NEW YORK HISTORY.

THREE GREAT FORGERY CASES.

Forgery, Insanity, and Expertism in New York City During the Past Half Century.

Forgery and expertism in the defence of crime because of moral irresponsibility have been recently much to the fore in our courts of justice and in the reports of THE SUN. But fifty years ago, as well as during a few years later, forgery was extremely frequent in criminal annals, while of recent years it may be said to have been of comparatively rare occurrence. During the same previous period mental irresponsibility as a defence to felonies based upon evil intent was in its infancy and was only timidly put forth by defending lawyers.

The year 1842 witnessed in this city the most celebrated case founded on forgery that this country had theretofore known by the trial, before Judge William Kent in the City Hall, then the only court house, of Monroe Edwards, a *sei disant* Kentucky Colonel. Fourteen years later another great case, involving both forgery and the defence of insanity, had peculiar features which interested the whole Union. It was the trial in the General Sessions of Charles B. Huntington, who was charged like Edwards with colossal forgeries. At the Edwards trial William M. Evarts made his first prominent professional appearance. He was then a very junior barrister, and was associated in the defence with Senator John J. Crittenden, the eloquent and erratic Congressman Tom Marshall, also of the Blue Grass State; Jonathan Prescott Hall, Robert Emmett, and ex-Federal District Attorney William M. Price, who later committed suicide in a public pistol gallery. District Attorney James R. Whiting, familiarly known because of his pungent acerbity in attack as "Little Bitters," and Ogden Hoffman, the greatest orator the New York bar ever knew, were joined for the prosecution. Edwards, the accused, was the kind of a man that this generation knows as a Svengali; adroit, hypnotic, and adapting means skilfully toward ignoble ends. He was also one whom theatre goers know as Jim the Penman, or an imitator of any handwriting. Edwards possessed business talent and executive ability, which, if honestly exercised, might have made him one of the most eminent of commercial men. By forging letters of credit upon merchants and shippers in all parts of the country, as well as bills of exchange and promissory notes, for the circulation of which many kinds of forged names were necessary, he obtained as the climax of his offences the sum of $50,000.

He was placed upon trial after having been intradited from another State for that purpose. The trial lasted seven days, two of which were consumed in obtaining unbiased jurors. The method of jury challenges was then much involved and curious for this generation. When a juryman was challenged the Judge appointed two bystanders, usually lawyers, to serve as triers of his competency. Nowadays the Judge himself is the exclusive trier. Counsel pro and con then examined and cross-examined the juror, and next addressed the triers in a summing up upon the answers, after which the Judge duly charged and instructed the triers. If they rendered a verdict of "competent," the juror was sworn unless peremptorily challenged. If their verdict was "incompetent," another juror was called. When two jurors had been obtained the original triers retired, and those two jurors continued as triers until the panel was complete. It was during this challenging process that Evarts first displayed that resourceful ingenuity which has always since been his possession and is now shared by his partner, Choate. The Edwards trial throughout became a keen encounter of technical wits, and the several addresses to the jury were of surpassing eloquence; but the suave Colonel was convicted and duly sentenced to the Sing Sing State prison, which, as few know, bears the ironical statutory title of Mount Pleasant. Edwards had wasted much of his possessions, but he had saved some of his ill-gotten gains, notwithstanding that his counsel fees were, of course, large, though in those days lawyers' fees, now reckoned with four figures in similar cases, were estimated rather by three figures. All expenses in 1842, adjudged by comparison with the to-day, were small. Edwards, by the aid of his money, for wardens and keepers were then amenable to bribes, had a comparatively easy confinement; but he, because of his previous excesses, only lived out his ten years' sentence by one-half, when "somebody" obtained the rest of his plunder.

That year was unusually pregnant with many notable events. It was distinguished by the arrival of the author of "Pickwick," "Nickleby," and "Oliver Twist," and by the Park Theatre ball, given in his honor under auspices of a committee of one hundred New Yorkers, headed by Washington Irving, [illegible] of which Parke Godwin and ex-Recorder [illegible] M. Smith are now the sole survivors. It was marked by the murder of Mary Rogers, so startlingly commemorated by the then young Edgar Allen Poe; also the arrival of Lord Ashburton to settle with Secretary Webster the northeastern boundary question, which had produced as great international excitement as the seal fisheries and Venezuela questions have recently aroused. The introduction of Croton water was commemorated by a great procession seven miles in length and other civic rejoicings; also by a depression in business so great that the mean depreciation of marketable stocks reached an average of 46 per cent.; also by the duel between Marshall, who defended Edwards, and James Watson Webb, editor of the New York *Courier and Enquirer*, the father of Seward Webb, so named in honor of Gov. Seward, who on Webb's arraignment for participation in the duel felony gave him a pardon. In spite of all these stirring events the trial of Monroe Edwards was the star feature of New York's history of 1842.

