

BOUND TO JURY IN SLAYING CASE

The Citizen newspaper, Cookeville, TN

Vol. 6, Number 23

Wednesday, 18 November 1959

Haggard Broyles, 52, Cookeville tavern operator facing charges growing out of a shooting Saturday night was bound to the grand jury by Judge John Bryan in General Sessions court this morning.

He was released on bonds totaling \$5,000.

Broyles was charged on two counts. One is connection with the fatal shooting of James Dietz, 33, Cookeville used car dealer, and the other for the wounding of Denny Dietz, 36 an employee of the James Dietz Motor Company. Bond was set at \$2,500 in each case.

Only one witness, Sheriff Webster, was called to the stand at the preliminary hearing this morning.

The sheriff described to the court the actions that took place at Broyles' Club 42, three miles south of Cookeville on Sparta highway, Saturday night at 11:15 when the shooting took place.

Webster said that he was sitting in his parked car in front of another tavern across the road from Club 42 when Broyles came out of his place and "hollered for me to get over there."

Upon entering Club 42, the sheriff said "I heard pistol shots and saw a fellow go down and next observed James Dietz coming up on my right hollering to Broyles that you killed my bother and I am going to get you.

Webster testified that he tried to knock James Dietz down and tried to pull him away form Broyles. "I got hold of James and tried to pull him off and about that time the shot was fired," the sheriff said.

"I did not see James with any weapon," the sheriff testified on direct examination.

On cross examination Webster testified that Broyles kept baking away from James Dietz. The sheriff place the action as being behind the counter at the club and related that Broyles retreated almost the length of the of the counter.

Webster said that Robert Green of White county "had a hold of Broyles when James Dietz grabbed him.

The sheriff testified that Broyles had blood all over the left side of his face "when I entered the club." The defendant appeared in court with the left side of his face swollen and bruised.

Webster related to the court that Broyles said that Denny Dietz came into the club that night and picked up somebody's beer and started drinking it.

"I told him if he wanted a beer to buy one," the sheriff quoted Broyles as saying.

The sheriff said that Broyles declared that Denny Dietz then hit at the defendant a glancing blow "but that I did not pay too much attention to it."

However, Broyles told the sheriff that Denny kept following him and spit in his face and that when the club operator spotted the sheriff's car and started for the door that Denny Dietz grabbed him and hit him.

"Did you ever see Broyles do anything but try to defend himself,;: counsel for defense asked the sheriff.

"No he was baking up all the time," Webster answered.

Assistant Attorney General Scott Camp was aided in the prosecution by the law firm of Maddux, Cameron and Poteet. Flatt and Flatt are the defendant's counsel.

Denny Dietz was hit in the right shoulder and just under the left shoulder. He is in Cookeville General Hospital and his condition is said to be good.

Funeral services for James Dietz were held Tuesday at Whitson funeral home. The Rev. J. H. Roberson officiated. Burial was in Crest Lawn Memorial cemetery.

Survivors include his widow, Mrs. Beverly Steinbock Dietz; two daughters, Katherine Ann and Jamie Lynn Dietz; parents, Mr. and Mrs. Carl Dietz all of Route 5, Cookeville; a sister, Mrs. Mary Carl Lowe, Dayton, OH, and another brother, Herbert Joe Dietz, Cookeville.

**LOCAL TAVERN OPERATOR IS HELD ON
CHARGES OF MURDER, ASSAULT**
Roll (25), Putnam County Herald, Cookeville, TN
Jan. 19 1959 – Dec. 25 1959

Preliminary hearing for Haggard Broyles, 50, was reset for Wednesday morning in General Sessions court of Judge John Bryan. Broyles is being held without bond in country jail on charge of murder and felonious assault. Accused of killing a used motor car company owner and wounding of the victim's brother.

James Dietz, 33, who operated the James Dietz Motor Company was killed late Saturday night by a .22 caliber bullet at the Club 42 during scuffle with Broyles.

His brother, Denny Dietz, 35, was wounded in each shoulder and was in fair condition today at Cookeville General Hospital.

The shooting occurred about 11:15 p.m. Broyles was arrested Sunday morning on warrants sworn out by the wives of the victims.

Sheriff Ernest Webster said he walked into the tavern seconds after Denny Deitz was wounded and was trying to separate James Dietz and Broyles when the fatal shooting occurred.

Sheriff Ernest Webster said that he was making a routine check at another tavern across the highway on Sparta road, three miles south of Cookeville, when Broyles called to him.

The sheriff said he ran across the highway to find Denny Dietz lying wounded on the floor and James Dietz advancing toward Broyles.

The sheriff quoted James Dietz saying "You've killed Denny and I'm going to get you," said James, who was unarmed.

