

Lincoln County Historical Society

Newsletter, Summer 2010

The Assassination of Sheriff Brady

by Elise Gomber

The Lincoln County War was begun when a posse of men, deputized by Sheriff William Brady, murdered young Englishman John Henry Tunstall on February 18, 1878. The posse had ostensibly been chasing Tunstall in order to attach some stock Tunstall and his men were driving from Tunstall's ranch on the Feliz River to Lincoln, but the posse's real motivation was clear – eliminate John Tunstall as an economic threat to businessmen James Dolan and L.G. Murphy, who had Sheriff Brady in their pocket.

Naturally, Tunstall's murder did not sit well with his friends and employees (among them, a young cowboy known then as "Kid Antrim" and known to us now as "Billy the Kid"). These men banded together and called themselves "The Regulators," as they meant to regulate justice against Murphy and Dolan's men.

On April 1, 1878, in the town of Lincoln, six Regulators (Billy the Kid, Jim French, John Middleton, Frank McNab, Fred Waite and Henry Brown) were eating breakfast inside the Tunstall store after having spent the night sleeping within the protection of the store's fortress-like, thick adobe walls. They had spent the night there with Tunstall's former clerk, Sam Corbet, and the odd, self-aggrandizing Robert Widenmann who was a Regulator and had been with Tunstall and the rest of his party on the day of his death. Widenmann had proven his bad judgment on a number of occasions, and in his letters to those not directly involved in the Lincoln County War, always portrayed himself as the hero in any situation (when he was clearly a liability to the Regulators more than an asset).

Suddenly, one of their number saw Sheriff William Brady and four of his deputies walking down the street toward the courthouse. (It should be noted that the courthouse at that time was a building now referred to as the "Convento," located east of the Tunstall store. It was not the modern-day courthouse, which at that time was still owned by James Dolan and business partner John Riley.)

According to survivors, the sheriff and his men were on their way to tack a notice onto the courthouse, but they were all extremely well-armed (although I cannot imagine trying to go buy a quart of milk during the Lincoln County War without carrying a .45). This explanation for why they were on the street that day is one of several.

There are a few possibilities regarding why the Regulators decided to ambush the sheriff and his men. One is that they were out for spontaneous revenge. Another is that either McSween ordered the killing, or the killing was made to protect McSween from arrest and murder at the hands of the sheriff. In any case, before the day was through, William Brady's wife would be a widow, pregnant with their ninth child.

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Lincoln County Historical Society

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Class postage is paid at Lincoln County.

The Society is a non-profit, nonpartisan organization, begun in 1970 to further the education of the life and history of Lincoln County, New Mexico.

A second printing of the Historical Society's Publication Number 3, "**Pioneer Stories**" is being prepared and printed by Print Write Now in Ruidoso and will be available soon.

This popular collection of stories has been rescanned and revised by Marilyn Burchett and will be a valuable addition to our publication lineup.



That's right ! It's that time of year again ! Please send your dues to Sadie Mann at P. O. Box 77, Lincoln, New Mexico 88338

We appreciate it !

NEW WEBSITE IS UP!! LCHS has a new website that is up and running ! Renew your membership, buy books, check upcoming programs, photos, and more! Check it out at
www.lincolncountynm.org

If you would like more information about the Lincoln County Historical Society, such as how to become a member, please contact board member Sadie Mann at 575.653.4272

Lincoln County Historical Society

2010 Schedule of Events

July 10 – LCHS Field Trip* – Nogal Mesa Ranger Station

Gary Cozzens will speak about the Ranger Station, the Jornada Mogollon culture and the Bonito Pipeline at the site of the Nogal Mesa Ranger Station just 0.7 miles west of Highway 37, on Ranger Road, turn west between mile markers 5 and 6. Bring a picnic lunch about 11:30am if you like, program will begin at 1pm.

August 7 - LCHS in Ft Stanton Live: Historical Presentations

September 11 (tentative) - LCHS Field trip* – UFO Crash Site
Martha Proctor will lead field trip to UFO Crash Sites in the Corona area

October 3 - LCHS Annual Meeting – pot luck at noon with program to follow
slideshow and tour of historic Carrizozo Buildings
with Ray Dean and Richard T. Bryant at home of Gwendolyn Rogers Barela in Carrizozo

*Member Field Trips \$10 Donation Per Person

Join Now by Filling Out the Enclosed Membership Form !!!

