



OUTLAW GAZETTE

Vol. XXVI - 2013



The Billy the Kid Outlaw Gang is a non-profit organization whose purpose is to preserve, protect, and promote the history of Billy the Kid in New Mexico.



OUTLAW GAZETTE

Vol. XXVI - 2013

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Billy the Kid – the Legend and the Man, Part 1

—Elise Gomber

Billy the Kid fascinates us. He is a figure of legend, and because of his legend, he can be whatever we imagine him to be. To some, he is a juvenile delinquent or even a cold-blooded killer, to others a romantic and dashing outlaw fighting against injustice. But what do we know of the real man behind this myth? Who was Billy, really?

In my view, Billy the Kid was the life of the party, a thief, a courageous and loyal friend, had a great sense of humor, and was a killer, but not a murderer (there is a major difference between the two – Billy killed when he had to, not because he wanted to). I think, like most people, he had good moments and bad moments, things he was proud of and things he would have done differently after seeing their outcomes. I think he was a human being with a fantastic personality and flaws, as well. Here, we will look at the facts of his life and you can judge for yourself.

BILLY’S BIRTH

Billy the Kid’s origins remain a mystery. His name at birth was Henry McCarty (though some people have asserted that Henry was his middle name). Popular legend has it that the Kid was born in New York City on November 23, 1859. This may or may not be true, but it is suspect since the man who stated that this was Billy’s birthday was Sheriff Pat Garrett’s ghost writer, Ash Upson, who was himself born in New York City on...you guessed it... November 23 (Upson wrote for Garrett after Garrett killed the Kid in 1881).

The fact is that no researcher has, to this date, been able to find a definitive birth record for Henry McCarty. His place of birth was said by Sheriff Harvey Whitehill (who was the first person ever to arrest the Kid) to have been Indiana. The Kid himself, when asked by a census taker in 1880, said he was born in Missouri and was 25 years old. Was Billy telling the truth? Or was he having a little fun at the census taker’s expense? When asked what he did for a living, Billy replied that he “worked in cattle.” Saying that must surely have given him a laugh since he was a well-known stock thief.

BILLY’S FAMILY TIES

What we do know is that Henry McCarty’s mother’s name was Catherine McCarty and that she had two sons, Henry and his brother, Joe. The first evidence we have of the Kid’s existence is that on March 1, 1873, he and Joe witnessed the marriage of their mother to William Antrim in a Presbyterian Church in Santa Fe, New Mexico.

Catherine McCarty Antrim suffered from tuberculosis and, probably because of her condition, the family moved to Silver City, NM (its climate was known to be beneficial to those who suffered from lung ailments). There, Henry attended school and played in the streets with local kids, many of whom were Hispanic and taught him to speak Spanish fluently. His love of Hispanics



*Illustration by Bob Boze Bell—Courtesy of True West Magazine
twmag.com*

and their culture would become a major point of his life and offer a glimpse into his personality – he loved the warmth, vibrance, and open friendliness of their way of life.

Henry took after his mother whom people remembered as being attractive, quick to laugh, and a good dancer. Henry himself was remembered as a normal young boy who helped with chores around the schoolhouse and performed in school plays. Tragedy struck, however, when Catherine succumbed to her disease. She died on September 16, 1874. It was a Wednesday. Henry’s life would never be the same.

BILLY’S CAREER BEGINS

After his mother’s death, Henry was sent to live with a series of neighbors. He worked in a butcher shop, waited tables, and did dishes to help earn his keep. His first crime was a minor one and was likely the result of the turmoil in his life caused by his mother’s death and being shuffled from home to home – he stole a keg of butter from the back of a wagon and sold it to local merchants. The punishment for this crime was minor, as well. The youngster was given a slap on the wrist, as the local sheriff probably assumed Henry was just getting into the same mischief as all young boys do. Billy the Kid’s life-long career of theft had just begun.

His next caper was the theft of some laundry and two pistols from two Chinese-Americans in Silver City. This he did not do alone – he acted as look-out for a small group and also hid the stolen merchandise in his room. When he was discovered, Sheriff Harvey Whitehill decided to scare the boy straight. He threw young Henry into the jail. He did not feel right about putting the youth into a

cell, so he let him roam the corridor. Henry, thinking he was in serious trouble, escaped by shimmying up the chimney and fleeing Silver City.

According to some sources, Henry went to his stepfather, William Antrim, and explained the trouble he was in and asked for help. Antrim reportedly replied "If that's the kind of boy you are, get out." Other sources assert that Antrim gave the boy some money. Either way, Henry decided to make his own way and left New Mexico.

Henry ended up in Arizona. He worked as a cowboy (possibly riding for Henry Hooker on his ranch and also possibly for John Chisum). He was also a part-time gambler and thief. At this time, he was roughly 18 years old and was already called "Kid" or "Kid Antrim," probably because of his rather diminutive appearance. He was approximately 5'7", blue-eyed, with wavy dark blonde hair and was slightly built.

The Kid came up with a simple way to make money. He and his partner, called "Mackey," were living near Camp Grant, AZ. When the soldiers stationed nearby would stop at a local saloon for some rest and relaxation, the Kid and Mackey would steal the saddles from their horses, and sometimes steal the horses as well. To avoid this, the soldiers began tying one end of a long rope to their mounts and taking the other end into the saloon. No problem there for the Kid. He'd simply slip the rope off the horse and tie it to a tree.

In November 1876, Kid Antrim stole the wrong horse. The horse belonged to Sergeant Louis Hartman, and although Hartman recovered the animal, he wanted punishment for the Kid. The Kid and his partner, Mackey, were arrested by Miles Wood, but again the Kid escaped custody and was on the run.

BIG TROUBLE

The Kid may have spent the rest of his life as a relatively unknown small-time stock thief had it not been for Frank "Windy" Cahill. Cahill was an Irish immigrant and reportedly a blacksmith. He was a large, bullying man who had been picking on the Kid. One day, the two, who had argued previously, got into a fight that turned physical. Cahill had called the Kid a "pimp" to which the Kid responded "You're a son of a bitch." The two scuffled, and Cahill pinned the Kid on the ground by putting his knees on the Kid's shoulders. Cahill then began to slap the Kid in the face and continued to verbally abuse him. The Kid would have no more of it and wasn't waiting to see how much worse things got. He decided to defend himself. He wriggled free a gun he kept in the waistband of his pants and fired into Cahill's belly. Cahill died the next day, and the Kid was once again on the run, this time to New Mexico...

To be continued in a future Gazette.

SOURCES:

The Illustrated Life and Times of Billy the Kid by Bob Boze Bell
History of the Lincoln County War by Maurice Garland Fulton
The Lincoln County War, A Documentary History by Frederick Nolan
The West of Billy the Kid by Frederick Nolan
Trailing Billy the Kid by Philip J. Rasch

Eyewitness to History

—Joseph E. Lopez, BTKOG Member

My great-grandpa Florencio Lopez and his wife Isabela were eyewitnesses at the murder trial of Santos Barela and afterwards Florencio witnessed Barela's hanging in the walled jail yard at Mesilla. Florencio also witnessed the hanging of F.C. Clark outside on the old dried river bed just east of the old Mesilla jail, not far from the Gadsden Museum. Florencio, along with his brothers Felipe, Tranquilino, and Tiburcio Lopez, also witnessed the murder trial of Billy the Kid. Barela, Clark, and the Kid all shared a jail cell together during their murder trials in Mesilla in April, 1881.

At the time, Florencio Lopez was living at El Colorado (present day Rodey, NM) and was made a Special Deputy to guard and escort Santos Barela down to Mesilla for trial for the murder of Jose Jojola and the rape of Jojola's wife. Isabela Lopez was at Barela's trial as support for Mrs. Jojola who had to testify and point out the man (Barela) who murdered her husband and raped her.

Florencio Lopez told the family that during the trial of one of the murderers, Florencio had seen and met one of the killers several years earlier at El Colorado as Florencio was coming in from working the corn fields.

Florencio saw two strangers on horseback headed towards him on the trail. One of strangers asked him in Spanish if there was any place in the village that they could get supplies and food and water for them and their horses. Florencio told the young stranger that there was a trading post/store in the village and if they wanted food and water they could come to his home for a midday meal. (It was common for the locals to make a little extra money by selling food to strangers traveling through the territory.)

Isabela had just cooked up a pot of chile Colorado con carne with frijoles and corn tortillas and served it to the two strangers at a cost of twenty five cents a plate. Both young men were Anglo/non Spanish and only one of the men spoke Spanish. After they were done eating the young man who spoke Spanish told Isabela that her chile Colorado con carne was the best he ever had. He thanked her and her husband and the two strangers saddled their horses and mounted; no names were exchanged and the two strangers went to the trading post and moved on.

Two years later in April, 1881, Florencio and Isabela walked into the Mesilla courthouse and recognized one of the three men standing trial for murder before Judge Bristol's court as the young Anglo stranger who spoke perfect Spanish and had eaten at their adobe home two years earlier. That young man that Florencio and Isabela saw that day was the young man we know today as Billy the Kid.

The Pat Garrett Hearse History

—Cal Traylor, BTKOG Member,
Photos Courtesy of Bob Gamboa

THE HISTORY

In 1884 Pat Garrett was finishing his term as sheriff of Lincoln County during which time he had shot and killed outlaw William H. Bonney, better known to the world as Billy the Kid. At the same time in Las Cruces, New Mexico, several ladies were organizing the Woman's Improvement Association (WIA) but, unlike their name suggests, they raised funds to improve the town, not themselves (a play on words that repeatedly haunted them). The WIA organized dances, ice cream socials, stage plays, and they owned a hearse—the hearse that would one day carry Pat Garrett to the cemetery.

