

# INTERVIEW OF JUDGE JAMES EMMETT BARRETT

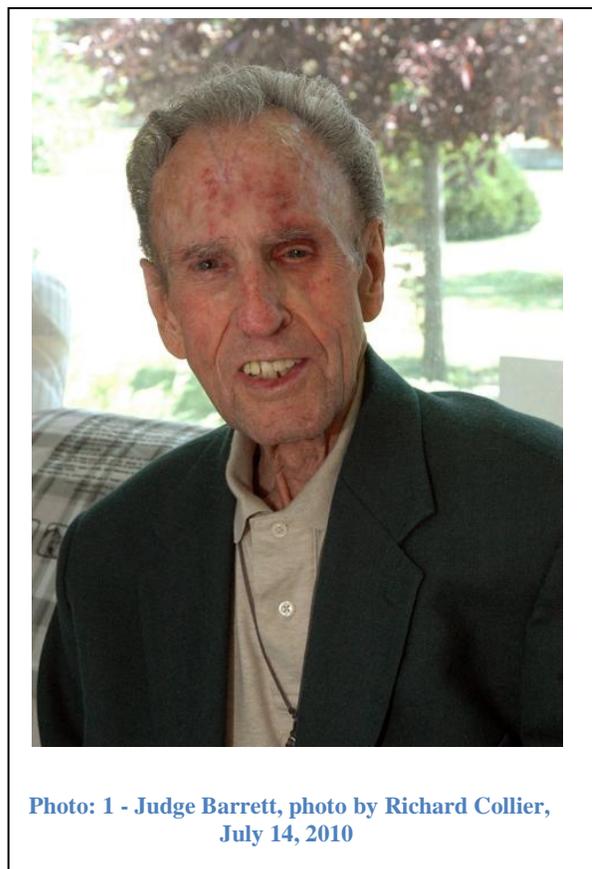
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From the Archives of the Wyoming Department of State Parks & Cultural Resources

*Transcribed and edited by Russ Sherwin, July 23, 2010, Prescott, Arizona*

*Version: V-1 First Draft for review*

- Subject: Judge James Emmett Barrett
- Occupation: U. S. District Court of Appeals, Tenth Circuit Court Judge in Wyoming
- Born: April 8, 1922
- Interviewer: Mark Junge
- Interview date: July 8, 2010
- Place of Interview: Cheyenne, Wyoming
- Topics of interview: Life as a lawyer and judge; the Black Fourteen incident; landing an airplane.
- Source recording for transcription: set of four CDs from Wyoming State Archives



*Transcriber's notes: I have added some reference footnotes to this transcript where I thought appropriate. In most cases I have deleted redundant ands, ers, uhs, buts, false starts, etc. If I deleted an entire phrase, I have inserted ellipses ... Where you find brackets [ ] I have added words for explanation or to complete an awkward sentence. Parentheses ( ) are used for incidental comments or explanations. Words emphasized by the speaker are italicized.*

*Additional comments by transcriber: The following is an excerpt from Judge Barrett's interview.  
The entire interview can be found at [www.internetarchive.org](http://www.internetarchive.org); search for Barrett.*

## **The Airplane Incident**

Mark Junge: Can I ask you about the plane incident?

Judge Barrett: Sure!

Mark Junge: Okay. Gosh! This is one of the things we wanted to talk about! You know we've talked for three hours?

Judge Barrett: I know we have.

Mark Junge: Okay, tell me about the plane incident.

Judge Barrett: Okay, that's when I was Attorney General, and I had been asked by Ken Sturman—I don't know if you ever knew Ken. He was a great football player at Wyoming. He was in the Agriculture Department. He asked me to speak at the Wyoming Soil and Water Conservation District's convention in Riverton, on December 4, 1969. The next day—

Mark Junge: Oh, this is just before the Black Fourteen incident!

Judge Barrett: Yeah, it was during the Black Fourteen. The next day I had to be in District Court in Casper on a habeas corpus as Attorney General, so I asked for a State airplane to fly me to Riverton, then back to Casper for the hearing, and then on back to Cheyenne. So I was assigned—I think the State had two airplanes—the one I was assigned was a Cessna 206, four-placer, single engine, and George Keeley was the Deputy Aeronautics Director and he was the pilot. We met out here at the airport about two-thirty in the afternoon that day. My wife had asked me to drive. She said, "Are you worried about the weather?" I said, "It'll be okay, the route we're going to go." As I explained in the article, when we got in I put the briefcase on my lap. I was going to read the material for the court hearing while we were flying, but he wanted to talk.