Another great forgery case was that of Charles B. Huntington, a note broker of Wall street, who during two years carried on a daring campaign of forging the promissory notes of some of the most wealthy firms of this city. These forgeries at first were skilfully manipulated, but, at last, emboldened by impunity, they were so carelessly handled as to lead to his exposure. One batch of forgeries discounted by capitalists would be duly paid by the emission and discount of a fresh batch of increased amounts, and so on, month after month, the old forgeries being taken up and destroyed. Meanwhile, he lived luxuriously with his bedizoned wife, as a valid with invalid domesticity, lavishing extravagant presents on his illicit favorites. He also entertained sumptuously, and attracted increased attention by the splendor of his horses and carriages. With him was realized Poor Richard's proverb of "light come, light go." No more modern nitrate king nor any Barney Barnato ever "cut the dash" that this Wall street note broker did. He scoured the city for paintings, sculpture, bric-à-brac, and costly laces, shawls and furs. Of winning manners, he inspired universal confidence, which became his nefarious capital. At last, as Henry Dunbar in Miss Braddon's novel of that name, exclaimed when his own crimes came to light, "the devil who had stuck so bravely by me deserted me." The banker Belden, who died recently in Europe, was one of his victims, and he, finally, to use the slang of the Stock Exchange, "tumbled to his methods." Belden detected among his discounted paper a large forgery upon the great firm of Phelps, Dodge & Stokes; the Dodge, whose statue stands in Herald square, and the courtly and philanthropic James Stokes, father of the millionaire and generous W. E. D. Stokes.

Indictments were found on Belden's and the firm's complaints, and were skilfully drawn by Elbridge T. Gerry, then a young and ambitious lawyer in the office of William Curtis Noyes, so eminent as a counsellor forty years ago. Mrs. Huntington, shocked by the exposures, for she had been told that her husband's wealth came through successful stock operations, came to the District Attorney with at least one hundred thousand dollars' worth of jewels, vainly offering them as security for bail. Huntington employed James T. Brady, the then acknowledged leader of the criminal bar, who, unusually fertile in resources, set up the defence of moral insanity, urging that Huntington's reckless operations and reckless, and indeed motiveless, expenditures proved that his mind was disordered, and that he had no appreciation of the right or wrong of his acts either in obtaining or spending his moneys.

This defence created unparalleled excitement, and it became the theme of pungent editorial comment in every newspaper, and the one topic in commercial circles. The excitement became intensified when Brady produced as an expert in support of his novel theory the late Willard Parker, Sr., who, as physician and surgeon, ranked in medical annals as the compeer of Abernethy, Astley Cooper, and Valentine Mott. William Curtis Noyes, appointed acting Attorney-General, was placed in a peculiar position by the testimony of Dr. Parker, who had long been his own physician. But, undaunted by the intimacy, Mr. Noyes conducted a courteous, cool, and synthetic cross-examination of the doctor's novel views as an expert. Dr. Parker, however, stoutly and ably defended his theory that Brady's client was morally perverted to such an extent as to overthrow his ethical responsibility and acquit him of criminal intention. He testified that all of Huntington's actions displayed hallucinations which dethroned reason according to the legal principles laid down by the twelve highest Judges in England on the review of the case of Oxford, charged with an attempt to murder Queen Victoria by shooting at her upon one of her carriage airings. Noyes's cross-examination was entirely in the light of *argumentum ad absurdum*. In his address to the jury he ridiculed moral insanity, and claimed that under its theory few felons could be convicted, because in nearly every case their moral appreciation of right and wrong was perverted.

Mr. Brady made an appeal in answer conspicuous for its eloquent ingenuity, but Huntington was convicted and expiated his offence in State prison. Like the forger now on trial in the Centre Street Court, Huntington had foolishly retained documents and memoranda which incriminated him and mainly proved his guilt of deliberation. It was in this case that the now famous "hypothetical question" took birth in this city. It was not at its origin as diffuse as it has recently become, for Mr. Brady, who framed it, was a master of concise phraseology, and the question as it appears in the printed volume of the trial in legal book stores and in libraries constitutes in itself a brief, romantic story, since it comprehensively detailed the prominent actions of Huntington throughout his operations, as Brady had proved them by those with whom his client had had all his startling dealings. Mr. Noyes also framed and put a cross-examining hypothetical question that was similarly comprehensive, yet comparatively concise and equally ingenious. In fact, his question when read seemed to be a summing up for the prosecution. Although discomfited by the verdict and severely criticised by the press for his expertism, Dr. Parker stuck by his theoretical guns to the day of his death, and undoubtedly later books on medical jurisprudence go far toward admitting the existence of certain attributes of moral insanity. Of all the participants in the Monroe Edwards trial, Judge, jurors, witnesses, and counsel, only Evarts survives; although Benjamin D. Silliman, now in his 93d year and daily practising his profession in full mental and physical vigor, was an interested legal spectator at that great trial. Of participants in the Huntington trial, only Elbridge T. Gerry and District Attorney Oakey Hall survive.