No records exist of where the WIA purchased the hearse from nor are there any markings on the hearse indicating where it was made; if there were any such markings they were lost during repairs or restoration. What is known is that the hearse was “garaged” at the Amador Livery and Hotel, a busy complex housing 100 wagons, and was rented out for funerals. Rental rates for the hearse were \$8.00 for in-town trips and \$10.00 outside of town. The rent included a team and a driver in a top hat. (Charity families did not have to pay for the service.) The money earned from the rental went to fund the WIA's improvement projects including present-day Pioneer Park, an event building, the first lending library, a town-wide water barrel system for firefighters, and other similar improvements.

On May 5, 1908 the hearse carried Pat Garrett, arguably it's most famous passenger, to the Odd Fellow Cemetery in Las Cruces. Garrett's remains were eventually moved to the Masonic Cemetery across the road, (although he himself was not a Mason), where he has since been joined by others of his family (some of whose remains were delivered by airplanes, not a horse-drawn hearse).

The WIA's hearse was the only hearse in town until the arrival of Mr. Graham. In 1912, Graham opened a mortuary and bought a new, Buick sedan which he had converted into a hearse. There soon became no need for the WIA's hearse and it was sold to a farmer who used it for hauling. Eventually the farmer also converted to an auto and sold the hearse to an antique dealer in Silver City who in turn sold it to Mr. Frank Tatsch in nearby Piños Altos. Tatsch owned a museum in a building donated to the town by Randolph Hurst (one of the mining financiers in Piños Altos) and displayed the WIA hearse after restoring it. For years the author had made many enquiries about purchasing the hearse and relocating it to Las Cruces. Frank Tatsch's usual reply, written and verbal: “You are welcome to visit, but do not mention to me selling the hearse.”



Cal Traylor with the Pat Garrett Hearse

THE HEARSE RETURNS HOME

When Frank Tatsch died, his son Denk had no use for the museum and the Hurst building was rented to the local art group as a retail outlet. The building was seldom open and the hearse was hard to access for those wanting to see a piece of Pat Garrett history. Since Garrett and the hearse history had little to do with the town of Piños Altos, the hearse belonged back in Las Cruces, its place of beginning.

In 2012 the author's friend, Jerry Lobdell of Fort Worth, was on his way to the Silver City area to research his book: Murder of Thomas Lyons in El Paso on May 17, 1917. Jerry was asked to check on the hearse and find out if it was for sale. He reported from Piños Altos by phone: “It's for sale.” The owner was contacted and a deal was made.

On the sunny Saturday morning of August 11, 2012, six civilians and a swarm of armed officers left Las Cruces to bring home the hearse. The Doña Ana Sheriff's Department provided a large pickup and trailer for the hearse as well as another pickup to act as a follow car. Once in Piños Altos, the hearse was wrapped up, loaded onto the trailer, and at 4:00pm was rolled into its exhibition spot. The hearse that once carried Sheriff Pat Garrett is now on display at the Doña Ana Sheriff's Department museum for all to see.

DID PAT GARRETT REALLY RIDE IN THAT HEARSE?

Well, it was the only hearse in the county, and it was said that if he did not ride in that hearse to the cemetery the afternoon of May 5th, 1908, then he walked and carried the mountain of flowers himself.



Moving the 1,180 Pound Hearse



Seller Denk Tatsch and Buyer Cal Traylor



Entering the Doña Ana Sheriff's Department



Positioning the Hearse into it's New Home



Cal Traylor Gifts Hearse to Archivist Jim Beasley for the Doña Ana County Sheriff's Department Museum



Photo courtesy of the Silver City Museum

HARVEY HOWARD WHITEHILL

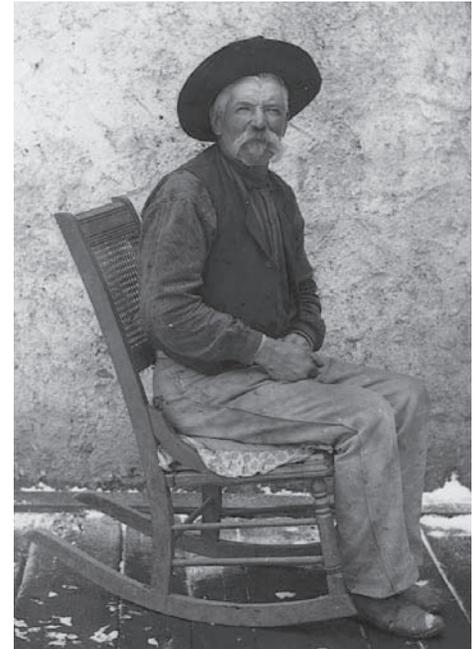
Born: September 2, 1837—Bellefontaine, Logan County, Ohio
Private in Captain William D. Simpson's Independent Company of New Mexico
Mounted Spies and Guides in Civil War
Coroner of Silver City
Sheriff of Silver City for three terms
First lawman to arrest Henry McCarty (a.k.a. Billy the Kid)
Served on territorial legislature
Died: September 7, 1907



R.G. McCubbin Collection

WILLIAM BRADY

Born: August 16, 1829—Cavan County, Cavan Ireland
Sheriff of Lincoln County in 1878
Took part in murder of John Tunstall
Killed in an ambush by Regulators William H. Bonney, Fred Waite, Frank MacNab, Jim French, John Middleton, and Henry Brown
Died: April 1, 1878—Lincoln, New Mexico



R.G. McCubbin Collection

GEORGE PEPPIN

Born: 1839—Chittenden County, Vermont
Deputy to Sheriff Brady
Assumed duty of sheriff of Lincoln County after Brady's death
Witness at Dudley Court of Inquiry and at Billy the Kid's trial
Indicted for burning McSween's house and for murder of Frank MacNab
Died: September 18, 1904





R.G. McCubbin Collection

JOHN KINNEY

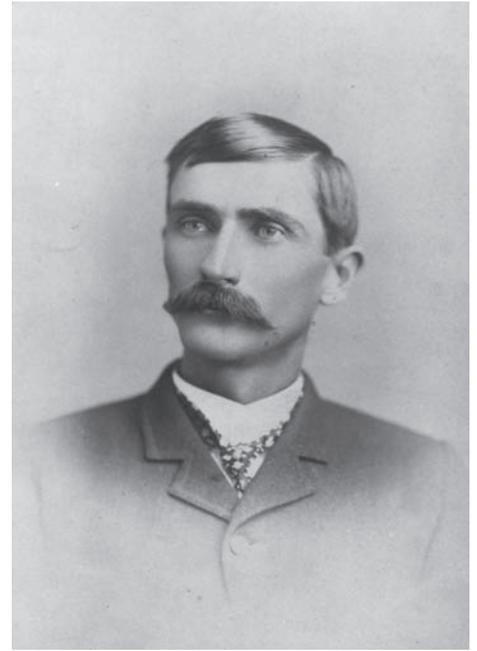
Born: 1853–Massachusetts
Stock thief in La Mesilla, New Mexico
Fought in the El Paso Salt Wars
Deputy to Sheriff Garrett
Wounded by Billy the Kid during the siege on McSween’s house
Indicted for burning McSween’s house
Assisted in transport of Billy back to Lincoln after his trial
Arrested and acquitted for the murder of Ysabel Barela in 1878
Arrested for rustling and served five years in Kansas State Penitentiary
Died: August 25, 1919–Prescott, Arizona



R.G. McCubbin Collection

JACOB BASIL (BILLY) MATTHEWS (AND WIFE)

Born: May 5, 1847–Woodbury, Cannon County, Tennessee
Deputy to Sheriff Brady
Present when John Tunstall was murdered
Present when Brady was killed (wounded Billy the Kid in the leg during ambush)
Testified for the prosecution at Billy’s trial
Assisted in transport of Billy back to Lincoln after his trial
Died: June 3, 1904



R.G. McCubbin Collection

PATRICK FLOYD JARVIS GARRETT

Born: June 5, 1850–Clairborne Parish, Louisiana
Sheriff of Lincoln County in 1880
Killed Billy the Kid July 14, 1881
Sheriff of Doña Ana County in 1896
Appointed customs collector of El Paso, Texas in 1901
Investigated disappearance of A.J. Fountain
Murdered outside of Las Cruces, New Mexico
Died: February 29, 1908



LAWMEN



R.G. McCubbin Collection

RICHARD M. BREWER

Born: February 19, 1850–St. Albans, Vermont
Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder
Killed in shootout at Blazer’s Mill by “Buckshot” Roberts
Died: April 4, 1878



R.G. McCubbin Collection

FREDERICK TECUMSEH WAITE

Born: September 23, 1853–Fort Arbuckle, Indian Territory (Oklahoma)
Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder
Present at the ambush of Sheriff Brady
Member of Tribal police force after returning to Indian Territory
Attorney General of Chickasaw Nation
Died: September 24, 1895

HENRY NEWTON BROWN

Born: 1857–Cold Spring Township, Missouri
Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder
Present at the ambush of Sheriff Brady
Deputy sheriff of Oldham County, Texas
Deputy constable of Tascosa, Texas
Marshal of Caldwell, Kansas
Shot by lynch mob after he and several others robbed a bank and killed the bank president and cashier
Died: April 30, 1884

NOT PICTURED:

FRANK MACNAB

Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder
Present at the ambush of Sheriff Brady
Killed by Seven Rivers Posse
Died: April 1878

★★★

JIM FRENCH

Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder
Present at the ambush of Sheriff Brady

ROBERT AUGUST HERMAN WINDENMANN

Born: January 24, 1852–Ann Arbor, Michigan
Deputy U.S. Marshall (position revoked by Governor Axtell after John Tunstall’s murder)
Regulator on Tunstall/McSween side of Lincoln County War
Left Lincoln in May 1878
Died: April 15, 1930–West Haverstraw, New York