All Members of LCHS and interested parties !
Please send your e-mail address to: explorenm@yahoo.com

*Of course, your e-mail address will not be given to any other organization,
and will only be used to notify you of happenings within the LCHS.*

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The six Regulators inside the building hurried out the back door, up a side alley, and behind an adobe wall with a picket fence near its center. From here, they opened fire on Brady and his men who, by the time the Regulators got into position, were a short distance to the east. Corbet and Widenmann were not involved in the fracas (Widenmann later claimed, rather ridiculously, that he had been busy feeding Tunstall's dog). Unfortunately for the Regulators (and fortunately for three of Brady's deputies), there seems to have been no discussion among the six shooters about who was going to shoot whom in the sheriff's group. Consequently, Brady hit the ground with at least nine shots in him.

His deputy, George Hindman, was also hit, staggered a bit, and was hit again and killed, but no other deputies were killed (Deputy Billy Mathews, whom Billy the Kid hated, was grazed, so it's likely Billy was shooting at Mathews instead of, or in addition to, Brady). Hindman survived long enough to beg for water, which was brought to him by a bystander.

The killing of Brady and Hindman was a public relations disaster for the Regulators. Prior to the killings, the Regulators had had public favor – few in the public endorsed the murder of Tunstall or the corruption which had preceded it. In fact, many members of the public had gone so far as to stand guard at the door of Alexander McSween, Tunstall's business associate and subsequent leader of the Regulator faction. The Brady killing, however, smacked of assassination (as well as leaving behind it the widow Brady and her nine children) and effectively ruined the reputation the Regulators had as righteous avengers.

Although the Regulators had lost favor with many, their staunch supporters, like McSween's friend and fellow attorney Montague Levenson, continued to bolster the Regulators' cause. Levenson, in a letter to President Rutherford B. Hayes about the Brady killing, argued that Brady was on his way to arrest and murder McSween. Levenson goes on to refer to the six Regulators as "being among the best citizens in the county." Despite Levenson's obvious partisanship, could there be a nugget of truth in his assertion that Brady meant to murder McSween as he had (indirectly) murdered Tunstall? If so, this would imply that the Regulators responsible for Brady's assassination exercised forethought in the Brady killing.

Is it more likely that the killing was a spontaneous one driven by vengeance for Tunstall, not concern for the safety of McSween? Only two of the five men the Regulators were shooting at were killed. Brady was riddled with lead while three of his men escaped almost unscathed. Had there been a pre-existing plan, it seems probable that the Regulators would have decided ahead of time who would shoot at whom and all five men would have been executed, or at least wounded. Still, as any combat veteran will tell you, strange things happen in the heat of a gun battle.

Notably absent from the Regulator group at the time of Brady's killing was their captain, Richard Brewer. Had Brewer (almost always a cool head) been present, Brady would likely not have been killed, at least not on April 1. Brewer's absence (he had elected to spend some time looking after his ranch on the Ruidoso River) certainly gave free reign to the "hothead" element of the Regulators, as the six Brady assassins were called.

Brewer's leadership often averted violence, both during and prior to the shooting war, and during the two incidents which gave the Regulators something of a bad reputation (Brady's killing and the earlier killing of two of Dolan's henchmen, William Morton and Frank Baker), Brewer had been absent.

In the case of the Morton / Baker killing, Brewer was riding drag, too far behind the men who did the shooting to have prevented it. The Regulators had chased down Morton and Baker (both of whom were in the posse that killed Tunstall) and were taking them back to Lincoln. During the trip, William Morton requested permission to write a letter to a cousin. Brewer granted permission and Morton's letter reveals his fears that he and Baker would be killed.

His fears were well-founded. At a place called Black Water, Morton and Baker were shot, either while trying to escape, or by execution, depending upon whether you believe the version of events set forth by the Regulators or by Jimmy Dolan (who was not present). Whatever the case, it had to have occurred to the Regulators that when they reached Lincoln, they would be handing Morton and Baker over to the same sheriff (Brady) who had deputized them to kill Tunstall in the first place.

Brewer had been riding a distance behind the rest of the party and was therefore unable to prevail upon his men not to shoot their prisoners, regardless of circumstance. I argue that Brewer would have prevented the killing of the two. He had vowed to take them both back to Lincoln safely, evidenced by his allowing Morton to post his letter and his taking them prisoner in the first place instead of shooting them both upon capture. If he'd meant to see them killed, he needn't have taken them all the way to Black Water to do it. Had Brewer remained with the group, Morton and Baker would have arrived safely in Lincoln and Sheriff Brady would not have been assassinated.