A decade later New York, and Wall street especially, was shocked by the arrest of Edward B. Ketchum, a son of an eminent and greatly honored philanthropic banker, on the charge of forging gold certificates to an amount reaching into the millions. Gold was at an enormous premium, and by statutory authority its storers were permitted to issue against their possessions representative paper certificates similar to those now used by the Federal Government. These were by custom made current from hand to hand, and the certificates in blank were readily obtainable at stationers. Young Ketchum, as a broker, had caught the stock fever, and he became an operator on a large scale upon his own account, and without the knowledge of his relatives. He had command of capital enough for reasonable speculations on the Stock Exchange, but he was seized with what Dr. Willard Parker denominated, remembering his Huntington experience, "the millionaire mania." Nothing would satisfy young Ketchum except to become a Wall street king, like the Drews, the Jacob Barker of the past, or the Leonard Jerome and Addison Cammack of his own time. He could think and talk of little else than unbounded wealth, and if ever the theory of moral insanity could apply to any one, that man was young Ketchum. His plan was to fill up the blank certificates with huge amounts and forge to these as holders of gold the names of well-known operators, mainly in foreign houses, who dealt in the yellow metal. Ketchum may have read the couplet of Thomas Hood in his famous poem of "Miss Kilmansegg and Her Golden Leg."

> Gold! Gold! Gold! Gold!
> Bright and yellow, hard and cold,
> Spurned by the young, but hugged by the old
> To the very verge of the churchyard mould.

He did not take risk of discovery by negotiating these forged certificates in open market, but deposited them in banks as collateral for loans that constituted his stock-operating capital. As his own discounted notes became due he would either renew with freshly forged and newly dated certificates, or rob one Paul bank by new forged collateral in order to pay some pressing Peter bank. As in Huntington's case, fresh forgeries were substituted for old ones. Ketchum's stock operations, on the average, showed clever discernment of the workings of the stock market. With the presumed backing of his millionaire parent and other wealthy relatives, his operations did not excite attention, and only a chance meeting at luncheon of a bank President with one of the gold operators exposed the forger. As events turned out, only the exposure prevented Ketchum from realizing enough on his margined stock to retire all the forged certificates, when he could have retired with publicly clean hands with his secret known only to his conscience, or, emboldened like Huntington, he could have renewed colossal operations in crime. All the while Ketchum, unlike Huntington and Edwards, lived unostentatiously and made no display. He was not so intent upon the enjoyment of riches as upon the mere possession of them.

At the luncheon referred to the conversation turned upon the gold market and its premium, and reference was made by the bank President to the very large amount of gold that the other was carrying as represented by the collaterals of Ketchum in his bank. The operator rejoined that since the premium seemed likely to fall he was not now carrying much gold. "Not much?" exclaimed the President, "why, not to betray names, a customer of ours has up as collateral gold certificates of yours representing the sum of ——," naming a stiff amount. Somewhat alarmed, the operator returned with the President to the bank, and when shown the collaterals pronounced them forgeries.

By some undiscovered method Ketchum, as the police phrase it, "got wind of the upshot," and when searched for at his office was not found. Neither was he to be found at his residence. A newspaper publication of the news of the forgery discovered resulted in the unearthing of other forged certificates, and the hue and cry for Ketchum waxed hot and furious, for half a dozen banks were liable to unprecedented losses. A European steamer had sailed late in the afternoon, and at first it was supposed that the forger had managed to escape on board of it. Meanwhile, however, the police were searching in various home directions. Day by day passed and there were no signs of Ketchum, either at his home or elsewhere, and the suicide theory came into vogue. At last a laundress, who was a reader of THE SUN, appeared at the police station and stated she had recently washed linen bearing the initials, E. B. K.; "and was not those the monograms of the man wot they were all looking for?" Then in that station house was contradicted the line in a comic opera reading: "The policeman's lot is not a happy one;" for were not rewards out and the prestige of capture now in sight?

The laundress was accompanied to the house from which she had obtained the linen. It was one whose proprietress let furnished rooms.

"Yes, I have a young lodger whose name is Kelsey, a newspaper man, who is in the house all day and goes out at night to his paper work." It was then evening and he was out. The detective waited. After examining the room, the appearance of the occupant's clothes, and some recently made cabalistic figures upon some writing paper, he became convinced that he was upon the right scent. Soon the "Mr. Kelsey" returned and, of course, philosophically submitted to arrest. He had had the sense to take a name corresponding to his own surname initial as marked on his linen, but with that shortening of precaution that leads so many clever deceivers toward detection, he had forgotten the other telltale letters E. B.

Having made himself a voluntary prisoner in his lodging house for days, he made himself an involuntary prisoner for five years at Sing Sing by pleading guilty to one indictment while half a dozen other charges impended. The files of THE SUN of that day evidence what a sensation the whole affair produced. Consideration for Ketchum's accomplished and beautiful wife, and for the probity and virtue of his admired and respected sire, prevailed in the mercy shown. Ketchum became a model convict and served as an accountant and clerk in the office of a prison contractor. While in prison the ruling passion was strong in what was really his living death; for being allowed at times newspapers, his bent was to follow the stock market and make imaginary purchases and sales with imaginary capital. Prison rumor had it that these operations were so clever that his contractor employer, at first noting their accuracy and results, soon traded himself upon them with handsome profits.