"He was holding Broyles with his left hand and hitting him with his right hand," said the sheriff. "I had hold of James trying to pull him away, when Broyles shot him."

Broyles told the sheriff the trouble began when Denny entered the tavern, picked up beer belonging to another customer and drank it.

"When I got after him, he spit on me." The sheriff quoted Broyles.

The tavern operator and Denny grabbed and hit him when he started out of the club to yell for the sheriff. But he pulled loose and went outside.

After calling for the sheriff, Broyles said, he returned to behind the counter. He said he shot Denny after further threats.

Only two or three other persons were in the tavern at the time of the shooting, sheriff Webster said.

Services for James Dietz will be at 2 p.m. Tuesday at Whitson funeral home, the Rev. J. H. Roberson officiating. Burial will be in Crest Lawn Memorial Cemetery.

Survivors include his widow, Mrs. Beverly Steinbock Dietz; two daughters, Katherine Ann and Jamie Lynn Dietz; parents, Mr. and Mrs. Carl Dietz all of Route 5, Cookeville; a sister, Mrs. Mary Carl Lowe, Dayton, OH, and another brother, Herbert Joe Dietz, Cookeville.

BROYLES CASES GOES TO JURY

The Citizen newspaper, Cookeville, TN

Vol. 7, Number 16

Tuesday, 27 September 1960

BULLENTIN: A trial jury found Haggard Broyles guilty of involuntary manslaughter in connection with the slaying of James Dietz. The jury sentenced him to three years.

Broyles was freed of a charge of assault for the shooting of Denny Dietz.

The fate of Haggard Broyles, 54, operator of Club 42 who is on trial for murder and felonious assault in criminal court here, was handled to a 12 man jury late today:

Broyles is being tried on a murder charge for the pistol slaying last November 14 of James Dietz, 33, Cookeville automobile dealer, and faces the assault count for the wounding of the victim's brother, Denny Dietz, 36.

The defendant testifying in his own behalf this morning declared that James Dietz was shot in a scuffle at club 42 and that "I had no intention of shooting him."

Broyles said that at least four persons were involved in a scuffle following the shooting of Denny Dietz and that the pistol accidentally discharged sending the fatal bullet into the chest of the automobile dealer.

The operator said that trouble originally arose between him (Broyles) and Denny Dietz and that after he had shot Denny twice that James Dietz yelled "you have killed my brother and I am going to kill you."

He identified the four involved in the melee as himself, James Dietz, who Broyles testified had him around the neck beating him, Ernest Webster, then sheriff, and Robert Green of Sparta.

"They were smothering me and I did not intentionally pull the trigger when the gun fired killing James," Broyles testified.

The scuffle took place behind the counter of the tavern, Broyles said.

The defendant said that the trouble started when Denny Dietz started bothering customers by drinking out of their beer. "I said Denny if you want a beer why don't you buy one," Broyles said.

"He drew back a beer can to hit me, then yelled at me and spit in my face," he continued.

Broyles said that he saw the sheriff across the street and started to the front door of the tavern to yell for him and the Denny Dietz grabbed me and hit me."

"I finally got the door opened and hollered for the sheriff", he continued.

The defendant said that when he returned to the room that he did not see Denny but then saw him coming from a side door, "Yelling I am going to kill you."

"He was raving mad and I grabbed my gun." Broyles said. "I fired at him because I was afraid he would kill me and I did not fire anymore after he quit advancing towards me," he continued.

Two bullets hit Denny Dietz and "he went down," Broyles said.

On cross examination the operator denied shooting him after he fell and re-emphasized that he stopped shooting when Denny stopped advancing upon him.

The pistol was a nine-shot 22, and the defendant said that five shots were fired the night of the trouble.

Denny Dietz had testified Monday that the argument arose when Broyles sort-changed him. This was denied today by Broyles.

Denny Dietz's version of the fracas was that the argument ensued after Broyles gave him change for a \$5.00 bill when he had given the operator a \$10 bill for some beer.

Dietz said Broyles threatened to have him arrested and the two struck a few blows. He declared that Broyles went out the front door of the tavern and summoned Sheriff Webster, who was across the street.

"I started out a side door when he (Broyles) came back in and shot me," Dietz said.

"When I got shot, James came over to see about me and asked Haggard not to shoot me any more," he continued.

"Windy Green grabbed Broyles and haggard said turn me loose or I will kill you," Dietz testified. "He turned him (Broyles) loose and he shot James and killed him," Dietz said.

The prosecution witness said that he, James and two or three other person had been drinking whisky at the auto sales lot before going to the tavern at about 9:30 p.m. He said that the shooting happened at about 11 p.m.