★★★

SAMUEL SMITH

Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder

JOHN MIDDLETON

Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder
Present at the ambush of Sheriff Brady

★★★

JOSIAH GORDON “DOC” SCURLOCK

Born: January 11, 1849–Tallapoosa County, Alabama
Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall’s murder
Died: July 25, 1929–Eastland Texas



WILLIAM H. BONNEY

Born: November 23, 1859
Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall's murder
Present at the ambush of Sheriff Brady
Arrested for murder of "Buckshot" Roberts and Sheriff Brady
Sentenced to hang for murder of Brady
Escaped Lincoln courthouse April 28, 1881
Killed by Sheriff Garrett in Fort Sumner
Died: July 14, 1881



R.G. McCubbin Collection

CHARLIE BOWDRE (AND WIFE MANUELA)

Born: 1848
Regulator on Tunstall/McSween side of Lincoln County War
Appointed deputy constable after John Tunstall's murder
Killed during the capture of Billy the Kid at Stinking Springs
Died: December 23, 1880



JOSÉ CHÁVEZ Y CHÁVEZ

Born: 1851—Valencia County, New Mexico
Elected Constable of San Patricio in 1874 (and still held the position as a Regulator)
Regulator on Tunstall/McSween side of Lincoln County War
Served as deputy under three different sheriffs in Las Vegas, New Mexico
Sentenced to hang for lynching Patricio Maes in 1897 but was granted life in prison
Paroled February 1, 1909
Claimed to have been the one to kill Sheriff Brady and Col. Fountain
Died: July 17, 1923—Milagro, New Mexico

ATANACIO MARTINEZ

Constable of Lincoln, New Mexico
Deputized several Regulators after John Tunstall's murder
Was arrested by Sheriff Brady, along with Billy the Kid and Fred Waite, after trying to serve warrants for the men who murdered Tunstall.

GEORGE KIMBRELL

Born: March 31, 1842
Sheriff of Lincoln County prior to Garrett
Trusted by Billy the Kid
Justice of the Peace
Died: March 24, 1925—Picacho, New Mexico

JUDGE WARREN HENRY BRISTOL

Born: March 19, 1823—Stafford, New York
Appointed associate justice of supreme court of New Mexico by President Grant
Friends with L.G. Murphy, J.J. Dolan, and J.H. Riley
Member of Santa Fe Ring
Judge who presided over Billy the Kid's trial
Died: January 12, 1890—Deming, New Mexico



R.G. McCubbin Collection

BARNEY MASON

Born: October 29, 1848—Richmond, Virginia
Spy for Garrett during hunt for Billy the Kid
Deputy to Sheriff Garrett
Present during Billy’s capture at Stinking Springs
Tracked Billy after his escape from Lincoln in 1881
Died: April 11, 1916—Bakersfield, California



R.G. McCubbin Collection

ROBERT OLINGER

Born: April 1850—Delphi, Indiana
Member of Seven Rivers posse that killed Frank MacNab
Deputy to Sheriff Garrett
Took part in the murder of John Jones
Assisted in transport of Billy the Kid to Lincoln after his trial
Killed during Billy’s escape from the Lincoln Courthouse
Died: April 28, 1881



R.G. McCubbin Collection

JOHN W. POE

Born: October 17, 1851—Mason County, Kentucky
Town Marshall of Fort Griffin, Texas
Deputy U.S. Marshall
Detective for Canadian River Cattlemen’s Association
Deputy to Sheriff Garrett
Sheriff of Lincoln County
Co-founder and president of Bank of Roswell in 1890
Co-founder and president of Citizens Bank
Allegedly committed suicide
Died: July 17, 1923—Battle Creek, Michigan



R.G. McCubbin Collection

WILLIAM LOGAN RYNERSON (LEFT)

Born: February 22, 1828—Hardin County, Kentucky
District Attorney for Third Judicial District encompassing Doña Ana, Grant, and Lincoln Counties
Backed Dolan and Riley against McSween and Tunstall during Lincoln County War
Had Billy the Kid’s trial venue changed to unfriendly Doña Ana County
Died: September 26, 1893

COL. ALBERT JENNINGS FOUNTAIN (RIGHT)

Born: October 23, 1838—Staten Island, New York
District Attorney in La Mesilla, New Mexico
Billy the Kid’s trial lawyer
Disappeared and presumed murdered with son Henry near White Sands
Died: April 1, 1896



R.G. McCubbin Collection

A Wild Night in Old Fort Sumner

—Daniel Conrad Jones, BTKOG Member

Editor's Note: This is an excerpt from a longer article investigating the Coroner's Report of Billy the Kid's Death. The unabridged article, along with many more photographs, can be found in the Articles section of the BTKOG's website at: www.billythekidoutlawgang.com.

THE KILLING

Thursday, July 14, 1881: It had been a hot day in Ft. Sumner, but, like it does most of the time on summer nights in New Mexico, it had cooled off quite a bit. Pete Maxwell, son of the legendary Lucien Maxwell, was in bed in his room around midnight, trying to get some sleep, and had left his door open to let in some cool air.

He probably wasn't expecting company, but he got it when Pat Garrett, the sheriff of Lincoln County, strode in through the open doorway. Garrett was looking for Billy the Kid and he knew he was in enemy territory in Fort Sumner, so he'd been lurking outside of town and had sent his deputy John W. Poe, who was a stranger, to try and find out if the Kid was there.

The townsfolk were suspicious of Poe and he learned nothing. Garrett was about to give up and head back to Roswell but Poe convinced him to try one more idea: talking with Maxwell. They sneaked into Pete's house and while Garrett went into his bedroom to talk with him, the two deputies, Poe and Thomas McKinney, remained outside on the porch.

The conversation had hardly gotten started when the two deputies noticed a man approaching the house. He was hatless, shoeless, and fastening his pants as he approached. Poe, who knew no one in town, thought he might have been Maxwell or one of his guests. When the man saw Poe, he covered him with his six-shooter, asking "¿Quien es?" Poe assured him they meant him no harm.

The man went on in to Maxwell's room, repeating his question "Who is it?" to Maxwell. Garrett, sitting on Maxwell's bed, recognized the voice as the Kid's, pulled his pistol, and fired two shots. The first got the Kid in the region of the heart, the second missed altogether. But the first was enough. The Kid fell dead without firing a shot.

Within a very short time after the shooting quite a number of the townsfolk gathered around, some of them bewailing the death of their friend. Several women pleaded for permission to take charge of the body, which they were allowed to do. They carried it across the yard to a carpenter shop, where it was laid out on a workbench. The women placed lighted candles around it according to their ideas of properly conducting a wake for the dead.

Garrett, Poe, and McKinney spent the remainder of the night on the Maxwell premises, keeping constantly on their guard, as they expected attack by the friends of the dead man. Nothing of the kind occurred, however.

THE INQUEST

So, what to do next? Nowadays, we'd call the law: the police or the sheriff. But the only law there was Garrett and his deputies; they were interested parties to the killing which made them unfit to investigate it.

Someone on the scene, Garrett most likely, knew enough about New Mexico law which stated that suspicious deaths should be investigated by a Justice of the Peace (JP). The

JP would appoint six voters of the precinct to hold an inquest over the body. Witnesses could be subpoenaed, their testimony heard. The jury would then write a report identifying the victim, cause of death, and the perpetrator (if ascertained), after which all of them must sign.

So they sent for a JP. The nearest one was a man named Jose Alejandro Segura, who signed himself Alejandro. About 31 years old, he lived with his wife and two sons in a little settlement called Arenosa, around seven miles north of Ft. Sumner on the Pecos River. He chose as the foreman of the coroner's jury Milnor Rudolph, 54, of Sunnyside.

Rudolph and Segura proceeded south to Ft. Sumner, where they chose the other five members of the jury from among the Hispanics there. The other jury members were José Silva, 59, Antonio Saavedra, 50, Lorenzo Jaramillo, 37, Sabal Gutierrez, 31, all from Ft. Sumner, and Pedro Antonio Lucero, 46, residence unknown. The jury convened in a room in the Maxwell place where they examined the body, heard the testimony of Pete Maxwell, and probably heard the testimony of Garrett and his deputies Poe and McKinney, although they didn't record it in their report.

The report (Segura, 1881) says in summary:

- The dead man is William Bonney
- He was killed by a shot fired by a pistol in the hand of Pat. F. Garrett
- The killing was justifiable homicide
- Garrett is worthy of being rewarded

All members of the jury signed the report and went home.



Milnor Rudolph—Author's Collection

THE CHALLENGERS

Many of you know that the above story is the conventional one, but not the only one. It is largely taken from Poe's book *The Death of Billy the Kid* (Poe, 2006). From the very beginning, rumors were flying: that the posse had known the Kid was coming to Maxwell's room and had ambushed him to kill him; that they had cut off his fingers and taken them as souvenirs; but, most particularly, that the Kid hadn't been killed at all. But, if you believe the Inquest Report, the Kid was killed on that wild night in Ft. Sumner. So, this article will examine the Inquest Report and the various challenges to it.

Seventy-four years after the fact, the first book to mount a serious challenge to the Inquest Report was a book called *Alias Billy the Kid: I Want to Die a Free Man....* It was authored by two men: William Vincent Morrison and Charles Leland Sonnichsen. Morrison identified himself as a lawyer in the book, but seems to have been more of a researcher for law firms as he never wrote any other books. Sonnichsen, however, was a history professor at Texas Western University (now UTEP) and the respected author of many books on such subjects as the Mescalero Apaches, Tularosa, the El Paso Salt War, John Wesley Hardin, and Geronimo. Sonnichsen could be presumed to know whereof he spoke and it was his presence as coauthor that gave the book its credibility.

