



DALLAS / FORT WORTH

Family Secret

Fifty-eight years ago, Buddy Vest was found in his Gainesville cabinet shop hanging by a leather strap, wearing only a girdle and panties. His death was ruled a suicide. But now his son believes he's uncovered the truth.

by Carlton Stowers

AS A CHILD, when Herb Vest would ask how his father died, his mother would tell him that the ex-serviceman she'd married in 1943 had succumbed to a heart attack. Her answer was always dismissive. Ruth made it plain that she didn't care to dwell on the subject. Herb would go on to become a successful entrepreneur and make a fortune, but all along, he knew his mother wasn't telling him the truth. He'd known by the time he was 11, since the day he and a friend had been playing in the attic and Herb discovered a stack of yellowed letters written to his uncle by a military friend. One of them revealed



THE SERVICEMAN: His wife Ruth says Buddy Vest was "one of the most handsome young men you ever saw."

certain details of the death.

Herb never told his mother what he found. The troubling secret languished for a half century, as mother and son chose to protect each other from what both thought was a dark truth neither could accept. An unspoken bond tethered them to the distant memory of Harold “Buddy” Vest, who had died at age 25.

Now 80, Ruth Vest Powers recently sat at the dining room table in Herb’s Dallas home, talking about how she finally decided it was time to tell her son what she knew. Herb has done well for himself. He founded the Irving-based tax-planning firm H.D. Vest, which he sold to Wells Fargo & Co. in 2001 for \$127.5 million. His plush house is perched on the edge of Preston Trail Golf Club. Sitting just a few steps from a sparkling indoor pool, sharing coffee and breakfast pastries with his mother, the man once named by Ernst & Young as Entrepreneur of the Year clearly has something other than balance sheets on his mind; another force now drives him.

Ruth remembers the day in the late ’90s when she told her son what had really happened to Buddy—or what she *thought* had happened. She does not credit any epiphany, no gripping need for conscience-clearing. It was, she says, simply time. “For so many years,” she says, “I had this terrific fear that Herb would find out. I just couldn’t tell him, couldn’t plant that kind of seed in his mind. Then, suddenly, one afternoon I telephoned him and asked that he come over to my house and talk.”

Ruth told her son that his father had committed suicide.

That same day, Herb admitted that he’d known since reading his uncle’s letters as a young boy. He confided to her that in 1966, when he was a new Army inductee passing through North Texas en route to Fort Benning, Georgia, he had visited the library in Gainesville, Texas, to read the newspaper account of his father’s death. What he still didn’t know—and still wanted desperately to learn—was exactly what had transpired on that June night in 1946, in the humble cabinetmaking shop. The answers his mother provided would haunt Herb, prompting a torrent of even more questions, further mystifying an event that today borders on obsession for the 59-year-old self-described “bulldog.” Herb says he will “either find out what really happened or die—whichever comes first.”

With the help of a dogged private investigator, authorities in Cooke County, a highly regarded forensic anthropologist, and a shocking letter penned by an elusive woman named “M. Smith,” Herb Vest now determinedly moves toward the day he will prove to himself, his mother, and the rest of the world that his father was, in fact, murdered 58 years ago.

“What he is doing,” Ruth says of her son’s effort, “is one of the greatest gifts he’s ever given me.” She, too, wants the world to know that Buddy Vest did not take his own life. She is now convinced that her husband was the victim of a sadistic murder. So is her son. All that remains is the daunting task of proving it.

PRETTY, AUBURN-HAIRED RUTH BLAKELY had just left her teenage years behind in the spring of 1942 and was growing restless, weary of life in rural Henrietta, Texas, where her father was mayor. When an older sister invited her to visit Fort Custer, near Battle Creek, Michigan, where her husband had been stationed in the Army, Ruth eagerly accepted.

It was there, during a stop at the base PX, that she met Harold Eugene “Buddy” Vest. Ruth describes him today as “one of the most handsome young men you ever saw” and says it was love at first sight. Buddy was tall and slender, witty and well-mannered. Born in Chicago, son of a carpenter, he’d dropped out of school at age 15 to work as an apprentice cabinetmaker at a shop in the shadows of Wrigley Field before being drafted into the service.