On cross examination he denied drinking other people's beer at the club that night and answered "no" when asked if he spit in Broyles face.

Webster, sheriff at the time, testifying as a defense witness, said that he entered the club and his first view was "Denny going down."

The former sheriff said that as he approached the fallen man, James Dietz came up from my right and told Broyles "you have killed my brother and now I am going to kill you."

"I struck him (James Dietz) with my fist and knocked him away, he came again and I grabbed him by the hair and pulled him off," Webster said.

"I was trying to keep between Broyles and James Dietz," Webster testified.

"Green came from the other direction, they (James Dietz and Broyles) knocked me upon the counter and as I slid down, I grabbed James around the neck and about that time the gun went off," Webster said.

Green's testimony corroborated Broyles' statements as to the cause of the trouble.

Green testified that he had been at the club for seven and a half hours and said that he jumped up and grabbed Broyles because "they were both my friends."

He denied making a statement at the jail the next morning that he was too drunk to remember what went on. Green admitted that he was arrested on a drunkenness charge following the shooting.

Others testifying for the state during the two-day trial were Mrs. James Ditz; Mrs. Denny Dietz, who was in an automobile in front of the club at the time; Robert Allison, who went to the club with James Dietz; Dr. Jack Moore, attending physician for Denny Dietz; Robert Steakley, who came into the club immediately after the shooting; Lt. A. C. Jared and Sgt. Bill Malone of the highway patrol; Jack Lee, former constable; and O. C. Stockton, former deputy sheriff.

Defense witnesses included Broyles, Webster, Green and Mauford Johnson.

Members of the jury are Allard Harding, Casper Winningham, Dow Waller, Jr., Lucian Crawford, Warren Callahan, Alf Gill, Jesse Maxwell, W. B. Tayes, Ernest Franklin, Calvin Presley, John Linder and Ozro Garrison.

Jared Maddux, Arnold Cameron and Eugene Jared are assisting Attorney General Baxter Key with the prosecution and Wesley Flatt Sr., and Wesley Flatt Jr., are attorneys for the defense.

Buried in Crest Lawn Cemetery, Putnam Co., TN

Dietz, William Carlen "Carl" – b. 22 October 1892, TN – d. 22 August 1983

Dietz, Gladys Jewel – b. 12 December 1912, 2nd w/o William Carlen "Carl" Dietz

Dietz, Mary Elizabeth – b. 21 December 1959 – d. 22 December 1959

Dietz, William James – b. 15 September 1926 – d. 14 November 1959, s/o William Carlen "Carl" Dietz & 1st wife, Mary "Mollie" Jane Stamps, buried in Salem Cemetery, Putnam Co., TN.

Dietz, William James Jr. – b. 30 September 1955 – d. 16 December 1956

Dietz, John Denny – b. 12 March 1923 – d. 24 August 1968, s/o William Carlen "Carl" Dietz & 1st wife, Mary "Mollie" Jane Stamps.

Dietz, Dorothy – b. 24 April 1934, w/o John Denny Dietz.

Social Security Death Index:

Name Birth Death Age Last Residence Last Benefit Issued By SSN:

WILLIAM DIETZ 22 Oct 1892 Aug 1983 90 [Cookeville, Putnam, TN](#) 38501 (not specified)
Tennessee 412-58-9524

GLADYS J DIETZ 8 Dec 1912 20 Mar 1988 75 [Cookeville, Putnam, TN](#) 38501 (not specified)
Tennessee 414-54-8918

HAGGARD BROYLES 28 Sep 1907 Apr 1972 64 [Cookeville, Putnam, TN](#) 38501 (not specified)
Tennessee 411-22-1009

Buried in Salem Cemetery, Putnam Co., TN

Broyles, Haggard – b. 28 September 1907 - d. 26 April 1972

Dietz, Mary "Mollie" Jane Stamps, b. 3 August 1897 – d. 8 February 1928

Dietz, Henry "Harry" Denny, b. 26 September 1887 – d. 1 March 1932

Dietz, Emma Jane Bilbrey, b. 19 January 1896, Salem, TN, d/o Richard Poteet Bilbrey & Mary Elizabeth Whiteaker

Dietz, Charles Poteet, b. 22 January 1919, nr. Cookeville, TN – d. 30 January 1932, s/o Henry "Harry" Denny Dietz & Emma Jane Bilbrey.

Dietz, James San, b & d. one month old, 1959.

Graveside Rites Held For Infant:

The Citizen newspaper, Cookeville, TN: Wednesday, 23 December 1959, pg. 3.