Next was *The Return of the Outlaw Billy the Kid*, coauthored by W.C. Jameson and Frederic Bean. Jameson was a onetime professor at the University of Arkansas, and the author of many books on such subjects as buried treasure, the Guadalupe Mountains, and the returns of John Wilkes Booth, and Butch Cassidy. Bean, now deceased, authored a large number of books, mostly western fiction.

Next was *Billy the Kid: Beyond the Grave*, by the same W.C. Jameson. This article will focus on this book because it's the most recent, but the two Jameson books and the Sonnichsen/Morrison book have much in common.

All of the above books have as their goal proving that one O.L. "Brushy Bill" Roberts was Billy the Kid. But they have one major hurdle to overcome right away: Roberts lived until 1950, but the Inquest Report says that the Kid died in 1881. So they have to discredit it.

Another challenger to be covered in this article is a book called *I Buried Billy*, by A. P. "Paco" Anaya. Anaya was a friend of Billy's, around Billy's age, and was in Ft. Sumner the day after the killing. He wrote the manuscript around 1931, but it wasn't published until 1991. As can be inferred from the title, it does not make the claim that Billy wasn't killed in 1881, but does have some different takes on the events of that night and the following day, and, most importantly, challenges the authenticity of the Inquest Report.

WHERE WAS THE CORONER?

This article will use the term "Inquest Report" for what is more commonly called the Coroner's Jury Report. Why? E.B. Mann, in the book *Guns and the Gunfighters*, questions why there was no coroner present at the meeting of the so-called coroner's jury. That is a good question which, surprisingly, Jameson failed to include in his many challenges to the report. The coroner was presumably a man with experience investigating suspicious deaths. Why wasn't

he in charge, instead of a JP who may have had little or no such experience?

There was no telephone, telegraph, or railroad in Ft. Sumner in 1881, so the fastest way to notify the coroner would have been to send a man on horseback. Charles W. Foor, a surveyor who lived in Ft. Sumner starting in 1882, said that it was 127 miles to Las Vegas (Foor, 1927). A horseback rider I consulted said it would take a man two days to make that trip without killing himself or his horse. He'd then have to find the coroner, and wait for him to get ready. They'd then have to do the 127 mile return trip. The days were hot July days and there was no refrigeration or embalming in Ft. Sumner either.

So, to use the coroners for these inquests was impractical in the New Mexico of the time, given the slow transportation and communication systems, and the huge size of the counties. But San Miguel County was divided into at least 27 precincts, and each had a JP. In fact, the nearest JP was only seven miles away. In any event, the presence of a JP, not a coroner, was entirely in accordance with the New Mexico law of the time, although it seems strange now.

DOES THE REPORT EVEN EXIST?

Here is an exact quote from Jameson's 2005 book:

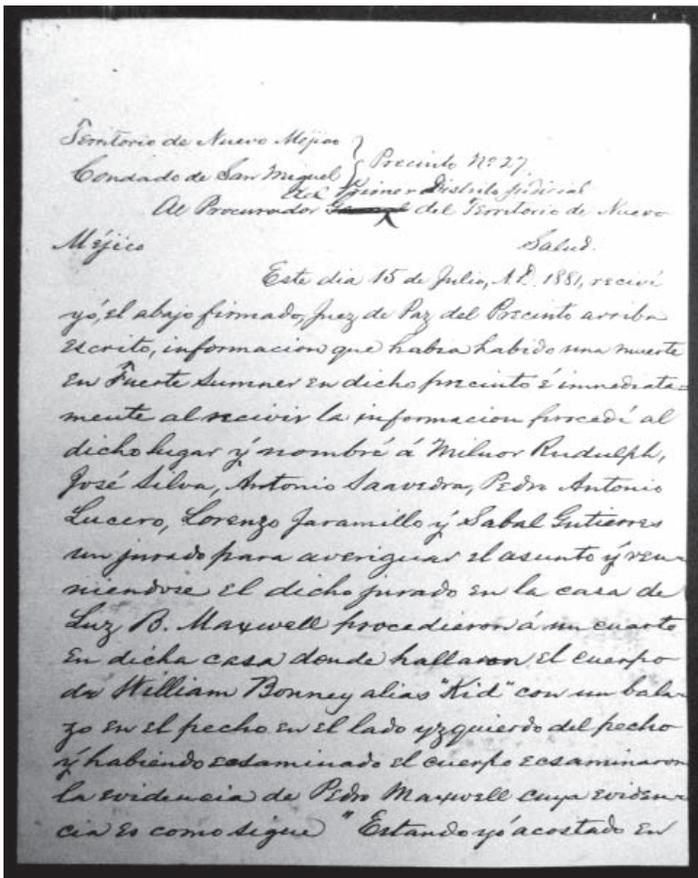
'...Lavash maintains that "the coroner's report (sic) is properly considered a death certificate and is on file at the NM-SRCA [New Mexico State Records Center and Archives] in Santa Fe." Why Lavash would make such a statement is unclear when *no such document was ever located there and no one has ever been able to find it anywhere.*' (p. 75, italics mine)

I traveled to the NM-SRCA and photographed the manuscript. It is handwritten on three pages, each measuring approximately 7.5 inches wide and 9.5 inches long. The paper has a black border, and is reminiscent of notepaper one would use in writing a letter of condolence to a friend. The manuscript is written entirely in Spanish, with one important exception to be discussed later. At the top it is addressed to the Attorney of the First Judicial District of the Territory of New Mexico.

Below that, the main body of the report is written in first person, as if by JP Segura. Next comes a quotation from Pete Maxwell, although Maxwell did not sign his testimony. Next, the verdict, then the signatures of the jury appear, starting with Rudolph's, who signs "Presidente" as his title. Finally, there is a short postscript, followed by Segura's signature and title.

The handwriting in the main body is excellent: well-spaced in straight lines, though the paper is not ruled, and quite legible. The presence of other handwriting styles suggests several different writers.

One thing that may be troubling to some is that the document in the NM-SRCA is a photostatic copy. The provenance of the copy may be inferred from a letter included with it (Parker, 1931). In 1931, Frank W. Parker, a New Mexico Supreme Court judge, and evidently a Billy the Kid buff, wrote to James F. Hinkle (formerly governor, but at that time Commissioner of Public Lands) requesting a copy of the Inquest Report. He got it, though what the



Page One of the Inquest—Author's Collection

manuscript was doing in the office of the Commissioner of Public Lands is anyone's guess. Later, this copy arrived at the NM-SRCA along with a number of Parker's other papers. It's a good thing it did, because by that time the original had evidently been lost. Fortunately, the copy is in excellent condition.

WHERE WAS THE BODY WHEN THE JURY SAW IT?

Jameson contends that there is disagreement about this among the various people who were in Ft. Sumner when the jury met. Here is a quote from his 2005 book:

"[The jury] held a meeting in Maxwell's bedroom, where, according to Charles Frederick Rudolph,... the body still lay on the floor. In their books, Garrett and Poe both claimed the body had been taken to the carpenter shop for a wake shortly after the shooting. It is improbable that the body was reclaimed from the wake and repositioned on the floor." (p. 73)

In writing this article, I was careful to obtain the exact editions of the books Jameson cites as references in his bibliography, because different editions sometimes say different things.

The first book referred to is *Los Bilitos: The Story of Billy the Kid and His Gang* by Louis Leon Branch and Charles Frederick Rudolph. A reading of the book, starting at the shooting on page 251, and continuing to the end of the book, reveals no mention of the position of the body.

Next, let us examine the Garrett book (Garrett, 2000). A reading of the book, starting at the shooting on page 175, and continuing

to the burial on page 178, reveals no mention of the position of the body other than on the floor of Maxwell's bedroom immediately after the shooting. An older edition of this book (Garrett, 1954) also doesn't mention the body's location (pp. 147-149).

Poe, on the other hand, does say "Within a very short time after the shooting... They carried [the body] across the yard to a carpenter shop..." (Poe, 2006, pp. 41-42). This version of Poe's story, originally published in 1933, is probably the most widely available one, and is the one cited by Jameson.

However, there are several versions attributed to Poe around. The earliest one is in a July 10, 1917 letter to Charles Goodnight (Poe, 1917) (see PoeToGoodnight.jpg). Goodnight, who was responsible for hiring Poe and sending him to New Mexico from Texas to hunt down cattle thieves (not just Billy) had evidently written Poe asking him for the story.

The important thing about this letter is that Poe, like Branch and Garrett, doesn't say anything about the location of the body. The "carpenter shop" aspect was first published in a story written for *Wide World* magazine of London, England, by E.A. Brininstool (Brininstool, 1919). It's possible Poe simply forgot to mention the carpenter shop in his 1917 letter, but there is other evidence of editing by Brininstool: The 1917 letter states that Billy fired a shot, whereas the *Wide World* story says only that two shots were fired, not who fired them.

Further muddying the waters is Anaya, who says "...we took [the body] to the saloon where they held dances..." (p. 132).

The Inquest Report says, in my translation, "I [JP Alejandro Segura]... assembled the said jury at the house of Luz B. Maxwell. They proceeded to a room in said house where they found the body..." (Italics mine) This is pretty vague. The body could have been in any room in Luz' house, not just Pete's.

Fort Sumner was a peculiar town; it was what you might call a company town, or you might not call it a town at all. It was really more like a large ranch (Nolan, 1998). The old fort buildings, abandoned by the Army after the failure of its Indian farming experiment in 1868, had been purchased by Lucien B. Maxwell from the government in 1871, shortly after he sold his own vast Maxwell Land Grant. About 25 families accompanied Maxwell south from Cimarron and formed the settlement. After Maxwell died in 1875, his wife Doña Luz took his place, while their son Pete managed the family ranch, sheep herds, and employees.

