman, W. E. Murphy, W. F. Ollinger and J. N. Elam. This afternoon, the trial began in earnest. The defendant was arraigned, the indictment read and a plea of “not guilty” entered. The witnesses were sworn and the state began to present the evidence. There are a large number of witnesses to be heard, and it is said that the case will not reach the jury before to-morrow evening.”*

On The next day, the story continued: *“As stated in these columns yesterday, the Gilbert murder case trial engaged the attention of Judge Muse, beginning yesterday morning. J. E. Gilbert, the prisoner, separated from his wife and was disposed to consider A. Ray, his brother-in-law, responsible for the lack of harmony in his household. Several witnesses swore that Gilbert made threats against Ray. On the morning of the fatal meeting, Gilbert drove up to Ray’s house and was warned to halt. The warning was repeated three times, and finally, Ray fired, killing Gilbert’s horse. The latter returned the fire, killing Ray. At 11 o’clock this forenoon, arguments began, Barry Miller opening for the State. Dudley G. Wooten followed for the defense and Colonel D. A. Williams closed for the prosecution. The case is now in the hands of the jury.”*

A lengthy account of the trial appeared in the Dallas Morning News on April 19, 1890 under “Court Proceedings, Fourteenth District.” *“The case of J. E. Gilbert, a farmer, charged with the murder of his brother-in-law, Al Ray, another farmer, was taken up yesterday and a large number of witnesses were put under the rule. The state had not finished examining its witnesses when the court adjourned, and it is likely that the taking of testimony will be continued through to-day. The killing took place February, 1889, on Grapevine prairie 18 miles northwest of Dallas. The defense admits the killing, but sets up self-defense.*

On the day of the killing Gilbert was on horseback riding to a friend’s house. In front of a house occupied by a neighbor named McCormick he ran across Ray, who was also on the road and who was standing near his wagon, in which were his daughters. A fight ensued between the two men, during which seven shots were fired, Gilbert’s horse was shot under him, Mrs. Ray fainted, her daughters screamed and ran to a neighboring house. Ray received his death wounds and after a desperate clinch the two men were separated.

McCormick testified yesterday. I was at the scene of the shooting. I was the first man to get to the men as they were clinched, when Ray said: ‘Take him away, he is doing me up.’ Gilbert came up on horseback. When about twenty-five yards off Ray took out his pistol and told him to stop. Up to this time Gilbert had made no demonstrations. Gilbert’s horse was killed. It fell just as Gilbert had dismounted. When the men clinched Ray’s three daughters in the wagon screamed and ran to my house. Mrs. Ray is Gilbert’s sister. The difficulty was over the separation of Gilbert and his

wife. I told Gilbert he thought that Ray had done things of which he was innocent. Gilbert told me that he had seen enough to know.

Mrs. McCormick swore: Ray was killed in front of my house. I saw part of the shooting. Mrs. Ray was in our dining room when the first shot was fired. Mr. Gilbert came up to our house between 12 and 1 o'clock. He said he did not care about seeing Mr. Ray. He stayed there perhaps an hour. Gilbert wanted to see his sister, Mrs. Ray. They talked ten or fifteen minutes. He told her Mr. Ray had parted him and his wife and said he would chew his heart out. I and others were in the house at the time of the shooting. Gilbert said he didn't want to meet Ray. My husband went to the wagon in which Mrs. Ray came to my house and helped her out.

Mrs. Ray fainted and I paid no attention to the last shots. While Gilbert and Mr. Ray were talking they became excited and Gilbert told Mrs. Ray to hush up or Ray would be down and there would be trouble.

J. M. Bennett: I knew Al Ray, lived one and a quarter miles from him. Gilbert passed my house two weeks before the killing. He stopped and said to me: 'The old woman's quit me. Thank God for it. I want to go and talk with John Mullindore. I am going to take a trip with the Jay birds and I want Mullindore to take care of my children. I am going to have hell tomorrow...' [This testimony was excluded till relevancy can be shown.]