Buddy was soon confiding to the young Texas girl the two things he wanted most in life: to open his own cabinetmaking business and for her to be his wife. Two months later, Buddy was granted leave and traveled to Henrietta, where he and Ruth were married in the spring. Following a one-night honeymoon in nearby Wichita Falls, she returned with him to live in Michigan while he was stationed stateside. Ruth gave birth to their son a year later.



Herb and Ruth Vest

When her husband was shipped to Europe, Ruth and her baby returned to Henrietta to live with her parents. Upon his discharge, Buddy took a train to Texas, purchased a small frame house in Gainesville with a G.I. loan, and soon fulfilled his dream of opening his own cabinet shop on the city’s main street.

These facts the son had learned as he’d grown to manhood. “All I really knew,” Herb says, “was that my father was a happy man, didn’t drink or

gamble, had a new baby and a new business, and no problems that anyone was aware of.” Hardly the profile of a man who would kill himself just four months after settling in the North Texas community. What Herb had waited a lifetime for was to hear how it happened.

The story began, as many nightmares do, in the darkest hours of the night. It was well past midnight, Ruth recalls, when she woke to the realization that her husband was not lying next to her. Buddy had told her he would be working late but had not yet returned home. In the kitchen, she saw that the acorn squash and roast she’d left out for him had not been touched.

Without car or telephone, she gathered her 22-month-old into her arms and walked to the house next door. “I didn’t know the people,” she says, “but I went over and knocked on the bedroom window to ask this lady if she could give me a ride down to my husband’s shop.”

The neighbor agreed, and soon the two women and the baby arrived at the California Street location of Buddy’s shop. “The lights in the front of the store were out,” Ruth remembers. Today, she can only assume the door was unlocked because she and her neighbor entered and walked toward the back of the small building. In a far corner, where plywood walls lent privacy to a makeshift restroom, they saw thin rays of light.

Ruth, her baby still in her arms, tried the restroom door and found it locked from the inside. While she has no specific recollection of doing so, she’s certain that she called out her husband’s name and heard no answer.

“When we parked in front of the shop,” she says, “we’d noticed a young man in a sailor’s uniform standing by the road, hitchhiking.” At the time, California Street was the main highway that led through Gainesville. “We went out and asked if he could help us.”

It was the sailor who pried the restroom door open enough to see the horror inside. Shielding the women from the sight, he told them to call the police.

“My neighbor drove me to my sister’s house,” Ruth says, “and I woke her and her husband to tell them there was something terribly wrong down at the shop. It’s strange how certain things stand out in your mind and other memories are completely lost. What I remember is my brother-in-law standing in the living room in his shorts, a panicked look on his face, as he hurriedly pulled on his pants. He left immediately with my neighbor who volunteered to drive him to the shop.”

What he found was tragic: Buddy Vest was dead, hanging from the restroom wall. A thin, leather machine belt was looped around his neck. His ankles were tied with rope and affixed to an eye screw in the wall. There was

another rope around his waist, binding his left arm to his side. And the only clothing on his body was a woman's girdle and panties.

Such grotesque details would be kept from his widow. She was never questioned by the police. Her father, who had rushed to Gainesville after learning what had occurred, at first only hinted at the ruling that would ultimately be made by the justice of the peace. "The day after my husband's body was found," Ruth says, "my father asked me if he had seemed at all despondent. And, while it made no sense to me at the time, he wanted to know if I had ever put any of my underclothes in the rag box Buddy had down at his shop."

By the time a funeral service was held at the Henrietta First Baptist Church, Ruth had been told only that her husband had killed himself. But, thanks to the considerable influence of her father, details of the state in which the body had been found were not published in the newspaper account of Buddy's death. Not until two years later, during a conversation with her sister, did Ruth finally learn the bizarre truth.

In a time when people were more trusting of those in positions of authority, the distraught widow took what she was told at face value. "I had no choice but to believe that my husband had taken his own life," she says. "I couldn't understand why he would do it, but there was no other way to explain what had happened."

Only in retrospect does she recognize the fleeting hint of doubt expressed by her father. "The next day, after he had talked with the police, we were in the yard outside my sister's house, and he told me that it appeared Buddy had hanged himself," she says. "But then he made a comment that I never completely understood. He seemed really perplexed—almost as if he were talking just to himself—when he said, 'At any time he could have touched the floor with his feet.'"