So, to stretch the point, since all the buildings in Fort Sumner belonged to Luz, the body could have been in any room in Fort Sumner!

Here's the most important point to be remembered from this long discussion. None of these statements really contradict the others. For example, the body could have been moved to the dance hall for the wake, viewed by the jury there, and then moved to the carpenter shop to be placed in the coffin which had just been built there. This would more or less reconcile all of these statements.

“WHO IS IT?” OR “¿QUIEN ES?”

Jameson contends that there is disagreement about whether the victim’s “famous last words” were spoken in English or Spanish: “...in the...verdict..., the words spoken by the man who entered Maxwell’s bedroom were in English, “Who is it?” and not in Spanish, as stated by Garrett and Poe...” (Jameson, 2005, p. 75)

Notice that Jameson is referring to a document that he elsewhere claims doesn’t exist, but he’s absolutely right. The Inquest Report is written entirely in Spanish, except when it’s quoting Pete Maxwell, who says that the victim spoke to him in English.

However, let’s have a look at what Garrett had to say. First, he says: ‘...a man sprang quickly into the door, looking back, and called twice *in Spanish*, “Who comes there?”’ (Garrett, 2000, p. 175, italics mine)

A few seconds later, the man is almost touching Garrett, but cannot see him because it’s so dark in the room. Quoting Garrett again: “The intruder came close to me, leaned both hands on the bed, his right hand almost touching my knee, and asked, in a low tone: ‘Who are they, Pete?’” (Garrett, 2000, p. 175)

Poe tells a similar story. First he says: “...he...asked *in Spanish* for the fourth or fifth time, who I was.” (Poe, 2006, p. 35, italics mine)

Then a few sentences later, Poe says: “An instant after the man left the door, I heard a voice inquire in a sharp tone, ‘Pete, who are those fellows on the outside?’” (Poe, 2006, p. 36)

It’s pretty clear what happened here. The man, approaching Maxwell’s bedroom, sees two men he doesn’t recognize. Since the vast majority of the Fort Sumner population is Hispanic, and many of them speak only Spanish, he addresses them in Spanish: “¿Quien es?” It’s questionable whether Poe or McKinney, newcomers to New Mexico at that time, even understood Spanish, so he receives no reply. He proceeds into Maxwell’s room. Pete undoubtedly was fluent in both English and Spanish, having an Anglo father and a Hispanic mother, but the man, being more comfortable in English, speaks to Pete in English.

The Inquest Report doesn’t mention what the man said to Poe and McKinney, but only quotes what he said to Maxwell (“Who is it? Who is it?” written in English, when the rest of the manuscript is written in Spanish). So there’s no inconsistency among the three versions.

And, if you believe that the man was Billy the Kid, then Billy’s last words were not “¿Quien es?”, as has been stated so often, but “Pete, who are those fellows on the outside?” or “Who are they, Pete?” or “Who is it? Who is it?” Perhaps that isn’t quite as romantic.

CONCLUSION

I have identified some, not all, of the challengers to the Inquest Report. I have tried to be objective to them, not dismissive as

others have been. I have investigated those challenges which I felt could be investigated, and, hopefully, have shed some light into some dark corners. Maybe, I’ve also darkened some corners that were previously lit!

That said, *I haven’t found any of the challenges I investigated to be at all compelling*. However, I welcome feedback from readers concerning weaknesses in my analyses, or other challenges which could be investigated. Together, we can work our way toward the truth of what happened on that wild night in Old Fort Sumner.

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Charles Siringo: Keeping the Kid's Legend Alive

—Lori Ann Goodloe, BTKOG Member

Charlie Siringo: cowboy, merchant, detective, rancher, ranger, writer, celebrity, and guardian of the Billy the Kid story.

PART I — CHARLIE SIRINGO, COWBOY DETECTIVE

Charles Angelo Siringo was born February 7, 1855 on the Matagorda Peninsula in southeast Texas. His Italian father died when Siringo was only one and it fell upon his Irish mother to raise him and his older sister. It was during his early years in Texas that Siringo learned the finer parts of working with cattle, practicing his roping skills on the small herd his family owned. When his mother remarried, the family relocated to Illinois but Siringo soon returned to Texas to fulfill his dream of being a true cowboy. It suited his nature—he was free-spirited with a real lust for life—and until his death he would fall back on his experiences as a cowboy in everything he did.

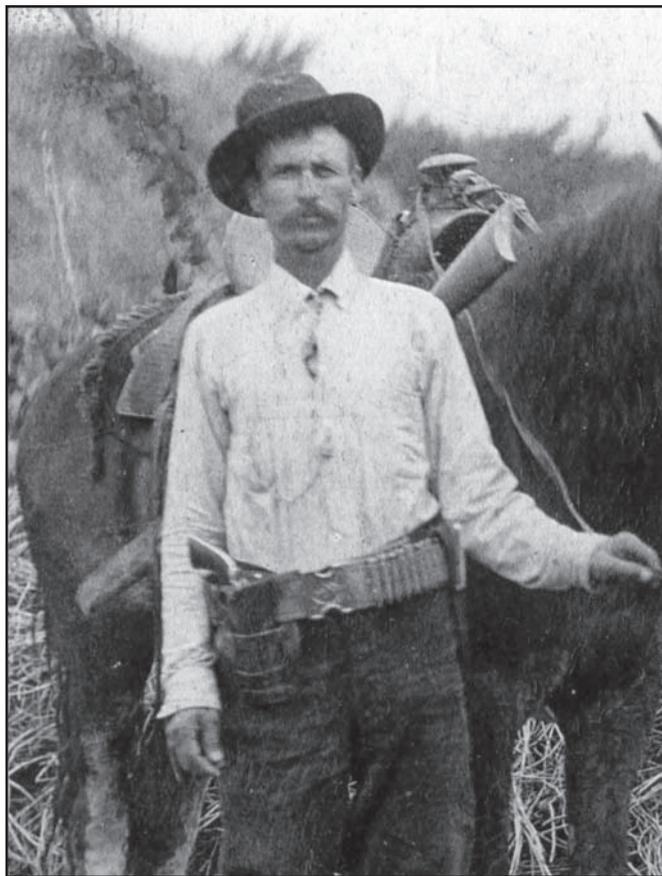
He may have started as a cowboy but in his long and storied career he was a highly regarded detective for the famous Pinkerton Detective Agency, he wrote multiple books chronicling his adventures, and eventually even worked in the movies. He kept company with outlaws and lawmen; he saved lives, fought against anarchy, and sold ice cream. Charlie Siringo lived life to the fullest.

THE COWBOY

On July 4, 1877, Charlie Siringo arrived in Dodge City, fresh off the Chisholm Trail and looking to celebrate America's Independence Day. The dancehall he and his friend, Wess Adams, chose happened to be managed by, soon-to-be-famous-in-

his-own-right, Bat Masterson. It wasn't long into the evening before Adams got into an argument with a buffalo hunter and a fight ensued. No shots were fired but Bat Masterson took to chucking beer glasses at Siringo's head and Adams was stabbed in the back by one of the buffalo hunters. Siringo pulled Adams out of the

famed outlaw, Billy the Kid (see Part II). But by 1883 the era of the open range was coming to an end as well as Siringo's time as a cowboy. Recently married, Siringo didn't like leaving his pregnant wife for long periods of time so in September he separated from the LX Ranch and settled down in Caldwell, Kansas.



Charles A. Siringo—R.G. McCubbin Collection

dancehall and rode fast out of town with Masterson and several officers in pursuit. Siringo managed to avoid getting caught by Masterson and got Adams to the safety of David T. Beals' steer camp.

After meeting Siringo, Beals offered him a job as a cowboy at his LX Ranch in the Texas Panhandle where Siringo worked for six years. It was during this time working for Beals that Siringo met and befriended

THE DETECTIVE

Once he moved to Caldwell, Siringo opened up a cigar and ice cream shop and settled into the life of a merchant and a writer. In 1885 he completed his first autobiography, *A Texas Cowboy or, Fifteen Years on the Hurricane Deck of a Spanish Pony*. It was an instant success and Siringo moved his family to Chicago where he could oversee the second printing of his book. While in Chicago, Siringo witnessed history when a bomb blast went off during a labor demonstration in Haymarket Square, May 4, 1886. A riot ensued where seven police officers and four civilians were killed and many others were wounded. Throughout his life, Siringo abhorred anarchists and their acts of terrorism. After seeing the aftermath of the Haymarket Massacre he sought out a new career with the Pinkerton Detective Agency.

Both hated and respected, the Pinkerton Agency was once the most effective crime-fighting organization in the country. They had extensive influence and are to be credited for many of the investigation methods law enforcement agencies still use today (mug shots, complete suspect files to be shared with other offices, undercover operations, etc.). In order to get a job with the Pinkertons, Siringo used, among others, a reference from Pat Garrett whom he had met while working as a LX cowboy. His references

At a party in Caldwell, Kansas, Siringo was examined by a phrenologist who declared after examining the bumps on Siringo's head, that he had a "mule's head". Being stubborn like a mule, the phrenologist explained, meant Siringo would do well as a stock raiser, a newspaper editor, or a detective. It was the third option Siringo gravitated towards.

worked and, shortly after he was hired, Siringo was sent to the Denver office. He moved his family once again and started his new life as a "cowboy detective". The cases he was assigned gave him liberty to be away from the Denver office and conduct his investigations how he saw fit. Throughout his career with the Pinkertons he worked on many high-profile cases in the West and was often commended for his efforts.

