

BILLY THE 'KID: THE GROWTH OF A LEGEND

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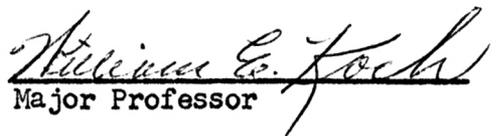

Major Professor

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BILLY THE KID: THE GROWTH OF A LEGEND

PART I

It has been said that the West was

the place
and the time
and the spirit
that never were
anywhere else
before nor since
nor ever will be again.¹

This statement reflects the fascination that the frontier held--and still holds--for people of all ages and from all locations. Young and untamed, the West supposedly was a place where, for a time, man was free from irksome laws and could do very nearly as he pleased. Each man had the potential for making a certain unusual impact on others, for any time he felt the urge, he could shoot a man down or rustle another man's stock--and there were few legal ways to stop him. After the Mexican War and before the turn of the century, the law was established by the man who wielded the quickest, most accurate six-shooter, and that law frequently was not in the public interest. The men who had returned from the Mexican and Civil wars and did not want to settle down often drifted West, where they could continue the fighting and stealing to which they had become accustomed. It was in these wild surroundings and among these lawless men that William H. Bonney--more commonly called Billy the Kid--had his upbringing and eventually attained

his notoriety and legendary fame. It is the purpose of this paper to show how, through numerous legends, he has become known as a hero.

Like many another Western villain whose feats have spawned legends, Billy fits into the mold of the badman hero. Not all the frontier law-breakers achieved sufficient public admiration or interest to be acclaimed heroes. Indeed, the badman hero seems to have been a phenomenon which has disappeared with the passing of Billy and his kind, and would be as out of place today as Al Capone would be as a national hero. Perhaps the first requirement of the West's badman hero is that he must have proper origins; he must belong to the respectable but not wealthy segment of the dominantly Anglo-American majority. For example, John Wesley Hardin was the son and the James brothers the stepsons of ministers; the father of the Younger brothers was a judge and sometime member of the Kentucky legislature. Billy the Kid's origin is unknown, but he always held that his mother was a lady of virtue whose respectability was not marred by the fact that she ran a boardinghouse in Silver City, New Mexico.

A second requirement for admission to the ranks of badmen heroes is an unfortunate childhood. The Kid was born in a poor section of New York City; shortly thereafter he and his family moved to Kansas, where his father died. At this point, his mother took Billy and a younger son to Denver, and there she married a man named Antrim. The stepfather, lazy and uninterested in earning a living for his new family, moved them about with him to various mining towns in the Southwest. Wherever they stopped Mrs. Antrim had to support the children by running a boardinghouse, so Billy had very little attention paid to his upbringing. The greater part of his education reportedly

was gained not at home or in school, but in the taverns and gambling halls of Silver City, places much frequented by his stepfather.

The hero typically commits his first crime under extremely provoking circumstances. Quantrill, for instance, was supposed to have been a peace-loving schoolteacher; the Jayhawkers' murder of his brother inaugurated his raiding. Of a number of tales about Billy the Kid's first killing, the most popular one says that a ruffian insulted the twelve year-old boy's mother on the street. The enraged Billy chose not to avenge her at the moment, but several days later, so the tale goes, the boy stabbed the man to death while he was engaged in a tavern brawl. Although he felt justified in committing the murder, the boy fled Silver City and remained so completely undercover that for four years thereafter, nothing is known of him.

A fourth characteristic of the frontier badman hero is that he fights the generally accepted enemies of the common people. This is not to say that the people necessarily approve of all his tactics, but they accept him because he is on their side in the war against a mutual foe. Although the Kid fought for a large cattle corporation during the Lincoln County War², after his employer was killed by the rival faction the young outlaw opposed all large concerns, thinking they were unfair to individuals.