Although six men were charged with Brady's killing, only one was ever tried, and it was he who was sentenced to die for the crime. This man was Billy the Kid. In April of 1881, Billy was convicted for Brady's murder and sentenced to hang on May 13. This was a date with the hangman that Billy was never to keep.

My theory that buying a quart of milk during the Lincoln County War would require you to be armed (and perhaps ask your friends to cover you) applies to gardening as well. In a side note, just before Brady was shot, a local Justice of the Peace, John B. "Green" Wilson, was tending to his garden, which was located very near the street down which Brady was walking. At the time the firing commenced, Wilson was bent over, his derriere toward the street. A stray bullet struck him directly...you guessed it... in the buttocks. Wilson later moved his house and garden back against the mountain, far from the road and any further stray bullets. Yes, living in Lincoln in the 1870's could be quite a pain the – uh...neck.

Sources:

The Lincoln County War: A Documentary History by Frederick Nolan

History of the Lincoln County War by Maurice G. Fulton

Warriors of Lincoln County by Philip Rasch

Nogal Mesa Ranger Station

By Gary Cozzens

With the establishment of the Lincoln National Forest on July 26, 1902 the United States Forest Service needed a system to manage the forest. A series of Administrative Sites were designated in the forest, all before New Mexico's statehood.

One of those sites in Lincoln County can be found on the eastern slopes of the Sacramento Mountains. This site was located on the Nogal Mesa a couple of miles south of the then-thriving village of Nogal.

Originally established in May 1908 as the Mesa Ranger District located at the Mesa Administrative Site, the Station provided services to the U. S. Forest Service and local citizens for 50 years before the services were moved to Ruidoso.

The site was identified as the Mesa Ranger District from May 1908 until October 1929. During this time there were eight Rangers in charge of the site including Lee Galt who was Ranger two different times during this period.

During this time the Rangers traveled to outlying sites and ranches in the District by horse. Other sites in the Mesa Ranger District were located at Patos Mountain, the Block Ranch (north of the Capitan Mountains) and Baca Campsite. In 1926 the USFS brought telephone service to the area when it established telephone lines between the districts and sites.

During this time, one Ranger, Willard F. Bond, kept a daily diary of his activities. The diary provides great insight into the day-to-day duties of a Ranger in the Lincoln National Forest which include fire suppression, range management, working with local ranchers and supervising timber allotments. The diary is on file at the Lincoln National Forest office in Alamogordo.



Nogal Mesa Ranger Station c. 1930, courtesy of Mary Guck Crenshaw.

In October 1929 the Mesa Ranger District was combined with the Ruidoso Ranger District to become the White Mountain Ranger District with the offices still located at the Mesa Administrative Site located on the Nogal Mesa. There were six Rangers during this tenure including Lee Galt who had previously been Ranger twice during the preceding period.

In 1934 the Civilian Conservation Corps (CCC) worked on erosion control of the Magado Creek building several dams on the creek above and below the Ranger Site. The CCC also built a bridge at the site as well as the barn which is the only remaining original structure on the site. The barn was an engineer model at the time in that hay for USFS horses was lifted into the upper portion of the barn and then sent down shoots to the horses.

In July 1952 the District was renamed the Ruidoso Ranger District and this continued until February 1958 when the District Offices were moved to Ruidoso. There were two Rangers during this period, including Tom Guck who was also the last Ranger during the Ruidoso Ranger District designation.

The site continued to be used by the USFS and Claude Hobbs, a range rider for the USFS lived there from 1958 until 1964. He was followed by Paul Jones who lived in the house from 1958 until 1971 but worked at the Smokey Bear Ranger District in Capitan.

The site was abandoned in the 1970s and the Ranger Station building was sold to Ray Gray and moved into Ruidoso in 1976. The only building left at the site is the barn which was built by the CCC in 1934.

While the Ranger Station alone is of great historical significance, the area also has Jornada Mogollon sites, is associated with the Bonito Pipeline where the station got its water and a geology camp site used by Texas Tech University during the 1930s and early 1940s.



The barn as it currently appears. Photograph by Richard T. Bryant

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