In February 1891 an assassination attempt was made against members of the New Mexico territorial legislature in Santa Fe. A shot had been fired into the office of Thomas B. Catron, a member of the Territorial Council and infamous Santa Fe Ring. Catron wasn't injured but District Attorney Joseph A. Ancheta was severely wounded in the neck and shoulder. The governor requested a detective from the Pinkertons and Siringo was chosen. Going undercover he spent six months investigating the shooting and although Siringo had gotten a partial confession from one of the suspects, the governor grew impatient and had the case closed before any arrests could be made. The case was never officially solved.

After returning from New Mexico, Siringo was assigned a new case on behalf of the Mine Owners' Protective Association (MOA) in Coeur d'Alene, Idaho. He was ordered to spy on the Miners' Union and once he infiltrated the organization, Siringo discovered that the leaders were "a vicious, heartless gang of anarchists." When the workers went on strike, Siringo unearthed various plots against the Gem Mine, including one scheme to flood it and another to kill the "scabs" who continued to work during the strike. As rioting broke out, Siringo was accused of being a spy yet still remained in Coeur d'Alene. He was no doubt reminded of the Haymarket Massacre and risked his own life to help put an end to the violence. Siringo was appointed deputy and assisted in rounding up the union leaders involved in the bloodshed. When it came to anarchy and terrorism, Siringo always came down on the side of law and order.

In 1899 Siringo underwent a lengthy investigation pursuing the Wild Bunch, the infamous gang that included such notables as Butch Cassidy, the Sundance Kid, and Kid Curry. Once again going undercover, this time as an "old Mexican outlaw",

Siringo ingratiated himself with the outlaws and learned their secret codes and plans. Along with other Pinkerton detectives and civil authorities, Siringo spent four years pursuing different members of the gang, chasing them from Wyoming to Arkansas. Eventually, the various members of the Wild Bunch were either captured or killed, or in the case of Butch Cassidy and the Sundance Kid, had escaped to South America.

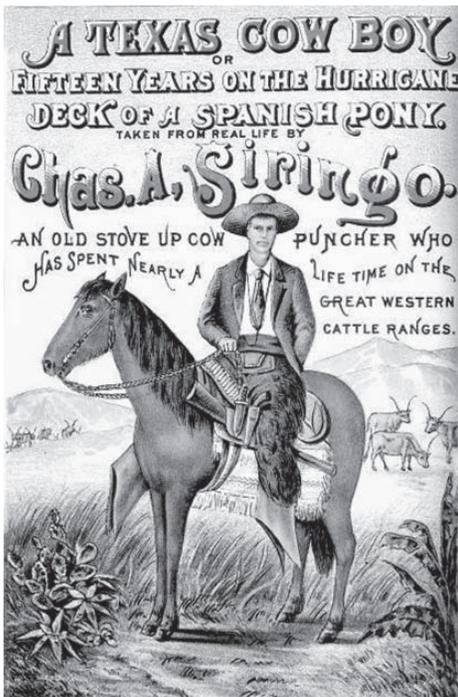
This small selection only skims the surface of the cases Siringo was assigned during his twenty-two years as a Pinkerton Detective. While these are a few of the most high-profile cases he worked on, during his career Siringo crisscrossed all over the west and made over a hundred arrests. Even if Siringo had done nothing else in his life he would still be famous as a Pinkerton Detective.

THE RANGER

After leaving the Pinkerton Agency, Siringo retired to a ranch he'd bought in Santa Fe during the Ancheta investigation. At his Sunny Slope Ranch, Siringo took to writing again and occasionally took work as a freelance detective. In 1916, Governor McDonald offered Siringo a position as a New Mexico ranger working for the Cattle Sanitary Board of New Mexico; the sixty-one-year-old jumped at the chance for more adventure. Headquartered in Carrizozo, Siringo's new duties involved putting an end to the cattle thefts that were still rampant in the state. By 1917 Siringo was operating out of the Ruidoso Canyon and staying at the ranch of Bert Bonnell, husband of Frank Coe's daughter Sydney. Frank and his cousin George were well known for their association with Billy the Kid and the Lincoln County War and since Frank was justice of the peace, several of Siringo's cattle-stealing cases were brought before him. Siringo struck up a friendship with the Coes and hearing their stories renewed his interest in the outlaw he had met so many years before. His ranger



Present Day Coeur d'Alene—Courtesy of Joseph Bekken



Published 1885

duties ended in 1918 but Siringo returned to the Ruidoso area two years later to research the Kid.

THE WRITER

Siringo finished his first book, *A Texas Cowboy*, at thirty years old and he continued to write for the rest of his life. His second book, *A Cowboy Detective: A True Story of Twenty-Two Years with a World-Famous Detective Agency*, chronicled his time with the Pinkerton Agency. While he worked for the Pinkertons, Siringo was privy to many of the illicit practices some of his fellow detectives were involved in. Among other things Siringo accused the Pinkertons of brutal third degree tactics, forcing confessions, and padding expense reports. Siringo was happy to work outside of the office as a cowboy detective because it meant conducting his investigations on his own, honest terms.

When the Pinkertons found out about his book, however, they reminded Siringo of the confidentiality agreement he had signed when he joined them and would not allow its publication until he removed all uses of the Pinkerton name and gave each person he referred to a pseudonym. Siringo reluctantly agreed but battles with the Pinkerton Agency would dog him the rest of his life. Still angry about his first attempt

to shed light on the Agency's practices, in 1915 Siringo risked a lawsuit again by writing *Two Evil Isms, Pinkertonism and Anarchism*. Again the Pinkertons put a stop to the publication.

Meant to replace his first book, *A Texas Cowboy*, Siringo published *A Lone Star Cowboy* in 1919 which included adventures he had had as a detective and a ranger. In 1920, after working and researching in the Ruidoso area, Siringo published his small volume, *History of "Billy the Kid"*. His final book to be released, *Riata and Spurs* in 1927, encompassed all of his previous biographies into one. Before his death in 1928, Siringo moved away from autobiographies and had started to write a fictional novel based on one of the starlets he had befriended in California. His publishers tried to discourage him, saying the public would rather read about his adventures than romance but Siringo wouldn't be dissuaded; unfortunately he would never finish *Prairie Flower*, or *Bronco Chiquita*.

Throughout his life, none of his books would be as successful as his first. But Siringo made a name for himself and because of the popularity of his writing, was largely responsible for transforming the American cowboy into a folk hero.

THE CELEBRITY

In 1921 while he was still living in Santa Fe, Siringo received a letter from Dr. Henry Hoyt. Hoyt, having also been a friend to Billy the Kid, reminded Siringo that they had known each other while working as cowboys at the LX Ranch in Texas. Hoyt wrote Siringo now to praise his book, *A Lone Star Cowboy*, and the two started a correspondence. In one of his letters, Hoyt, who was living in Long Beach, California, made the suggestion that Siringo should move to Hollywood and work in the movies. Siringo was an avid moviegoer and naturally he loved westerns; it didn't take much to persuade him to move. In December of 1922 he left Santa Fe for the last time and headed for Hollywood.

Whether he realized it or not, Siringo had shaped the cowboy into a romantic figure and it was largely due to him that westerns

were such a popular genre. The actors he admired in the cowboy movies in turn admired Siringo for his cowboy books. Siringo quickly befriended the well-known western actor William S. Hart and humorist Will Rogers and was treated as a Hollywood celebrity in his own right. In July 1924 Siringo got a part as an extra in the movie *Ten Scars Make a Man* and in August, Hart got him work as a consultant on his last picture, *Tumbleweeds*. When *Riata and Spurs* was released, Siringo was treated to a party in his honor where he was surrounded by his Hollywood friends and treated like a star.

☆☆☆

By 1927 Siringo's health was failing. For years he had suffered from chronic bronchitis and received medical care from his friend Dr. Hoyt. Always in good spirits and always writing until the end, Siringo died from a sudden coronary on October 18, 1928 at the age of seventy-three; four days later he was buried in Inglewood Cemetery.

"Another American plainsman has taken the long trail. May flowers always grow over his grave." - Will Rogers and William S. Hart in a telegraph sent to Siringo's son

To say Charlie Siringo lived a full life would be an understatement. Charlie Siringo lived the life of a dozen men. He was friends with Billy the Kid and Pat Garret. He chased after Butch Cassidy and the Sundance Kid. He had a beer glass thrown at him by Bat Masterson. And yet today his name isn't as well known as the men he associated with. But anyone who ever enjoyed a western or wanted to grow up to be a cowboy is indebted to Charlie Siringo.

☆☆☆

PART II — SIRINGO AND BILLY THE KID

In the fall of 1878 Charlie Siringo was working as a cowboy at the LX Ranch in Texas. He had just returned from transporting a herd of cattle to Dodge City to find a group of young men playing cards under a cottonwood tree. When the cook rang the dinner bell and the strangers and LX cowboys gathered at the table, Siringo found himself seated next to Billy the Kid and other Lincoln County “warriors” Henry Brown, Fred Waite, and Tom O’Folliard. Siringo and Billy hit it off immediately; Siringo gave Billy a cigar holder he had admired and Billy presented Siringo with a bound book. During the few weeks that Billy was in the camp, he and Siringo passed the time playing cards and shooting at marks (Siringo said that he could hit his mark as often as Billy but Billy was much faster). But as soon as Billy and his friends sold off their stolen cattle they left the camp and headed back to New Mexico. Although he would come close, Siringo would never meet the Kid again.