In order to qualify as a hero, the outlaw must perform acts of tenderness and generosity during his career. A woman with whom Billy was a favorite said that he once asked if he might hold her baby, and then he was very loving and attentive toward it.³ A blind old prospector named Mac Smith is said to have been nursed back to health by the Kid, who also made the old man a gift of gold.⁴ Frank Coe, a former contemporary of the Kid, said that "He was a free-hearted, generous boy. He'd give a friend the shirt off his

back."⁵ The Mexicans saw him as a kind of latter-day Robin Hood; Juan Padilla, of Lincoln, New Mexico, said of him: "We Mexicans did not judge him nor question him. We called him El Chivato, and we loved him for his gayety [sic] and the goodness of his heart."⁶

Another qualification with which the Western badman must comply in order to be thought of as a hero is that he must atone for his crimes in some way. Some of the outlaws, such as Frank James, served jail terms and then led quiet lives upon their release. Others gained the highest heroic stature by dying for their misdeeds; it is significant that their deaths were often the result of treachery and had in them a touch of martyrdom. A famous example is the death of Jesse James, who was shot in his own house by an acquaintance who wanted the posted reward. There are several tales about how Billy the Kid met his death. One claims that the man who told the lawmen where Billy was hiding after his jailbreak received a silver dollar for the fatal information. Then sheriff Pat Garrett used a woman to lure the youth into a darkened room, where he was shot to death.⁷ A final element of irony is that Garrett was once the outlaw's friend, and they had been accustomed to drinking and gambling together. Some were so outraged by the sheriff's ambush that he was severely criticized for not giving the Kid a chance to fight, and he felt it necessary to write a book justifying his actions.⁸

The lives of most badmen end when they die; however, a special few continue to live--particularly Jesse James and Billy the Kid. Six or more articles have been written about Billy's life-after-death, and rumors that he was still alive lasted as late as 1926.⁹ One of the stories states that his sweetheart persuaded Pat Garrett to free him, and the young gunman

changed his name, went off to school in Texas, and became a respectable citizen.¹⁰ A more elaborate report comes from Frank Dobie, who heard in Magdalena, New Mexico, in 1937 that Walk-along Smith's body had been found. The dead man had spent a great deal of time collecting facts about the Lost Adams gold mine. Walk-along frequently had been seen examining records in the archives in Santa Fe. When he died, Dobie writes:

Then something of the enigma of this queer character's life was revealed--for some people. Walk-along Smith was Billy the Kid. The Kid...was not killed by Sheriff Pat Garrett. What was buried at old Fort Sumner was two bags of sand. Sheriff Pat Garrett and Governor Lew Wallace, realizing the character back of Billy the Kid's outlawry, sent him off to a faraway school. Years later he returned to New Mexico, a quiet, penitent, charitable man, who would not kill even a rattlesnake and was bent on living only the life contemplative. And eventually he was going to deliver the Adams Diggings to the cause of charity. Billy the Kid's ghost has walked in many forms.¹¹

PART II

Billy the Kid has become a legend. No longer is it possible--if it ever was--to distinguish the facts of his life from legendary embellishment. Any heroic story about the youthful killer is accepted as truth by the unsophisticated, and any tale which endeavors to portray him as he probably was--a cold, deliberate murderer--is scornfully rejected, as the following statement shows: "As Mr. E. DeGoyler, the well-known collector of Western Americana, has said, any attempt to make of Billy the Kid a character less admirable than Robin Hood is practically fore-doomed to failure, in spite of the facts."¹²

Scores of fragmentary legends about the Kid may be discovered in books and other printed matter, as well as in oral tradition. If one stopped a

man or a child on the street and asked him who Lew Wallace was, as often as not he would be met with a blank look. But let him mention the name of Billy the Kid, and recognition would be almost certain to come. One of the ways in which Billy's name has become known is through the folk songs which have sprung up about him. The following ballad, called "Billy the Kid or William H. Bonney," tells of some of Billy's deeds and shows an attitude of suspicion toward Pat Garrett. The song obviously is slanted so that the reader will feel admiration and sympathy for the colorful Kid.

Bustin' down the canyon,
Horses on the run,
Posse just behind them,
'T was June first, seventy-one.

Saddle guns in scabbards,
Pistols on saddle bow,
The boys were ridin' for their lives--
The Kid en Alias Joe.

Thirty miles west of the Gila
They bade the posse goodbye,
For they couldn't keep up with the lightweight Kids,
No matter how hard they'd try.

From the land of Montezuma,
Past the hills of the Mogollons,
By night en day they made their way
Till they landed in Tombstone.

Those were frontier towns, old pardner;
'T was a game of take en give,
And the one who could draw the fastest
Was the only one who'd live.

Whiskey en women en poker,
Monte en Faro en Stud,
Just a short wild race, who'd keep the pace
Would land in a river of blood.

Fightin' en drinkin' en gamblin',
Nigger en Mex en White;
'T was a riot of sin, let the best man win;
'T was drink, when called, or fight.