John Mullendore: I live near Gilbert. I met Gilbert about one and half weeks before the difficulty in East Dallas. He asked me if I knew where his wife was. I told him she was at her brother's. He told me he and his wife had parted; said he once thought from the way things were going he would kill Ray, but had since decided that as they were parted never to have anything more to do with him.

T. M. Ferguson: I live on Grapevine prairie. I was present when Gilbert and his wife separated. They parted friendly and partitioned their property. Don't know what they separated for. I had moved into the house they were living in. Gilbert told me that Mr. Ray was the cause of the separation. This was about two weeks before the killing.

Sam Dillough: I live one and a half mile from Ray's. I was present at the difficulty. I was twenty steps from Ray when it commenced. Gilbert was 100 yards off. I was talking to Ray. Gilbert came down to where we were. I walked off. Ray told me to tell Gilbert not to come within twenty-five yards of him.. Ray hailed at Gilbert three times to halt. He then fired. He shot again and hit Gilbert's horse. Gilbert was sitting on the horse with his hand on or in his pocket. Gilbert shot his first time when he got off his horse. I was twenty-five steps away when the last shot was fired. Gilbert advanced on Ray when he dismounted. After the firing they clenched. Ray hit Gilbert over the head with his pistol. Ray was about 35 years old."

On April 22, a short notice appeared in the Dallas Morning News which said, "The jury in the case of J. E. Gilbert, charged with the murder of Al Ray, yesterday afternoon brought in a verdict of not guilty."

Mr. Ray is buried in Bear Creek Cemetery on the west side of the airport property, along the east side of Highway 360's access road. The marble headstone says, "In Memory of My Husband, A.

Ray, Born March 20, 1846, Died Feb. 21, 1889.” Examination of two important historical documents made by a traveling sewing-machine salesman, Sam Street, make it possible to establish very accurately the site at which this shooting took place. Street produced two very detailed maps, one of Tarrant County in December, 1895, and one of Dallas County during the fall of 1900. Both homes are clearly shown. The home of J. S. Mullendore, one of the witnesses, sat in present-day Grapevine in far-eastern Tarrant County within the DFW Airport land, east of Airfield Drive West a few yards east of the east end of 23rd Street SW. J. D. McCormick’s home, at which the shooting took place, was across the county line in Dallas County. It sat in the S. A. and M. G. Railroad Co. survey, the next survey east from Tarrant County’s H. Atkinson survey. McCormick’s home sat a short distance north and west of the survey’s center. Like Mullendore’s home, the site now sits in restricted DFW Airport Land.

Gilbert made an affidavit in Hico, Hamilton County, Texas on February 6, 1912. Lt. Pless Wygle, one of Gilbert’s officers during the war, said Gilbert was known as “Land Gilbert” during the war. He said he first knew Mr. Gilbert about 1859 or 1860 at Fulton, Mississippi.

Gilbert was a resident of Buckner, Parker County, Texas when he applied for a Confederate pension in 1913. He said he moved to Buckner, Texas about two years before he applied. He had been working as a carpenter for about the past ten years. On June 13, 1913 he sent a note to the pension board saying he was temporarily in Waxahachie, Texas visiting one of his nieces. In 1914 he built a casket at Weatherford for a relative, Mittie J. Gilbert Boyd.

Gilbert first entered the Confederate Home in Austin, Texas on June 5, 1916 or 1918, and he remained there until he was discharged on April 3, 1922. He lived at Hico, Hamilton County, Texas at the time he entered the home. He was a widower. He was re-admitted on November 13, 1925, and remained there the rest of his life.

Gilbert died at 5 a. m. on May 31, 1928 at the Confederate Home in Austin, and was buried in the State Cemetery on June 2, 1928. His death certificate lists the cause of death as endocarditis and senility. The informant for the death certificate was T. C. Hairston of Austin.

Family members who visited him in the Confederate Home remember he was blind in one eye, and may have worn a patch. Those who attended the funeral remember that the hearse drove down Congress Avenue to the State Cemetery and had Confederate hat on the hood ornament.



State Cemetery, Austin, Texas