At the conclusion of his term of imprisonment, much reduced by good behavior and undoubted penitence, Ketchum went to a Southern city, and there embarked in business with honest success. As for his after life, we may apply the curt phrase that ends the history of Livy, *cætera desunt*.

There are mentioned in the criminal annals of the city many subsequent forgeries and convictions; but their perpetrators were mainly among commonplace criminals, while the social position of Edwards, Huntington, and Ketchum threw around their cases a glamour of sensation, heightened by the more or less romantic surroundings of their criminal acts.

It is noticeable that there is now pending in this city a case wherein a forger pleads his insanity as an excuse; and possibly, if the plea be considered, the law and proceedings settled in the aforesaid Huntington case may become applied. The moral of it all is doubtless the expression heretofore quoted: "The devil stuck bravely by me, but at last he deserted me."

GASTRONOMIC NOTES.

In "The Martian" Du Maurier tells of the sort of food supplied at French boarding schools, and by no means overrates its superior excellence. In no other country outside of France does the nutrition of growing youth receive higher consideration. If the meals served at schools there be compared with those given at similar institutions in England, the merit of the French system will be apparent. The simple first breakfast of coffee and rolls, the second consisting of *hors d'œuvres*, a dish of meat or fish, one vegetable, salad, and a sweet, and the dinner at 6 o'clock of similar composition, with the addition of soup, supply just what is needed to encourage mental effort and satisfy physical well-being. In England an entirely different system is in vogue. Breakfast at an English boarding school is a substantial meal served at 7 o'clock. In most cases it consists of fish, ham, or bacon, eggs, and porridge three or four times a week, with plenty of milk and sugar, and bread and butter. A most solid repast, lacking, however, in a sufficiency of green vegetables. Supper at 6 o'clock is mainly farinaceous. It consists of tea, bread, and butter. Dr. Savory, medical officer of Haileybury College in England, in a paper treating of this subject, says that it is the complaint of English teachers that the work done by schoolboys after dinner is not of much use. The Doctor thinks that it is unfortunate that they cannot have a half holiday every day to digest their dinner. He would also allow a glass of mild beer. He contends that about one boy in four drank two glasses of it in summer. He thinks it unwise to absolutely forbid alcohol, as a boy always craves that which is forbidden. At French boarding schools the pupils drink light claret mixed with water at every meal except breakfast. The nutrition of French school boys is thoroughly adapted to their habits and environment. The English in feeding their's believe in bulk in food as more conducive to digestion, and the demands of intense muscular effort exacted by the athletic exercises in which they indulge.

In most cases Europeans comment with intelligence and discrimination upon the gastronomic achievements of Americans. Now and again, however, a foreign writer on this topic displays malevolence and ignorance worthy of a critic of fifty years ago. In a recent issue of an English journal, a contributor, in writing of the American cuisine, opens the subject with the remark that next to air, ice water is the staple American food. He says that until quite recently there was a strong feeling against the use of wine, spirits or beer at meals. He cites the case of an Englishman who was ostracized at a fashionable watering place or summer resort, because he drank a bottle of beer at luncheon. Of our meats the writer says that they are coarse in grain, insipid in flavor, usually tough and invariably served half raw. He confesses, however, that his experience was mainly confined to hotels and restaurants. He praises Philadelphia squabs on toast, but denounces Little Neck clams as composed of rather sickly gristle. Of our fish he appears to blueish as superior to all others. Our salmon he does not regard with approbation. Of our dinners he has a poor opinion, with the exception of the sweets. He thinks we excel in those because they go well with our favorite beverage, ice water. He says that we like strong flavors; our sweets are sweeter than elsewhere, our salt fish saltier, and our pickled food more remorselessly pickled. He asserts that we serve apple fritters between the roast and entrée, and that the service of an American meal is modelled upon that of the quick lunch, wherein the maximum of food is stuffed into the stomach in the minimum of minutes. He illustrates this by citing the case of a young man who, at a quick lunch, has served to him at the same moment "soup, fish, three meats, four vegetables, two solids, two sweets, fruit, ice cream, ice water, coffee, sugar, cream, cruets, a jug of spoons, and Worcestershire sauce." Our one meal to which he accords praise is breakfast; this he pronounces "magnificent, but it is indigestion."

Bons vivants of the future, notwithstanding pessimistic predictions that the rapid disappearance of certain sorts of fish and game will make them unprocurable during the coming century, will not be confronted with any such deprivation. Sources of supply as yet untouched only await the demand to be exploited and yield returns as abundant as those now apparently on the verge of exhaustion. This is essentially true of migratory game birds and pelagic fish. Time and again the scarcity of mackerel has given rise to the assertion that their total disappearance was imminent, yet this year they were more numerous on our coast, and of larger size, than for twenty years past. This experience has been duplicated in the case of many other sorts. The same is true of woodcock and other migratory game birds. While there is constant complaint of this growing scarcity, the price at which they are sold is no larger than it was twenty-five years ago. For this we are indebted to the use of refrigerating processes, both in transportation and for the storage of all perishable food. Waters as yet unfished through the use of its system may be counted upon to meet all demands, and territory in which game has as yet not been molested except for inconsequent local demand will yield supplies sufficient to meet future requirements.