So he just kept right on talking. I finally put the briefcase in the back seat, and when we got into the Laramie area, we broke out over those high peaks and so on. He adjusted some things on the panel and continued to visit until we got into the Sinclair area. We were flying 200 miles an hour or a little faster maybe. All of a sudden the plane lurched upwards. Usually they drop, you know. I looked over, I thought, what in the world's going on? And I saw that his face had turned completely to the [left] like he was looking out here on the wing over here on the left side. So I kind of stood up in my seat to see what was going on, and there wasn't anything, so I settled back. I thought well—It wasn't just a few moments later that it lurched again, upwards. I looked over and his head is still turned over there. So I called out, I said, "George, are you okay?" No response. I called a couple other times, no response.

I reached over and I took his shoulders to turn his head around and his face was just white as a sheet, perspiration on it, his eyes were glazy—he had had a cerebral hemorrhage. I thought it was a heart attack, but a cerebral hemorrhage. He couldn't speak. I looked down, I saw his right arm was dangling on the loose, his left arm was still out on the wheel of the airplane. I took my handkerchief out and I cleared his face. I tried to get him to speak, and I think he might have tried, but he couldn't. I opened his shirt and I rubbed his chest and I couldn't get any response from him of any kind. He still was piloting the plane. It was lurching a little bit. I had to think about what was going on, then I realized what the situation was. I knew so little about that airplane. I think I probably was just petrified right then. I just couldn't believe what was happening. I picked up the radio and I called out. I said, "This is Jim Barrett, George Keeley has had a heart attack and he can't fly the airplane. I don't know how to fly it. Will somebody help me?"

Mark Junge: You were able to work the radio?

Judge Barrett: Yeah, they could hear me, but I could never receive. I tried to receive but I could never receive anything. I couldn't hear them. I got a squelch sound, I could never receive any messages. So I called out several times and they heard me every time. I put the radio back then, I looked at the panel and I looked in the cubby to see if I

could find some material about how to fly the plane. Not a thing anywhere. I tried again to see if George could respond—he couldn't.

So I finally took control of the wheel on my side by getting—I knew enough about flying, I'd been in planes, about how to get forwards and back and up and sideways, and I knew there were rudders and brakes, but I didn't know which was which.

Mark Junge: Well now, this is the other set of controls, you're sitting behind now, or—cause he's still sitting behind one set?

Judge Barrett: Yeah, on the right side. And I could use the wheel there. By this time, I know I'm in the bare oil area, Sinclair, and I knew Rawlins was not far away, and I had to decide whether I wanted to fly over the mountains to Casper or go up to Rawlins. And I thought about going to Casper because it would be a much longer runway, but I was afraid of being in those mountains. So I decided to go to Rawlins and try that. I followed the railroad tracks and the highway and I was there in just a few minutes. I hadn't touched anything in the airplane. I hadn't slowed it or anything. And I remember, I knew which one was the gauge for the throttle, and there was a second cylinder, and I had some recollection that was oil and gas mixture. But in this plane, there was a third one that had a great big red cylinder with a "P" on it. Propeller switch is what it was. But I didn't know. Each one of them had been adjusted, and I was worried about fooling around with the throttle without adjusting the other two. What would happen if I tried to use the throttle to slow the plane but don't adjust the other two. Would I kill the motor? And there was nobody to tell me anything. So I decided not to touch anything [until I] made up my mind what I was going to try and do.

I got to Rawlins and I flew over the airport. Two or three times I'd come down close goin' 200 miles per hour. It was just ridiculous to even think about landing. By this time, he has vomited a couple of times, and now he hemorrhaged from the mouth. Blood came gushing out, covered the panel, covered my hands on the throttle, my suit, just mammoth blood all over the place. Then his body went

completely limp. When a body is that close to you in an airplane—and he was not a big man, but he was a pretty good sized man—you got an arm and a leg hittin’ against you. I had to fight him off any number of times. I had a lot of close calls and eventually made up my mind I was going to try to land at the airport there in Rawlins. I was going to kill the motor about a block away from the airport. It would have slowed the plane down probably 50 miles, I don’t know. I’d still be going too fast, I knew that. And I didn’t know which were rudders and which were brakes. So I had decided I wasn’t going to touch anything, just try to land it. I knew it would be impossible at that speed.

I had my hand on the throttle ready to kill the motor when his body came over and hit me and threw me against the seat on the right side. The right wing tipped over and it touched a power line and electricity went racing right up the plane. It took the power line out, I found out later. Anyway, the plane just jumped like this in the air. I was so exhausted by then from all the things that had happened, I took it up to about 5000 feet, and I was coming back on the left side of the interstate when I ran out of gasoline. I was in open field by then.