That wasn't the only thing that defied explanation. Weeks after her husband died, Ruth read a brief notice in the Wichita Falls newspaper that a patient named "Harold F. Vest" of Henrietta had been admitted to a hospital there. When her father visited to check admission records, there was nothing to indicate what the patient with the remarkably similar name had been treated for or when he was released. Nor was there anyone by that name who lived in Henrietta.

Even while resigned to the fact that her husband had died at his own hand, Ruth found herself wondering if perhaps someone had stolen his identification. It was only then that she realized she'd not received Buddy's wallet or personal effects from either the investigating authorities or the funeral home. Nor would she ever.

LONG INTERESTED IN TEXAS HISTORY, Herb Vest attended a lecture in the summer of 2002 on the infamous Gainesville hangings of 40 Union sympathizers. He listened as the speaker talked about the motive for the 1862 atrocity, telling how in Confederate Texas, Northerners were viewed with great disdain.

The lecture stayed with him, eventually offering a possible explanation for his father's death. It was a reach, sure. But maybe, Herb thought, there were those in Gainesville who resented his father for having come from Chicago. Maybe the same hatred that had led to the Great Hanging in Gainesville had also claimed his father's life.

It was time, Herb decided, to search for the truth. The stepfather who raised him had passed away, eliminating Herb's worry that he might be offended by his lifelong concern about how his biological father died. Thus, in September 2003, Herb contacted Danny K. Williams, a friend and private investigator who had done work for him for more than a decade. Williams' assignment: travel from his Addison headquarters to Gainesville and find out how Buddy died.

In his 26 years as a private investigator, Williams says, he's never been involved in a case so intriguing, challenging—and troubling.

At the Gainesville Police Department, he couldn't find any records of an investigation into Buddy Vest's death. "At the very least," he says, "there should have been some kind of written report by officers called to the scene, detailing what they found. But there was nothing." Nor was he able to find any living member of the 11-man police force that served the city at the time. (A former radio dispatcher for the town is still alive and living out of state, and Williams is attempting to locate him.) At the Cooke County courthouse, things got even more perplexing. On record were two death certificates, both bearing the signature of then Justice of the Peace L.V. Henry. On one, the death was ruled a suicide, and the cause of death was entered as "asphyxiation by strangulation." The other is blank with regard to cause of death. On the former document, Henry's signature appears to be a forgery.

Cooke County District Attorney Janelle Haverkamp, a lifelong Gainesville resident, is certain of it. Early in her career, she worked with the late Henry and recalls that an accident left him unable to use his right arm and hand. "He taught himself to write left-handed," she says, "and his handwriting was very distinctive. One of the death certificates was clearly filled out and signed by someone else." Gainesville resident Dan Flint, a former Leazer-Keel Funeral Home employee who had assisted in removing Buddy's body the night it was discovered, has signed an affidavit in which he notes that he was familiar with Henry's handwriting and that the name written on the

death certificate shown to him was “not the signature of Justice of the Peace L.V. Henry.” Jim Hatcher, a former law partner with Henry, provided a similar affidavit.

And current Justice of the Peace Dorothy Lewis adds yet another element of suspicion. “In those days,” she says, “all death certificates were typed.” The one bearing the forged signature, she notes, was done in longhand.

At Williams’ request, Lewis sent a clerk in search of the inquest report, long filed away. The index of the 3-inch-thick 1940s Death Records book listed no inquest for the Vest death. Only after the clerk methodically went through the entire volume, page by page, was she able to locate the brittle and yellowed document.

Finally, Williams was able to read a detailed account of what investigators had found when they arrived at Buddy Vest’s cabinet shop. The inquest record described the thin, leather belt wound around Buddy’s neck and attached to three nails that had been hammered into the restroom door and the small ropes that bound his ankles and one arm, and it said that the “body was clad in socks and ladies panties and a womans lastex [sic] girdle.” A small block of wood, on which the victim had presumably stood, was found a few inches from the body. An open knife, the report indicated, lay near a drain in the floor.

“It convinced me there had been no suicide,” Williams says.

Yet the revealing document begged new questions. The first name of the victim was listed as “Richard” rather than Harold, and the address of the cabinet shop was incorrect. Furthermore, the lower portion of the report, where the author would have signed, had been neatly torn away.