The number of crawfish now offered for sale in our markets for the making of bisques and for ornamentation of dishes may excite wonder as to where they are all procured. No other denizen of fresh water is so slow in attaining maturity. One from three to five inches in length requires from twelve to fifteen years to reach that growth; and, moreover, the adult female does not produce more than 150 young yearly; then, again, they are rarely found in waters frequented by eels and pickerel. A peculiarity of this creature is that it will not live long if kept in water back. It will be shipped by purchasers that they are rarely found in this position when offered for sale. Crawfish, unlike the oyster, are not considered seasonable in any month that contains an R. This probably is pure superstition hygienic foundation.

The sale of beer in syphons, like aerated waters, promises to revolutionize the bottling business. So far the experiment has only been attempted on a small scale, but its success justifies its extension. The syphons are made in various sizes, so as to meet the requirements of family use. The deterioration of beer in bottles when a single glass is drawn is entirely obviated by this new system. From quart or gallon syphons it may be drawn in such quantity as is desired with no loss of vivacity in that which remains. The adoption of this new method of supplying beer will for a time seriously affect the bottling business, as only large concerns, probably brewers, can afford to acquire the expensive and necessary plant. It is remarkable that the use of syphons for the sale of beer did not long ago come into vogue, as they offer a perfect medium for distribution.

NEW MEXICO'S BOY TERROR

SHORT BUT EVENTFUL CAREER OF BILLY THE KID.

He Began Killing at the Age of 12 and Kept It Up Till He Was 21, When Deputy Garrett Cut Short His Career—His Raids, Battles, and Sieges.

DENVER, Dec. 10.—Black Jack's band of stage and Post Office robbers, who have been operating in New Mexico and Arizona since last June, have apparently gone into temporary retirement owing to the vigorous pursuit made by Government officials. A posse of deputy United States marshals recently caught the band in a narrow cañon near the border line between New Mexico and Arizona, and a battle was fought that resulted in the death of Bob Hayes and the wounding of Black Jack. Another posse had entered the cañon from above, and it was supposed that the entire band would be either captured or killed, but they once more eluded their pursuers, and are now in hiding, safe from present capture. They have declared their determination to kill Deputy Loomis before they leave the country because he killed Cole Estes, one of their party, while they were attempting to hold up a Southern Pacific express train at Rio Puerce station.

It is believed that this is the same gang that waylaid and killed Col. Fountain and his son last spring while the attorney was returning from the county seat of Lincoln county to his home in Las Cruces. He had been prosecuting cases against cattle thieves, and their vengeance caused his death. Pat A. Garrett, who was then living in Texas, and had won a great reputation for bravery by the capture and killing of Billy the Kid, was sent for, was made Sheriff of Dona Ana county and was at once put on the case. As soon as the robbers learned that he was on their trail they disappeared from Dona Ana county, and never showed up in that vicinity again.

Sheriff Garrett is a quiet man, but famous throughout the country for his courage and skill in tracking criminals. He knows this region like a book, and is familiar with the ways of cowboy desperadoes. Now of middle age, tall and spare in build, he is as determined as ever, and the people of Mexico firmly believe that he will run the murderers of Col. Fountain to earth and clear up that mystery. They have had unlimited confidence in him since he killed Billy the Kid.

Many romantic tales were told of Billy the Kid during his lifetime, and the imagination of the narrators placed something of a halo about his head. The simple truth is that he was a young man of a most excitable nature, and, living as he did in a country filled with men of reckless daring, it was easy for him to fall into evil ways. His boon companion when a boy was Jesse Evans, some years older than Billy, and much more experienced in wickedness. They roamed the streets of Silver City, N.M., picking up much knowledge of the sporting world that assisted the natural bent of their restless dispositions. The first of a long series of murders committed by the Kid occurred in Silver City when he was a lad of 12 years of age. A man standing with some idlers on the sidewalk made a slurring remark about Billy's mother, a handsome woman, as she was passing along the street. Billy heard it and quickly resented the insult by hitting the fellow in the mouth. The man made a pass at Billy, but was stopped by his companions and the boy was sent away. Burning with passion, the lad visited a miner's cabin, borrowed a rifle, and started in pursuit of the man. The matter was smoothed over, and nothing further occurred until a few weeks later when the man got into a row in a saloon. Billy was a bystander, and when he saw the fight he opened his pocket knife, and, rushing in, stabbed his enemy viciously. He made his escape under cover of darkness, and Silver City saw him no more.