Two years later, in 1880, Siringo was ordered by his boss to lead a posse into New Mexico and retrieve LX cattle that Billy had stolen; also searching for Billy that November was newly-elected sheriff, Pat Garrett. Garrett had it on good authority that Billy and his men were in Fort Sumner and when his trail crossed Siringo’s, Garrett requested help from Siringo’s posse. Siringo uncharacteristically declined to join Garrett but lent the sheriff three of his men: Lee Hall, Jim East, and Lon Chambers. It’s unknown why Siringo didn’t join Garrett when ordinarily he would have loved the chase. It’s possible that because his primary job was to retrieve the cattle—which Billy no longer had—Siringo felt duty bound to stay on task. He was told by his employer that if he retrieved the cattle and afterwards wanted to chase after Billy it would be allowed but finding the missing cattle came first. It’s also possible that since Siringo had been friends with Billy, even for a short time, he felt sympathy towards the Kid and didn’t want to see him get captured. Whatever the reason, Siringo was not there to take part in the capture of Billy the Kid at Stinking Springs. Siringo did, however, eventually manage to retrieve 2,500 heads of LX cattle from Pat Coghlan, a known dealer in stolen beef, and was commended for his work. A month after returning to the LX Ranch, Siringo got the word that the “good natured” Billy the Kid was dead.

Although Siringo only spent a few weeks with Billy, the young outlaw made a lasting impression; Siringo was fascinated with Billy for the rest of his life. With an obvious affection, Siringo opens his book, *History of “Billy the Kid”*, with the words: “The true life of the most daring young outlaw of the age.” And closes with: “Peace to William H. Bonney’s ashes, is the author’s prayer.” Orlan Sawey, author of the biography *Charles A. Siringo*, believed that Siringo felt a kinship with Billy because they were so much alike. Both had Irish mothers, both had stepfathers, both were orphaned and on their own at a young age, both were hotheaded, both loved adventure, both were “free and easy”, and they even resembled one another (Siringo was occasionally mistaken for Billy). Siringo was sympathetic towards Billy and had a hand in fostering the legend that has endured for over a hundred and thirty years. What he’d done for the American cowboy—making him a larger-than-life figure—Siringo would also do for Billy the Kid.

With Siringo’s other books, there wasn’t a need for research; they were all based on his own life whereas *History of “Billy the Kid”* required a little more effort. Siringo wrote his book as one who had known the Kid personally, but having actually only spent a few weeks with him, Siringo had to rely on others for their firsthand knowledge. In the fall of 1881, a few months after Billy was killed, Siringo and Lon Chambers returned to New Mexico to testify against Pat Coghlan. While waiting for the trial date, Siringo met Ash Upson, the ghostwriter for Garrett’s book, *The Authentic Life of Billy the Kid*. Unfortunately, Upson’s information about the Kid wasn’t the most accurate and much of Siringo’s book matches Garrett’s. Fortunately, Siringo didn’t rely solely on Upson for his research. After the Coghlan trial, Siringo visited with Garrett and his deputy, John Poe (who was present when Billy was killed), to discuss Billy’s last days in Fort Sumner. Forty years later, with Billy still on his mind, Siringo spoke to the Coe cousins and others involved in the Lincoln County War while he worked in the Ruidoso area as a ranger. One of the most valuable pieces of Siringo’s book were correspondences he received from Jim East, a member of the LX posse who had gone with Garrett and assisted in Billy’s capture. East was able to provide an eye-witness account of what happened at Stinking Springs and it’s in one of his letters that we learn the story of Billy and his sweetheart (named Dulcinea del Toboso but presumed to be Paulita Maxwell)



Published 1920

saying goodbye with a “soul kiss” before he was taken to Santa Fe.

Regardless of the accuracy of Siringo’s writing, his *History of “Billy the Kid”* is an important piece of work purely for the fact that Siringo kept Billy in the public eye. Walter Nobel Burns usually gets the credit for the resurgence in Billy the Kid interest with his novel, *The Saga of Billy the Kid*. But Siringo had his part to play in the story as well. Siringo’s books were popular and widely read (more popular than Garrett’s book) and his *History* was published six years before Burns’ *Saga*. In his forward to the reprint of Siringo’s book, historian Frederick Nolan points out that, “when this little book was first written, Billy the Kid was remembered only because of Siringo.”

Like Siringo, many of us who come to be fascinated by Billy also see him as “the most daring young outlaw of the age.” And thanks to Siringo his story survived.

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Billy the Kid Days

July, 2013 • Mesilla, NM



This year during Billy the Kid Days, the Outlaw Gang was fortunate enough to have Cal Traylor and Bob Gamboa, two members of the Friends of Pat Garrett, show us the sites in and around Mesilla and Las Cruces. The morning started out with a trip to Pat Garrett's kill site north of Las Cruces, then continued on to a view of the Cox Ranch, the site of Col. Albert Jennings Fountain and his son Henry's disappearance, the town of Organ, the site of the Widow Garrett's house, Pat Garrett's original burial site and final resting place, and lastly we were taken to the Doña Ana Sheriff's Department to see the hearse that carried Garrett to his burial.

If that weren't enough, the following day we spent in Mesilla, retracing the steps that Billy the Kid took during his time running with Jesse Evans and later when he returned for his trial. We were also treated with a tour of the Gadsden Museum—a tour which ended with the jail bars that once held Billy the Kid. The final day ended with a hike up to Outlaw Rock, a supposed hideout of Billy the Kid, where if you look hard enough you can see the names of Billy and his friends are said to have etched in the rock.

A big thanks to Cal Traylor, Bob Gamboa, and the Gadsden Museum for making this year's Billy the Kid Days something to remember!



Photos: 1. The site of the Fountain disappearances (Courtesy of Bob Gamboa) 2. The site of Garrett's first grave (Courtesy of Bob Gamboa) 3. The site of Garrett's second—and final—resting place (Courtesy of Bob Gamboa) 4. Trying to find the names Billy, Tom O'Folliard, Charlie Bowdre, and Dave Rudabaugh supposedly etched in the rock (Courtesy of Sarah Anderson)





Members of the Billy the Kid Outlaw Gang, Organ, New Mexico
 Back Row: Bill Doyle, Joan Doyle, Linda Worley, Pat Lynch, Julian Leyba, Linda Pardo, Chris Jones, Bill Doyle, Steven Kretschmer
 Front Row: Cal Traylor, Danny Vest, Trudy Leyba, Lori Goodloe, Robyn Jones, Sarah Anderson, Dot Otto, Brian Otto
 —Courtesy of Bob Gamboa



The Garrett Kill Site—Courtesy of Bob Gamboa



Overlooking White Sands Missile Range and the site of the Cox Ranch
 —Courtesy of Bob Gamboa

Book Review

—Linda Pardo, BTKOG Member

In the Shadow of Billy the Kid: Susan McSween and the Lincoln County War - Kathleen P. Chamberlain

For some who dreamt of a better and fuller life, 1873 was a good year. Susan E. Homer (previously Susannah Ellen Hummer) married Alexander McSween in Eureka, Kansas; Billy the Kid's mother, Catherine McCarty, married William H. Antrim in Santa Fe, New Mexico with her sons as witnesses; and the Women's Congress made news on the front page of the New York Tribune. The newspaper's coverage on October 17th states three hundred women met in a Plymouth Church to discuss enlightened maternity, the co-education of the sexes, the great mortality of children, and the question of the ballot. What is the common thread for all these events? -- determined and decisive women in the late 1800s hoping to improve their lives.

Kathleen P. Chamberlain, professor of History at Eastern Michigan University, focused on the life of one of these women in her paperback book *In the Shadow of Billy the Kid: Susan McSween and the Lincoln County War*, published by University of New Mexico Press, 312 pages (fifty pages of notes and another fifty pages of bibliography/index). I met Ms. Chamberlain at the Wild West History Association's (WWHA) 2010 Roundup in Ruidoso, New Mexico where she was one of WWHA's presenters. Her topic was to share information about her upcoming biography of Susan McSween. I enjoyed her informative presentation, delighted she felt compelled to do an in-depth study on Susan. Now three years later, her book is published and dedicated to the late Nora Henn who according to Ms. Chamberlain "... was a patient mentor and a loving friend and I was fortunate enough to be called one of her 'chicks.'" Nora Henn passed away almost a year later. A great historian who lived in Lincoln, Nora was a treasure trove of knowledge on the Lincoln County War with an inside track on all the characters who lived there and

it was Nora, along with her husband, who was instrumental in organizing the current-day Lincoln County Historical Society. Undoubtedly, Ms. Chamberlain kept good company while researching the lives of those in the area during the late nineteenth and early twentieth centuries.

The author's book is written in a clear and straight-forward fashion. Some of what she writes can be found in other books, but nowhere is this information pulled together in a manner that shines the light on a woman's life and struggles during the Lincoln County War, especially a woman as colorful and brave as Susan McSween. However, Chamberlain laments that no one ever asked Susan about her early childhood faith and why she abandoned it, no one ever asked Susan about her possibly abusive stepmother (her father married his wife's twenty-three year-old sister after she died leaving seven unmarried daughters and an infant son - Susan was only five), no one ever asked Susan why she moved to Kansas leaving Pennsylvania, and no one ever asked Susan about the work or the contributions that women made in Lincoln. Understandably it is sad. Opportunities to learn more about these matters arose in Susan's latter years but, unfortunately, they were not sought out or recorded.

When Susan left her home in Pennsylvania in 1863 she reappeared ten years later in Kansas. We know that she stopped in Pekin, Illinois on her way to Kansas where she met Alex McSween. He convinced her he had a bright future which surely impressed Susan. By this time she had changed her Pennsylvania outward identity from modest dress of somber gray, black or blue with white apron and bonnet to a more fashionable version after she arrived in Kansas. She was becoming her own person without the assistance of family although she did correspond with them throughout her lifetime.