En everyone claimed a woman
 Though none of their claims would stand
 'Gainst the Kid, who was quicker 'n lightning
 With a gun in either hand.

Believing that John H. Tunstall
 Was the man who was in the right,
 He offered him his services
 In the Lincoln County fight.

The Kid rode with Brewer's posse
 Who avenged John Tunstall's loss,
 Killing William Morton, en Baker
 Roberts en Joe Ross.

Locked in the Dolan house in Lincoln,
 Then used as a county jail,
 Handcuffed en with a double guard,
 Trailing a ball en chain,

He killed his guards, Bell en Olinger,
 In the jail yard in daylight,
 Stole the horse of the probate clerk
 En on him made his flight.

Caught a-napping at last in Sumner,
 In Pete Maxwell's room one night,
 Not knowing he was waylaid,
 Not knowing with whom to fight;

A chance shot fired by Garrett,
 A chance shot that found its mark;
 'T was lucky for Pat the Kid showed plain,
 While Garrett was hid in the dark.

If Garrett was game, I don't know it;
 He never appeared so to me;
 If any of you fellows think so,
 I'll refer you to Oliver Lee.¹³

The first version of a song entitled "Billy the Kid", which was collected by John and Alan Lomax, records several details about the Kid which apparently are erroneous but which add to the legend about him. Stage-robbing was not his forte--he stole cattle, yes, but evidently let the stages alone. Further, nearly all accounts but this one say that Billy did not drink. Finally, the

song says he was shot by a man "Who was a whole lot badder" than he was--
but Pat Garrett was a lawman with a comparatively unspotted reputation!

Billy was a badman
And carried a big gun,
He was always after Greasers
And kept 'em on the run.

He shot one every morning,
For to make his morning meal.
And let a white man sass him,
He was shore to feel his steel.

He kept folks in hot water,
And he stole from many a stage;
And when he was full of liquor
He was always in a rage.

He kept things boilin' over,
And he stayed out in the brush,
And when he was full of dead eye,
T' other folkses better hush.

But one day he met a man
Who was a whole lot badder
And now he's dead,
And we ain't none the sadder.¹⁴

The Lomaxes' second version of "Billy the Kid" is the more popular and helps keep alive the stories that the boy killed his first man at twelve years and had dispatched twenty-one by the time he died.

I'll sing you a true song of Billy the Kid,
I'll sing of the desperate deeds that he did,
Way out in New Mexico long, long ago,
When a man's only chance was his own forty-four.

When Billy the Kid was a very young lad,
In the old Silver City he went to the bad;
Way out in the West with a gun in his hand
At the age of twelve years he killed his first man.

Fair Mexican maidens play guitars and sing
A song about Billy, their boy bandit king,
How ere his young manhood had reached its sad end
He'd a notch on his pistol for twenty-one men.

'Twas on the same night when poor Billy died
 He said to his friends: "I'm not satisfied;
 There are twenty-one men I have put bullets through,
 And Sheriff Pat Garrett must make twenty-two."

Now this is how Billy the Kid met his fate:
 The bright moon was shining, the hour was late,
 Shot down by Pat Garrett, who once was his friend,
 The young outlaw's life had now come to its end.

There's many a man with a face fine and fair
 Who starts out in life with a chance to be square,
 But just like poor Billy he wanders astray
 And loses his life in the very same way.¹⁵

A folk poem appeared shortly after the Kid's death that shows the heroic impression people had of him following the publicity that made his deeds legendary. As far as this writer can tell, Shag Bronte was a fictitious character.

There wasn't a man in Santa Fe
 Who'd go the mat with Shag Bronte.
 He could ride a horse and shoot a gun
 Like the devil himself. The deeds he's done
 Would put him in jail for a thousand years.
 He was ever changing brands and rustling steers.
 He'd kill a man on the least pretext,
 Whenever his one-tracked mind seemed vexed.
 His lineage ran in a tangled strain
 To English, French and a tinge of Spain,
 With a trace of Scotch. Indian tones
 Were manifest in his high cheek bones.
 The rest was pure hell unrefined.
 A non descript with a mongrel mind,
 He was hated and feared in every place
 That men knew his voice or evil face.
 And even the ones that formed his clan
 Cursed and despised him to a man.
 But the curses never were voiced or heard
 By so much as the sign of a whispered word.
 But there came a night when Shag Bronte
 Made a mistake in Santa Fe.
 A stranger leaped on the long horn bar
 And slowly puffed a mild cigar.
 A tenderfoot you would say at least,
 Who ought to be back in the quiet East.
 A man not meant for the turbulent way
 Of frontier times in Santa Fe.