Billy talked Spanish like a native, and obtained food and shelter in Mexican homes while making his escape into Arizona. He picked up as a travelling companion a desperate character known as "Alias," because of his numerous names, and together the two appeared at Camp Bowie on the Chiracahua Apache Indian reservation where they halted a short time. Leaving the post with one condemned rifle and one pistol they pursued their way into the mountain passes where they one day encountered three Indians with a dozen ponies, saddles, and quite an assortment of supplies. After trying in vain to borrow mounts and some food, the two left three dead Indians on the trail and drove off with the entire outfit. This gave them a start, and having disposed of their plunder to some Texas emigrants for a good sum they entered Tucson with money and much courage. Billy was an expert monte dealer and card sharp, and the two soon became recognized members of the sporting fraternity of the Arizona capital.

Tiring at length of this life they started out again to seek new adventures in the mountains. Meeting a band of eight or ten Indians near San Simon the two fellows proposed a horse race. Bets were put up, and Billy's companion became stakeholder. When the Indian and Billy set out on the race the horse riden by Alias seemed to become unmanageable, and, joining in the race, soon outstripped the racers. The horse finally disappeared into the mountains, carrying off rider and all the stakes. Billy deplored his loss, and roundly cursed his associate. It required considerable diplomacy on his part to convince the Indians that he was not a party to the trick. Afterward the boys met and divided the booty. Billy's Arizona career ended when he murdered a soldier blacksmith at Camp Bowie over cards.

Escaping into Sonora, Billy's knowledge of Spanish and his skill at cards soon established for him a great reputation there. In time, however, he had to leave, and rather hastily at that. A monte dealer named Martinez had for some weeks persisted in bullying and insulting him. Martinez would open a drawer, take out a revolver, and laying it on the table where it would be handy would begin a tirade about "gringoes," openly reflecting on Billy. One night Billy and a Mexican companion named Segura rode into the plaza and tied their horses in the shadow of an adobe wall. Then, entering the gambling room, they awaited developments. In time the tirade of Martinez began. Billy walked up to the table where the revolver of the monte dealer lay and said:

"José, do you fight as bravely with that pistol as you do with your mouth?" He then drew his revolver and fired. The Mexican was equally alert, and both revolvers rang out as one explosion. The Mexican fell back in his seat, shot in the eye, and Billy, grasping a bleeding ear, ran out, mounted his horse, and was off. Pursued for several days by a large posse of Mexicans, the two finally eluded their enemies and made their way to Chihuahua. Bad luck followed them, and they failed to win the confidence of the Mexican gamblers there. One night, when Billy had made a big winning, the dealer suddenly closed the bank, informing Billy that he had not money enough to pay his losses. Billy and Segura left the house, but the Mexican monte dealer never reached his home. He was waylaid and robbed, and long afterward Billy was often seen carrying a handsomely embroidered Mexican coin purse. The two then moved north along the Rio Grande, and in time they parted. Billy ran across his Silver City companion, Jesse Evans, and with him travelled about in western Texas and eastern New Mexico, committing many crimes. They raided the ranges, driving off stock and selling it in Texas or Mexico, and spending the proceeds in a riotous life. At that time Billy was only 17 years of age, slight and trimly built, but as strong as an athlete. He could ride as well as a Comanche Indian, and was an unerring shot.

Billy the Kid never knew fear. He was too young to fully realize the dangers of his position, and his very youth gave him a boldness. While he and Jesse Evans roamed about ness and daring not found in men of maturer years, they one day saved a party of emigrants from slaughter at the hands of a marauding band of Mescaleros Apaches by a bit of reckless daring. They had met the emigrants on the Rio Miembres, and had taken dinner with the party. The Texans were amazed that two such young fellows should dare to roam about that country when the Indians were committing so much devilry, and they tried to urge the boys to join their party. The boys declined and rode away. Later in the afternoon they discovered a band of Indians moving along the foothills and going in a direction that must surely bring them close to the trail of the Texans. The boys knew that that would mean an ambuscade and the slaughter of the emigrants, and they determined to cut off the trail of the Apaches and give the emigrants warning. Putting spurs to their horses, they raced away over rocky hills and through narrow cañons, arriving in view of the camp fires of the travellers just as the Apache yell was heard by the emigrants coming from the opposite direction. With yells as fiendish, the boys jumped from their horses, which were spent and winded, and rushed into the midst of the conflict. Their unexpected appearance made the Apaches cautious, and the boys had time to drop behind rocks, where they could pick off the Indians as fast as they showed in sight. But a wagon prevented them from seeing all that was going on, and when they heard the screams of a child and the shrieks of a woman, they plunged headlong into the camp. Emerging in view around the wagon, Billy saw the emigrants huddled behind a wagon, and partly protected by a jutting rock. The Indians had swarmed around the party, and one woman lay lifeless in the open. The boys recklessly rushed among the howling Indians, shooting until their revolvers were empty, and then carrying the contest in hand-to-hand conflicts with camp axes until the savages retreated. Eight Apaches were killed and all the Texans were wounded, one of the men dying soon after. Billy escaped with a slight wound in one hand and several bullet holes in his clothing. Jesse had his hat shot off. This exploit was one of which Billy was very proud, and he often liked to tell the story afterward, when he was living a more peaceful life as a salaried cowboy.