Mark Junge: Left side meaning the north side or the south side?

Judge Barrett: I was on the south side and I’m headin’ west. The motor went off and I looked out and I saw pretty level area right there, and I thought, well I’m going to get this over with right here. But the motor caught on again. There was enough gasoline in the line, you see. The motor caught on again. It ran for maybe about a minute, then it cut off again. That happened three times, and every time that it happened it slowed the plane down. So instead of 200 miles an hour, I’m probably down to 125 or ’30. Then finally it cut off entirely and I thought I would just glide in. Well instead of that, without any power, the nose turned over and went straight down. So I pulled back on the wheel very gradually, and the FAA people were very interested about that. They said, why didn’t you pull back further? I said, I don’t know, I just wanted to get the plane down. They said that saved me, because I did get it into a glide. But it’s going down pretty fast, you see, without any power. So I found an open space that I thought, well, this is what I’m going to try. I do

remember flying with with this fellow when I was in Lusk. When you get close to the ground you got to pull the nose up so you can't see the runway, you know. So I'm comin' in, I'm getting' close to the ground, and I remember sayin' to George, "Please stay on your side, George!" I get down close and I pull back on the wheel and Marv Stevenson, who was the Director of Aeronautics, he was flyin around up there. All the wheels touched on the ground, but the plane was goin' so fast it lurched upward again. I thought, boy when this comes down it will be a real mess. But instead the wheels touched again and it ran for a little bit, then the nose of the plane turned into the ground. And I'm still running on the wheels with the nose on the ground, and it's just grinding the engine apart. It slowly is just eating the engine up. I'm holding onto the wheel just as hard as I can. I thought it's slowing the plane down, maybe there's a chance. But it kept on grinding away until it got pretty close to the panel. I thought well, we gave it a crack. Then the left wheel hit a boulder and it stopped the plane just like that. It sent my face into the panel with such force it pressed my left eye back in the socket three-eighths of an inch. Broke all the bones around the eye.

Mark Junge: This is your left eye?

Judge Barrett: Left eye. And sent me rocketing back in my chair with such force that I broke the seat off the rail in back of me. And I'm upside down in the airplane. The plane tipped over on its wings. I probably was unconscious for just a certain period of time there. When I finally look up, I see a little flame up ahead in the motor, and I realize that I'm alive, and I remember sayin' to myself, my gosh, I'm alive! I took the seat belt off and I crawled up and got out of the plane. I had the handkerchief up against my face, it was bleeding very badly there. And the first fellow came through the fence running toward me was a fellow name of Sam—can't think of his name. it's in the article. Anyway he's on the Game and Fish Commission, and I recognized him. He came runnin' up to me and I was so glad to see somebody I put my hand out, I said, "How are you, Sam?"

Mark Junge: (Laughs) Oh, no!

Judge Barrett: They put me in an ambulance and took me to the hospital. My wife came over that night. I had a compressed vertebrae. I'll never forget; my back was so bad that night, I was in such pain they did emergency surgery on my—just stitched it there. But I had facial plastic surgery done here in Cheyenne.

Mark Junge: Did they bring the eye back into the socket?

Judge Barrett: Yeah, they packed a lot of gauze in there, built it up, and about fifteen days later they took the gauze out and everything was settled in there.

Mark Junge: Can you see out of that eye?

Judge Barrett: I still have some vision problems with it. I had to put some patches on it at night and some salve.

Mark Junge: You're right eye's okay?

Judge Barrett: Yeah, right eye's fine.

Mark Junge: You're not having any macular degeneration problems or anything?

Judge Barrett: No, haven't had that. No.

Mark Junge: What kind of surgery did they do on an eye, for older people—what am I trying to say? Cataracts!

Judge Barrett: I've had cataracts on both eyes.

Mark Junge: What did your wife say when you saw her?

Judge Barrett: They came to get her and so on. She was afraid that I'd been killed. They said no, that I was in the hospital. A highway patrolman drove her over there, and Governor Hathaway came over the next day. He drove over too.

Mark Junge: What did he say?

Judge Barrett: Oh, was just—he felt so—he said, “This wouldn't have happened to you if I hadn't talked you into coming to Cheyenne!”

Mark Junge: You're a very lucky man!

Judge Barrett: I really am. I'm very lucky.

Mark Junge: In a lot of ways. Well, do you think you'll ever fly a plane?