James San Dietz, month-old son of Mr. and Mrs. Denny Dietz, died Friday at Cookeville General hospital. Graveside services were held Saturday at Salem cemetery.

Survivors include grandparents, Mr. and Mrs. Carl Dietz and Mr. and Mrs. Laren Bray, all of Cookeville.

US Census 1900 – Civil Dist. 1 – Putnam Co., TN

Dwl: 519 – Family: 529

Deitz, Samuel M. Head W M 52 March 1848 Married (# of yrs. married, 15) House Painter OH NC KY
(*Samuel Milton Dietz md Amanda Serena Lee Denney, d/o John Smith Denny & Nancy Henrietta Carlen*)

Amanda L. Wife W F 33 April 1867 Married (# of yrs. married, 15) 6-6 (6 children living, 6 children born) TN TN TN

(*Amanda Serena Lee Denney/Denny*)

Donnie P. Son W M 13 W M January 1887 Single At School TN OH TN (*Donnie Paul Dietz*)

Harry D. Son W M 10 September 1889 Single At School TN OH TN (*Henry “Harry” Denny Dietz md Emma Jane Bilbrey*)

Nellie F. Dau W F May 1890 Single At School TN OH TN (*Nellie Foster Dietz md William Luther Stamps*)

Will C. Son W M 7 October 1892 Single TN OH TN

(*William Carlen Dietz md Mary Jane Stamps & Gladys Jewel Smith*)

Mary S. Dau W F 5 April 1895 Single TN OH TN (*Mary Stephenson Dietz*)

Charles S. Son W M 1 December 1898 TN OH TN (*Charles Sumner Dietz*)

US Census 1910 Civil Dist. 1 - Broad Street, Cookeville Town, Putnam Co., TN

Dwl: 92 Family: 96 Line: 37

Dietz, Sam M. Head 62 M W Married1 (*hard to read census of age at 1st marriage*) House Painter OH NC KY

Dietz, Amanda Wife 43 F W Married1 (7 children born, 5 children living) TN TN TN

Dietz, Paul Son 24 M W Single Merchant Groceries TN OH TN

Dietz, Harry Son 22 M W Single Salesman Retail Groceries TN OH TN

Dietz, Nellie Dau F W 20 Single TN OH TN

Dietz, William C. Son M W 17 Single TN OH TN

Dietz, David M. Son M W 4 Single TN OH TN

Census Place: 1920 Putnam Co., TN Dist. 1: Glover Street (check spelling) next to Walnut Street

Line: 54 Dwl: 238 Family: 272

Dietz, Paul Head Owns M W 34 Single Agent, Insurance TN OH TN *Donnie Paul Dietz*

Dietz, Carl Brother M W 27 Married Machinist TN OH TN *William Carlen “Carl” Dietz md Mary Jane Stamps.*

Dietz, Dave Brother M W 14 Single TN OH TN *David Milton Dietz*

Dietz, Amanda Mother F W 51 Married TN TN TN *Amanda Serena Lee Denney, d/o John Smith Denny & Nancy Henrietta Carlen.*

Dietz, Mollie Sister-in-Law F W 21 Married TN TN TN *Mary Jane Stamps md William Carlen “Cael” Dietz.*

Dietz, Sam Father M W 71 Married OH OH OH *Samuel Milton Dietz md Amanda Serena Lee Denney Samuel Milton Dietz md Amanda Serena Lee Denney, d/o John Smith Denny & Nancy Henrietta Carlen.*

Dietz, Dimple Niece F W 4 6/12 Single TN TN TN *Jewel Dimple Dietz, d/o William Carlen “Carl” Dietz & Mary Jane Stamps.*

Census Place: 1930 Putnam Co., TN Dist. 1: South

Line: 98 Dwl: 108 Family: 109

Dietz, Carl Head M W 37 Married (24 yrs. old 1st marriage) Electrician, Water Plant, TN OH TN *William Carlen "Carl" Dietz*

Dietz, Gladys Wife F W 18 Married (16 yrs. old 1st marriage) TN TN TN 2nd w/o *William Carlen "Carl" Dietz, Gladys Jewel Smith*

Dietz, Dimple Dau F W 14 Single TN TN OK *Jewell Dimple Dietz – (mother) Mary Jane Stamps*

Dietz, Mary Dau F W 9 Single TN TN OK *Mary Carlen Dietz– (mother) Mary Jane Stamps*

Dietz, Denny Son M W 7 Single TN TN OK *John Denny Dietz– (mother) Mary Jane Stamps*

Dietz, James Son M W 3 7/12 Single TN TN OK *James William Dietz– (mother) Mary Jane Stamps*

*See Chapter 5 & Virtual Cemetery at:

<http://www.ajlambert.com>