Parting from the emigrants again, Billy and Jesse struck off toward the Rio Grande Valley. Here they fell in with a party of young men well known to Jesse, who urged the boys to join them and go over to the Rio Pecos, where they could find employment on the great stock ranges of that country. Both readily agreed, but just before the party was ready to set off Billy learned that his old companion, Segura, the Mexican, was down in the Texas country and was coming up to Mesilla and Las Cruces, hoping to join Billy. The cowboys had to go on without Billy, but he promised to join them later. He put in his time about the various settlements, and it was during that period of waiting that he obtained the gray horse that for several years was identified with his prowess.

One day the news came that his friend Segura had been arrested upon suspicion, and was lying in the jail at San Elizario. There was talk of a lynching, the Mexican boy messenger told Billy, and the latter determined to go down there and effect the rescue of his friend. The distance was eighty-one miles by a direct route. Billy had to go by the more unfrequented trails, yet he made the distance in the astonishing time of seven hours, riding his gray horse the entire distance. Shortly after midnight he arrived at the jail. The Mexican guard within heard a loud hammering on the door.

"Turn out," replied Billy to the guard's question, "we have two American prisoners."

The door opened and the guard appeared. Taking him by the arm, Billy softly drew him into a corner, where he quietly displayed his revolver before the astonished eyes of the sleepy Mexican. The guard readily surrendered his arms and keys. Billy drew the cartridges, and threw the revolver on top of the iron cells. Then he commanded the Mexican to open the cell where Segura was confined. The two tied the Mexican to a post after gagging him, and, departing, locked the door from the outside and threw the keys upon the low roof of the adobe structure. In less than an hour they were sleeping at the home of a friend in Mesilla, and long before daylight they were aroused and were off before their pursuers had made much progress in locating their trail.

Billy the Kid arrived in Lincoln county just at the beginning of the war that raged for several years between rival cattle companies on the Pecos, and the events in that country blended into his career of murderous activity. The Lincoln county war had been brewing since the summer of 1876, and it broke out in earnest in the spring of 1877. It continued for two years, and a narrative of the robberies and murders which occurred as a result of this trouble would fill a volume. In this cattle war John S. Chisum, the cattle king of New Mexico; Alex. A. McSween, and John H. Tunstall were arrayed against the firm of Murphy & Dolan, merchants at Lincoln, the county seat, and extensive cattle owners. All the smaller cattle growers of the Pecos Valley were in sympathy with Murphy & Dolan against the big cattle men. Chisum's herds ranged along the Pecos from Fort Sumner down into Texas, and numbered from 40,000 to 60,000 head. McSween was a lawyer at Lincoln, interested with Chisum in his enterprises. Tunstall was an Englishman, who had brought considerable money into the country. He was interested in cattle, organized the Lincoln County Bank, and established a big trading house at the county seat. He was a liberal-minded gentleman of culture, and promised to be of great value to the community in developing its resources.

The quarrel arose over range rights. Chisum believed that the smaller cattle growers had combined to round up and drive away to military posts all the cattle many head of stock belonging to his herds. The small cattle growers believed that the big herds of Chisum had no right to absorb so much of the range territory, and that in the semi-annual roundups many head of stock belonging to the Pecos Valley ranchmen were branded by the cowboys belonging to Chisum's outfits. Collisions between the herders were of frequent occurrence, and murders and robberies began to be common. Billy the Kid joined the Murphy & Dolan faction, and the recklessness of his nature made him a most acceptable ally. A fine shot and a daring rider, he became a noted cowboy, whom no one cared to enrage. After a while he offered his services to the Englishman, Tunstall, to whom he had taken a strong fancy. Tunstall was only too willing to employ Billy, who was promptly sent to the Rio Feliz, where Tunstall was grazing. When the Kid rode back to the camp of his former companions to gather his few effects and announce his change of policy, there was an explosion that would have ended in a fight had not Jess Evans interfered. One of the cowboys made a taunting remark, which Billy dashed forth a defiance against the entire band. He flourished his revolver and dared the entire party to draw their guns.

"Let him go," said Evans. "We shall meet him again, and I guess he will give us plenty of fight then."

In February, 1878, William S. Morton, claiming authority as deputy sheriff, gathered a posse of cowboys from the Pecos, and started out to attach some horses on the range which were claimed by Tunstall and McSween as their property. Tunstall happened to be on the ground when the posse made its appearance, deserted him through fear, and Tunstall was shot in his tracks. Morton afterward claimed that Tunstall had opened fire upon the posse. One cowboy, named Tom Hill, who was afterward killed while robbing a store outfit, rode up to Tunstall as he was lying mortally wounded on his face, and, placing a rifle at the back of the Englishman's head, fired, and scattered his brains over the ground. Before night Billy heard of the death of his friend and employer, and in a frenzy of rage, mounted his horse, swearing revenge upon the murderers. From that day forth until his death his career was marked by bloody deeds and lawless acts. He never earned another dollar legitimately, but lived by robbery. He rode to Lincoln to consult with McSween, and learning that a posse of Murphy's adherents, armed with warrants for the murderers of Tunstall, was about to set out, he joined the party and proceeded to the Pecos.