Judge Barrett: I never wanted to pilot one. I wouldn't hesitate to get in a single engine [plane] as long as I knew how to operate the radio and I knew the difference between the pedals on the brakes and how to operate them. Some of the fundamental things. If I learned those things, I think I would have been able to land the plane.

Mark Junge: Did you fly again in a small plane?

Judge Barrett: I never have since. But I would. They have two pilots, I guess, in every State airplane today. They don't have single pilots any longer.

Mark Junge: George didn't make it then?

Judge Barrett: No, he was dead. For workman's compensation purposes they say he might have survived until we wrecked, so I'm glad they did that.

Mark Junge: Why? What difference would it make?

Judge Barrett: His wife wouldn't have gotten workman's compensation.

Mark Junge: If he had passed away while he was working, you mean?

Judge Barrett: Let's see. I'm trying to think what it is—Oh, she wouldn't have been entitled to workman's comp if he had died just in the airplane without an accident. Workman's comp applies to accidents, you know. So he wouldn't have been able to survive the wreckage.

Mark Junge: Let me ask you something. Do you believe in God?

Judge Barrett: I certainly do.

Mark Junge: You're a good Catholic. Were you saying prayers in that plane?

Judge Barrett: You bet I did. I did several times. I said prayers for George, and I, and my family. I certainly did. I figured there was no chance I'd ever survive it. I'd made up my mind that I just couldn't do it, so I was going to do the very best I could and that was it.

Mark Junge: Needless to say, there's no—there could be no more exciting event in your whole life than that.

Judge Barrett: Oh no, you certainly don't forget those things.

Mark Junge: Well, Rich was telling me one time, this was a long time ago. Weren't you guys out in the prairie or something like that and saw a bright light?

Judge Barrett: (Laughs) He and I saw a UFO!

Mark Junge: Is that right? What year was that?

Judge Barrett: Oh, boy! That's about fifteen years ago.

Mark Junge: What did it look like?

Judge Barrett: Well, just like they say. It had the bright lights, different colors, it was rotating, and as a matter of fact, when we stopped the car and got out, it moved closer to us and both of us were real worried about whether they might come down. We got back in the car. But then, all of a sudden it just moved away.

Mark Junge: Where was this?

Judge Barrett: It was right out of Wright, Wyoming. Rich had made a talk in Gillette, and I had gone up accompanying him. We were driving back and it was right out of, just a little bit south of Wright. There was no traffic of any kind that time of night. I noticed it first and I saw it, and I said, "Rich, do you see what I'm looking at up here?" and he took a peek and we stopped the car. We got out and we stood there and watched it. And as I say, maybe three or four minutes later it starts moving closer to us. And I said to Rich, "My gosh, I hope to heck we're not attracting

those people.” So we got back in the car, but we watched it take off. It just zoomed!

Mark Junge: What did it look like?

Judge Barrett: It was cellular, it was round, and it had—just like a disk. It had white, blue and red colors. We could see those three colors.

Mark Junge: How big was it?

Judge Barrett: Oh, it was quite big. It was very big.

Mark Junge: Like football field size?

Judge Barrett: No, it wasn't that big. As big as a house, though.

Mark Junge: Have you ever told that story?

Judge Barrett: No, a geologist friend of mine in Lusk, years ago, who was a great—he was sitting on an oil well out near Lance Creek, and he'd come back at night into town. He was a good friend of mine. He told me that he had seen a UFO on his way back from Lance Creek one night. He said if you ever tell anybody this, I'll deny it! Rich and I have never repeated it very often.

Mark Junge: I think he was a little reluctant to tell me, and I think he wanted me to be real guarded about it.

Judge Barrett: We told our family about it!

Mark Junge: You have any explanation about it?

Judge Barrett: No, except that's it's real!

Mark Junge: It was a real experience because you both saw it. And you looked at each other and confirmed that you saw what he saw and vice versa.

Judge Barrett: I don't think there's any doubt about it. I think there's so many people that have claimed that they saw them that I believe 'em. I believe 'em. I don't know what they are or where they're from.

Mark Junge: Do you think there's a good scientific explanation for everything?

Judge Barrett: Probably, but—I think they're probably from another orbit.

Mark Junge: Well this had to be years ago, right? Not fifteen years ago because I talked to Rich about this two decades ago or more.

Judge Barrett: Well maybe it is that long.

Mark Junge: I'm going to stop this. Again, thank you so much.

Judge Barrett: Mark, thank you. I've really enjoyed this.

Mark Junge: I hope we haven't worn you out?

Judge Barrett: No, I'm okay.

Mark Junge: Alright. Let's turn this off.

**End of interview**