Armed with a copy of the report, Williams sought the opinion of several experts on autoerotic asphyxiation, in which someone tries to enhance sexual pleasure by strangling himself prior to climax. The curious practice not infrequently leads to accidental deaths. The experts told Williams that they had never heard of a case where a victim’s feet were tied to a wall. For that matter, few people even knew of autoerotic asphyxiation in the 1940s.

Williams was convinced that he was actually investigating a homicide—and that there had been a coverup. “There is no question in my mind,” he now says.

But how to validate his beliefs? Where to go next with a cold case more than half a century old? He’d knocked on doors of many of Gainesville’s aging citizens, had wandered among them at local restaurants, randomly asking questions but getting no answers. He was at a dead end.

But, encouraged by Williams' findings, Herb Vest refused to accept conjecture or speculation. He wanted proof and was now convinced it was somewhere to be found, perhaps in some faded memory that only needed jarring.

FOR 10 DAYS HERB RAN AN AD in the *Gainesville Daily Register*, offering a \$10,000 reward for anyone with information on his father's death. It was a long shot, followed by two weeks of silence.

Then, late last October, a typed, three-page, single-spaced letter arrived at his office.

Signed only "M. Smith," it told a tale of a flirtation and a lover's jealousy that had collided to cause the death of Buddy Vest. "I thought at first that it might be a hoax," Williams says. "So I took it—along with information from the inquest record—to several forensic psychologists for evaluation." After studying the letter, each concluded that the writer had likely been present in Buddy Vest's shop on the night he died.

"This is a bizarre story, and I guess I need to tell it to someone," M. Smith wrote. She described herself as having been an attractive young woman who, in those days, partied, drank, danced, and "could have just about any man I wanted."

"I first saw Buddy in the lumberyard in Gainesville. He was the most handsome man I'd ever seen ... beautiful eyes and complexion. I was completely smitten by him." In time, she made a point of being at the cafe near his cabinet shop whenever he arrived for lunch, even occasionally stopping into his shop on the pretext of being interested in learning how to work with wood. "I enjoyed flirting with him," she wrote.

The "flirtation," she admitted, was one-sided. In brief conversations she and Buddy had on her visits to his shop, he regularly spoke of his wife and young child.

Still, on that June evening, aware that Buddy was working late, she wrote that she "put on my best party dress, fixed my hair, and went to see Buddy at the cabinet shop right after dark."

"Now," she continued, "for the ugly part." In the well-constructed and articulate letter—which she says she wrote numerous times before deciding to mail—she tells of an affair she was having with a married and jealous Gainesville police officer whom she refers to as "Jim" for the purpose of her narrative.

Shortly after she arrived at Buddy's shop, M. Smith's boyfriend and two of his friends burst into the store. She wrote, "Jim went berserk. He pulled a gun and said he was going to kill us [her and Buddy] both."

The story she then wove was straight out of a modern-day television crime drama. Her enraged boyfriend, convinced that she and the cabinetmaker were involved in a sexual relationship, grabbed her by the hair, pulled her head back, and stuffed the gun barrel into her mouth. Buddy yelled for Jim to stop and let the woman go, insisting that there was nothing romantic going on between them. Jim ordered his companions to tie up Buddy. A handkerchief was stuffed into his mouth to silence him.

According to the letter, Jim struck Buddy several times, then ordered his accomplices to remove his clothing. The writer was then made to remove her undergarments. Laughing, the intruders put the panties and girdle on the bound and gagged cabinetmaker.

M. Smith wrote that before the night ended, she was repeatedly sodomized by her boyfriend. She overheard discussion of a plan to tar and feather Buddy or kill him and hide the body. She remembers hearing hammering inside the restroom, someone asking if anyone had a knife he could use to cut some rope. She remembers seeing one of the men remove a belt from a machine saw and take it with him into the restroom. While she wrote that she was not in a position to actually see what was happening inside the corner restroom, she recalls one of the men saying, "That will hold the sonuvabitch; he can't get down from there."

Finally, she wrote, Jim took her home, leaving the others to stand guard over Buddy until he returned. He threatened to kill her if she ever mentioned what had happened.