Susan McSween—R.G. McCubbin Collection

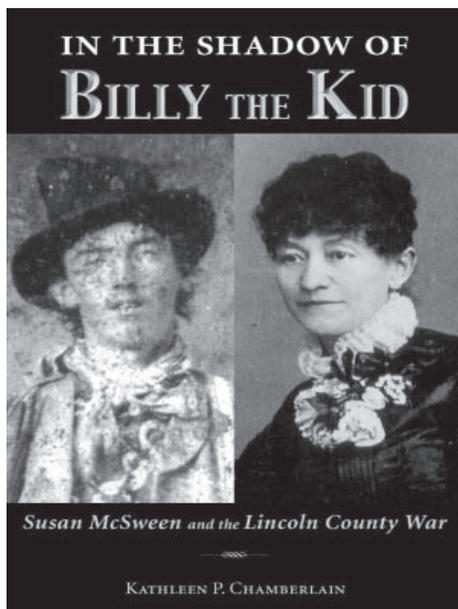
When Alexander and Susan married they lived in Kansas for a while before moving further west. They were looking for another place to start up, as well as a place that would be easier on Alex's chronic asthma. Miguel Otero encouraged them to move to Lincoln, New Mexico where he hired Alex as an attorney. In Chamberlain's story, we learn what the Lincolniters said about Susan and Alex, who was godfather to which children, who held what positions in town, and additional information about the famous names of the Lincoln County War from the viewpoint of the McSweens.

Susan often found herself challenged by her husband's needs and shortcomings. In fact, many times she was called upon to hold him up according to John Tunstall, a partner of sorts to Alex. I won't go into the details of that relationship, the Lincoln County War, or the burning of the McSween home. That information can be found in other books written by other people. What I found most interesting was the research done on Susan's life after Alex was murdered and her failed quest for justice against Colonel Dudley, the commanding officer at Fort Stanton. Susan turned her back on Lincoln (phrase used by the author) and started her life over once again. Susan's good friend, cattleman John Chisum, helped her by gifting her forty head of cattle which eventually, through Susan's efforts, grew to over three thousand. She became a real hands-on cattle queen learning everything

about the business including types of grass, water, construction, fencing, etc.

Five years after the Lincoln County War, Susan married George Barber (often ill in bed for weeks at a time). They got into a land-buying frenzy while George read law with Ira Leonard and searched for land to purchase. Years later they divorced but Susan continued buying – sometimes diamonds and other jewels. She wanted to live the life of royalty; after all, she could trace her heritage back to Emperor Frederick I – often called Barbarossa because of his red beard (1150-1190).

Unfortunately, her good times vanished when cattle prices plunged and silver mines dried up. She sold properties and once again had to fight to survive. In the end, she surrendered to the economic times by living with much less and the fact that the public was more interested in the legend of Billy the Kid than the truth of the Lincoln County War, something she was very eager to share – but no one ever asked her. Chamberlain lists the authors who paraded through Susan's life and the movies about the Lincoln County War that enraged her. Susan died at eighty-six years of age in 1931. Fortunately for us, eighty-some years later, Kathleen Chamberlain heard Susan's voice and is now sharing it with us. Undeniably, Susan was a determined and decisive woman who fought hard and stood strong with others who were also doing their best (or worst) to survive the lawlessness of the Wild West.



THE KID

Las Vegas Gazette, Dec 28, 1880

Interview With Billy Bonney The Best Known Man in New Mexico

With its accustomed enterprise the GAZETTE was the first paper to give the story of the capture of Billy Bonney, who has risen to notoriety under the sobriquet of "the Kid," Billy Wilson, Dave Rudabaugh and Tom Pickett. Just at this time everything of interest about the men is especially interesting and after damning the party in general and "the Kid" in particular, through the columns of this paper, we considered it the correct thing to give them a show.

Through the kindness of Sheriff Romero, a representative of the GAZETTE was admitted to the jail yesterday morning.

Mike Cosgrove, the obliging mail contractor, who had often met the boys while on business down the Pecos, had just gone in with four large bundles. The doors at the entrance stood open and a large crowd strained their necks to get a glimpse of the prisoners, who stood in the passageway like children waiting for a Christmas tree distribution. One by one the bundles were unpacked disclosing a good suit of clothes for each man. Mr. Cosgrove remarked that he wanted "to see the boys go away in style."

"Billy, the Kid" and Billy Wilson who were shackled together stood patiently up while a blacksmith took off their shackles and bracelets to allow them an opportunity to make a change of clothing. Both prisoners watched the operation which was to set them free for a short while, but Wilson scarcely raised his eyes and spoke but once or twice to his compadre. Bonney, on the other hand, was light and chipper and was very communicative, laughing, joking and chatting with the bystanders.

"You appear to take it easy" the reporter said.

"Yes! What's the use of looking on the gloomy side of everything. The laugh's on me this time," he said. Then looking about the placita, he asked "is the jail at Santa Fe any better than this?"

This seemed to trouble him considerably, for, as he explained, "this is a terrible place to put a fellow in." He put the same question to every one who came near him and when he learned that there was nothing better in store for him, he shrugged his shoulders and said something about putting up with what he had to.

He was the attraction of the show, and as he stood there, lightly kicking the toes of his boots on the stone pavement to keep his feet warm, one would scarcely mistrust that he was the hero of the "Forty Thieves" romance which this paper has been running in serial form for six weeks or more.

"There was a big crowd gazing at me wasn't there," he exclaimed, and

then smilingly continued, "Well, perhaps some of them will think me half man now; everyone seems to think I was some kind of animal."

He did look human, indeed, but there was nothing very mannish about him in appearance, for he looked and acted a mere boy. He is about five feet eight or nine inches tall, slightly built and lithe, weighing about 140; a frank open countenance, looking like a school boy, with the traditional silky fuzz on his upper lip; clear blue eyes, with a rougish snap about them; light hair and complexion. He is, in all, quite a handsome looking fellow, the only imperfection being two prominent front teeth slightly protruding like squirrel's teeth, and he has agreeable and winning ways.

A cloud came over his face when he made some allusions to his being made the hero of fabulous yarns, and something like indignation was expressed when he said that our Extra misrepresented him in saying that he called his associates cowards, "I never said any such thing," he pouted. "I know they ain't cowards."

Billy Wilson was glum and sober, but from underneath his broad-brimmed hat, we saw a face that had a by no means bad look. He is light complexioned, light haired, bluish-gray eyes, is a little stouter than Bonny, and far quieter. He appeared ashamed and not in very good spirits.

A final stroke of the hammer sent the last rivet on the bracelets, and they clanked to the pavement as they fell.

Bonny straightened up and then rubbing his wrists, where the sharp edged irons had chafed him, said:

"I don't suppose you fellows would believe it but this is the first time I ever had bracelets on. But many another better fellow has had them on too."

With Wilson he walked towards the little hole in the wall to the place which is no "sell" on a place of confinement. Just before entering he turned and looked back and exclaimed: "They say, 'a fool for luck and a poor man for children' -- Garrett takes them all in."

We saw him again at the depot when the crowd presented a really warlike appearance. Standing by the car, out of one of the windows of which he was leaning, he talked freely with us of the whole affair.

"I don't blame you for writing of me as you have. You had to believe others' stories; but then I don't know as any one would believe anything good of me anyway," he

said. "I wasn't the leader of any gang -- I was for Billy all the time. About that Portales business, I owned the ranch with Charlie Bowdre. I took it up and was holding it because I know that sometime a stage line would run by there and I wanted to keep it for a station. But, I found that there were certain men who wouldn't let me live in the country and so I was going to leave. We had all our grub in the house when they took us in, and we were going to a place about six miles away in the morning to cook it and then "light" out. I haven't stolen any stock. I made my living by gambling but that was the only way I could live. They wouldn't let me settle down; if they had I wouldn't be here today," and he held up his right arm on which was the bracelet.

"Chisum got me into all this trouble and then wouldn't help me out. I went up to Lincoln to stand my trial on the warrant that was out for me, but the territory took a change of venue to Dona Ana, and I knew that I had no show, and so I skinned out. When I went up to White Oaks the last time, I went there to consult with a lawyer, who had sent for me to come up. But I knew I couldn't stay there either."

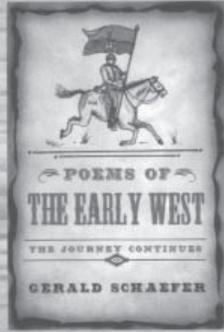
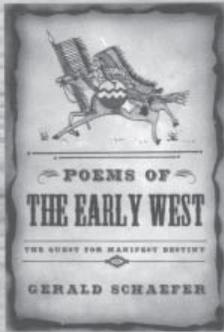
The conversation then drifted to the question of the final round-up of the party. Billy's story is the same as that given in our Extra, issued at midnight on Sunday.

"If it hadn't been for the dead horse in the doorway, I wouldn't be here. I would have ridden out on my bay mare and taken my chances of escaping," said he. "But I couldn't ride out over that, for she would have jumped back, and I would have got it in the head. We could have staid in the house but there wouldn't have been anything gained by that for they would have starved us out. I thought it was better to come out and get a good square meal -- don't you?"

The prospects of a fight exhilarated him, and he bitterly bemoaned being chained. "If I only had my Winchester, I'd lick the whole crowd" was his confident comment on the strength of the attacking party. He sighed and sighed again for a chance to take a hand in the fight and the burden of his desire was to be set free to fight on the side of his captors as soon as he should smell powder.

As the train pulled out, he lifted his hat and invited us to call and see him in Santa Fe, calling out adios.

—Contributed by Cal Traylor



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THE
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BILLY THE KID.

\$500 REWARD.

I will pay \$500 reward to any person or persons who will capture William Bonny, alias The Kid, and deliver him to any sheriff of New Mexico. Satisfactory proofs of identity will be required.

LEW. WALLACE,
Governor of New Mexico.