On March 6 the posse discovered a party of five cowboys about six miles from the Pecos, and the chase began. The pursued separated, and Billy followed Morton and Baker, whom he had recognized. A hot race of five miles was run, and then the fugitives were thrown by their horses stumbling into a dry gulch. The cowboys were sheltered behind natural fortifications, and they stood off their pursuers for several hours. But they were surrounded, and it became evident that they must either surrender or starve. After some parleying the two agreed to surrender if their captors would promise to take them in safety to Lincoln. The Kid opposed this pledge. He wanted vengeance without regard to legal processes, but he was overruled. Mounting his horse and breathing the threat that his time would yet come, he rode away, leaving the officers to disarm their captives and ride off toward Lincoln in his wake.

Five days later, Frank McNab, one of the posse, entered the Roswell Post Office.

"Hello, McNab," called a friend, "I thought you were in Lincoln by this time. Any news?"

"Yes," replied he; "Morton killed McCloskey, one of our men, made a break to escape and we had to kill them."

"Where did Morton get his gun?" was the next inquiry.

"He snatched McCloskey's pistol out of his scabbard while riding close to him and shot him dead. We just had to kill both of them or some of us would have been hurt."

This was the first intimation of the death of Tunstall's murderers, but the way things were done on the Pecos made the story very improbable. In time the true story came out. McNab had ridden behind McCloskey, who had sworn to protect the prisoners, and with an oath shot him dead in cold blood. The prisoners at once dashed away unarmed, thinking to escape in the confusion. The Kid was some distance in advance of the posse, but hearing the shooting he wheeled in time to see Morton and Baker riding off at full speed. He dashed across the plains after them, and in a few moments both were lying dead on the ground. The officers rode off, leaving the bodies of the cowboys unburied.

Returning to Lincoln, Billy attached himself to McSween, who was now fighting for his property and his life. Thirsting for more vengeance, Billy continued to seek for the other members of the party who had murdered Tunstall. Learning that an ex-soldier named Roberts, who had been with the party, was in the vicinity of the Mescalero Apache agency, some forty miles south of Lincoln, the Kid set out with an official posse to get him alive or dead. Roberts was a splendid shot, a fine horseman, and noted for his bravery. As the posse approached the building where he was supposed to be hiding, Billy observed his victim coming on a gallop from across the country. He sourred his horse, and, with his Winchester drawn for a shot, dashed upon the horseman. Roberts was equally quick, and a ball from his gun sang close to Billy's head. The Kid's aim was more accurate, and the bullet made a mortal wound. Roberts dismounted, and in spite of a shower of bullets reached an outhouse, where he stood off the posse, giving ball for ball while his life blood ebbed away. The leader of the posse sought to crawl nearer, dodging behind obstacles that might screen him from the bullets fired by Roberts, but at an unlucky moment he exposed his head and Roberts promptly picked him off. Roberts ceased firing at last, and when he was found his rifle was still clutched in his grasp. The members of this posse thereafter attached themselves to Billy, and with him became the terror of the country. For a time Billy remained at Lincoln, making it uncomfortable for any friend of the Murphy & Dolan party. One day a man named Matthews appeared on the street of the little town unarmed. Billy saw him and promptly opened fire. Matthews darted into a doorway and escaped to have his revenge afterward.

The Sheriff of the county, named Brady, one day started out from Murphy & Dolan's store to go to the Court House. In those interesting days everybody carried a rifle and was always ready for trouble. Matthews and George Hindman accompanied the Sheriff. They had to pass Tunstall & McSween's store on their way, and there Billy and some of his party were in hiding. As the Sheriff came in sight a volley of musketry belched forth from the roof of the adobe structure, and the Sheriff and Hindman fell mortally wounded. Matthews again escaped by dodging behind a house. Leaving his place of concealment, Billy ran up to the bodies, intending to take possession of the weapons, when Matthews opened fire. One bullet inflicted a painful wound in the outlaw's thigh. Billy retreated to the store and as soon as possible he disappeared. This murder of the Sheriff lost the Kid most of his former friends, and warrants were issued for his arrest. He occasionally visited Lincoln by stealth at night, McSween always sheltering him. For some time the county had no Sheriff. The office was entirely too dangerous and unhealthful. At length George Peppin consented to receive a temporary appointment, and surrounded himself with a strong body of deputies. They were merciless to those of the opposing faction, and murder followed murder. The Kid, too, was busy raiding the ranges and seeking more victims of his vengeance.

One morning a deputy Sheriff at Roswell, who was an influential cattle man, gathered together some forty men and set out to capture the Kid or kill him in the attempt. Learning that the outlaw was at Lincoln, the party rode across the country and entered the county seat to find Billy strongly entrenched in McSween's residence. Sheri