It was not until one of the accomplices stopped by her home the following day that she learned Buddy was dead. She was told that if anyone spoke of what had occurred at the cabinet shop, they would all be sent to die in the electric chair. "I am so truly sorry. ... I will go to my grave knowing that I caused [his] death," M. Smith wrote.

Today, two of the men, including her former boyfriend, are dead. A third, she wrote, "is still living, but his memory is not good."

She closed the letter by insisting that because family members of the three assailants are still alive, some still living in Gainesville, she is reluctant to come forward—though she does wonder if it might be possible to earn the \$10,000 reward "without exposing my identity." She suggested payment could be sent to her in an envelope addressed to her via general delivery to the Gainesville post office.

Certainly, M. Smith could be a kook looking to claim a fat reward. But the letter contained too many accurate details to be dismissed as a prank.

Thinking the woman might come forward, Herb and Williams waited several weeks before responding with a letter promising to up the reward to \$25,000 if she would reveal her identity and provide additional information, including the real names of the men described in her letter.

As of press time, M. Smith has not replied.

But she provided the investigation with new life. Her letter, combined with the inconsistencies in the death certificates and the missing portion of the inquiry report, satisfied Justice of the Peace Lewis in January that there was enough probable cause to order the exhumation of Buddy Vest's body for examination by noted University of North Texas forensic anthropologist Dr. Harrell Gill-King and Dr. Joseph Guileyardo, a Dallas forensic pathologist. District Attorney Haverkamp signed off on the request, also believing she'd seen enough evidence to order an investigation into the cause of Buddy's death.

Noting that there is no statute of limitations on murder, Haverkamp says it is possible that a criminal investigation will be opened. And, Lewis says, "I believe there are people still here [in Gainesville] who, if they would come forward, have information that would shed light on this case." Danny Williams agrees: "I refuse to believe that one of the four people who were there that night didn't talk to someone about what occurred." His recent research revealed that of the 15,500 people living in Gainesville, 1,800 are over the age of 70. He and Herb are now considering sending a letter to each of their addresses, requesting any information they might have regarding the case.

ON AN APRIL MORNING, Ruth Vest Powers sat alone in a car parked on the edge of Henrietta's Hope Cemetery. In the distance, earth-moving machinery dug into the grave where the body of her first husband was buried 58 years ago. Herb Vest, calm at first, seemed to grow agitated, pacing while the workmen performed the task he was funding. Members of the media mingled near the grave site, shooting film, snapping photos, and scribbling in notepads.

"It was a difficult thing to watch," recalls Lewis, who had never before ordered an exhumation. "After a while, I went over to Ruth and sat with her, telling her that I knew what we were doing was difficult but that I hoped it might eventually bring her some peace."

"It's just not one of those things you ever expect to do in your lifetime,"

Ruth replied. “But I had to come because I feel so badly for my son. He’s had to live with this for so long.”

After an hour’s work, a crane lifted a badly rusted metal vault that contained the casket. Taken to the warehouse of a Henrietta funeral home, it was examined by the justice of the peace and the forensic experts, sealed in sheets of plastic, and prepared for delivery to Gill-King’s Denton laboratory.

There, he began a search for physical evidence that might point to murder. Gill-King, who has a policy of not speaking with the media while working on a case, told Lewis that he would look for bruising, abrasions, or even broken bones, as well as possible trace evidence that might corroborate the assertion that Buddy was assaulted.

At press time, Gill-King was wrapping up his examination but had yet to release results.

And so the half-century-old wait continues—for Gill-King’s findings, for M. Smith to come forward, for Williams to track down someone who knows something. Anything.

“If there are those who have firsthand knowledge of how my father died, all I want to do is talk to them, to have them explain to me what happened,” Herb says. “If M. Smith were to walk through the door today, I would hug her.”

If, in fact, one of the men who burst into the cabinet shop that night is still living, Herb would argue against prosecuting him. “In the unlikely event the DA was determined to take the matter to court, I’d agree to pay for the man’s defense—if he would cooperate with our investigation and be truthful about what happened,” Herb says. Haverkamp says charges are unlikely. If, she says, the information in the Smith letter is correct, there is little chance the accomplice would be competent to stand trial.

His quest, Herb Vest insists, is not about revenge. Only the truth.

Carlton Stowers is a two-time winner of the Mystery Writers of America’s Edgar Award for the year’s best true-crime book