

Museum News: The Death of Sheriff Lee A. Cook

by C. W. (Bill) Smith, curator

Terrell County Memorial Museum

E. B. Miller had worked for some time as the Terrell County Courthouse janitor. It wasn't a very demanding job, but it required him to arise early and start his day at 6:30 a.m. every day. Most days were uneventful, but on the morning of April 13, 1938, he noticed something awry as he opened the front doors of the courthouse.

There, lying at the foot of the steps to the upstairs courtroom, lay something that did not register with his sleepy mind...what looked like a bundle of rags. As he got closer he realized with a shock that it was the body of a large man, lying in a pool of blood. An automatic revolver lay by the body and the spent bullet lay on the floor. On the sixth step was the cartridge ejected from the gun. Then he saw the man's face and realized with a second shock that it was the former sheriff, Lee Cook, who had resigned only a few weeks before.

Without a moment's hesitation, E. B. raced from the courthouse to a house nearby where Deputy J. W. Haynes lived and told him what he had found. Haynes hurriedly threw on some clothes and went to the courthouse. When he understood that E. B. was telling the truth, he quickly notified Sheriff Jim Nance and Justice of the Peace Fred Yeates.

By the time that Nance and Yeates got to the courthouse, a crowd of gawkers had already assembled, and it was getting bigger by the minute. Yeates ordered that the body be removed to the mortuary, and within a few hours he had convened a coroner's inquest.

Yeates and Nance knew what the scene looked like...an obvious suicide, but what would have been the motive, and why at the foot of the stairs? There just were too many unanswered questions.

Cook had resigned his position as the tenth sheriff of Terrell County only six weeks before to pursue a more lucrative calling. He had been a good sheriff, taking office in 1930 and serving faithfully and with skill until 1938. During his tenure a number of felons were incarcerated and many cases were resolved. He had a good record. And, he was a larger-than-life figure in Terrell County and West Texas. He was a big, gregarious character, making friends easily and popular with men and women alike. When Tom Mix, the cowboy movie star, came to Sanderson with his Wild West show, he and Cook hit it off immediately. Mix returned time and again to visit the sheriff. In effect both were master showmen. In parades they both rode horses decked to the nines with silver conchos, buckles and fancy saddles. But, he grew tired of the routine and longed for something that would make more money for his effort. He had married Alma McDonald in 1917, but they divorced in 1936. He recently had married Mrs. Nell Davis, but he still needed to support his three children. He definitely needed the money.

He had landed contracts with the soil conservation program and had assembled several teams of men and equipment to do several contracts at once. It was a big gamble, but formerly he had been employed with the state department of agriculture and he had farming interests in the Quemada Valley, so he was well familiar with dirt work. He also had been with the border patrol for ten years, so he was also a successful and popular sheriff. But everyone makes enemies, especially sheriffs, so maybe someone killed him and tried to make it look like suicide.

When the inquest was convened, Justice Yeates heard from a number of witnesses. Mrs. Cook testified that Cook had arisen about 4:30 a.m. that morning and told her he was going to Big Canyon, where most of his equipment was



Sheriff Lee Cook and his favorite horse.

Photo: Terrell County Memorial Museum



Sheriff Lee Cook with Tom Mix

Photo: Terrell County Memorial Museum

being used. That put his time of death at between 4:30 and 6:00 a.m. Being so recently resigned from the sheriff's position, he had gone to the courthouse to retrieve some papers he had left in the jail, which was atop the courthouse in an addition made during the renovation of the building in 1932. E. B. Miller related the circumstances of finding the body. J. W. Haynes and Andy Anderson, deputies, told their part, and C. M. Breeding, Dr. J. C. Kern and the mortician, W. E. Stirman testified to the condition of the body.

Dr. Kern testified that the bullet entered the deceased's head about two inches above the right ear and moved up at an acute angle, emerging from the top of the head. The bullet traveled on and struck the ceiling of the stairwell and fell back to lie by the body. Kern dispelled the notion that it was suicide...he did not think the deceased could have held the gun at an angle that would produce the wound and bullet path. Cook was not wearing a gun belt, so he must have put his gun, a .45 automatic, in his waistband, as he often did. Witnesses and the judge surmised that as he went up the stairs the gun slipped from his waistband, fell to the steps and, being an automatic, discharged in a freak accident. It was the only scenario that fit the facts. The courthouse doors were locked from the inside, so it would have been difficult for an unknown assailant to have committed the deed.

But, the final judgment did little to quell the rumors and gossip that swirled through Sanderson. Some suspected a cover-up, but logical citizens saw that the facts fit the supposition that it was just a terrible accident.

Lee Cook's funeral was held at the Baptist church, attended by a huge crowd of friends, family and admirers. At the cemetery, his grave was heaped with flowers, a testament by friends as a last tribute to a popular and efficient officer of the law.