He dressed the West, but his clothes betrayed
 To a normal mind they were tailor made.
 And the guns that hung to the belt he wore
 Were nickel-plate of a minor bore.
 He paid no mind to the jibes and jeers
 So plainly meant to reach his ears.
 Then Shag walked in. He quickly saw
 The tenderfoot. A loud guffaw
 Boomed from his chest. He neatly drew,
 Shooting the stranger's cigar in two,
 The stranger neither moved nor spoke.
 He merely ordered another smoke.
 Shag stood watching. The play begun,
 His right hand holding the smoking gun.
 The stranger placed the cigar with care
 In his mouth, and with a careless air
 Made a motion as if to scratch
 In a masculine way, a ready match.
 All looked on. Not a soul divined
 The move the stranger had in mind
 As his hand came up. A nickeled gun
 Crashed its shot, and the game was done.
 Deadly Shag Bronte was dead before
 His body ever reached the floor.
 Now he would never live to know that he matched his brains
 With the man most feared on western plains.
 Billy the Kid quietly rode away
 To the Texas line from Santa Fe.¹⁶

One can see after simply reading the three folk songs and the poem given above how much at variance the details of Billy the Kid's life are. All tales circulated about him are told as truth and accepted as such, so no one can possibly say what the true facts of his life are. It seems to be a fact that a man who came to be known as Billy the Kid was born on November 23, 1859, and was killed by Pat Garrett at midnight, July 14, 1881 in Fort Sumner, New Mexico.¹⁷ The moment one leaves the security of these meager details and looks about for other information, however, he becomes bogged down in a mass of tales and legends, many of which contradict one another. It is characteristic of legends that they embroider the known facts and that people believe them in spite of the embroidery--or perhaps because of it--a point which will be discussed later.

The embroidery on Billy the Kid's life goes as far back as his birth and the question of what his given name was. To avoid confusion in this report, he will be called either by his nickname or by the name William H. Bonney, which is the one most frequently attributed to him. But in folklore Billy has many names: William H. Bonney, Bill Bonney (or Bonnie or Bonny), Henry McCarty, William H. McCarty, Henry Antrim, Hank Antrim, William H. Antrim, Billy Antrim, Kid Antrim, the Kid, Billy Kid, Billy the Kid, Mr. Billy Kid, and Alias. It is possible that for a time he took the name Antrim because it was his stepfather's name, but this does not explain the existence of the names Bonney and McCarty. Norman B. Wiltsey, in a trip to New Mexico in 1956, was told by a man in Lincoln that Billy's real name was Bonney, while another man in the same town swore it was Hank McCarty and that any other stories were "damn lies dreamed up by fool writers!"¹⁸ Others say that Bonney was the Kid's alias, but it is likely that it was his real name, for in 1878 he wrote out a much-photographed bill of sale for a horse, which document he signed with the name William H. Bonney.¹⁹

It is almost certain that Billy was born either in New York City or in Brooklyn; his father died when the boy was very young, and his mother married a man named Antrim in Denver or Santa Fe when her son was an adolescent. They moved about but finally settled, so most of the legends say, in Silver City, New Mexico, when Billy was ten years old. The boy is said to have run wild, learning to gamble and cheat at cards like the most accomplished adult. Then, at the age of twelve, he is supposed to have killed his first man. The most popular reports of this incident seem to have their roots in Pat Garrett's book, The Authentic Life of Billy the Kid, where the author says the Kid stabbed a man--some say he was a blacksmith--for insulting

his mother.²⁰ Mrs. Antrim and her son were walking down the street when a ruffian made an unsavory remark about her. Billy threw a rock at the man and then tried to jump on him; another man intervened and prevented the trouble from going any further. A few days later, Billy's benefactor was involved in a barroom fight with the same ruffian when Billy, in the confusion, killed the lout with his pocketknife. This version of the killing includes Billy's running home, kissing his mother tenderly, and leaving, never to see her again.

Another version of the murder Billy supposedly committed at the age of twelve relates that he and a friend were caught in the act of robbing a laundry in Silver City and that the Kid stabbed the Chinese owner to death in order to avoid detection.²¹ Again he fled and was not heard of for some years. A third story records that on August 17, 1877, in Camp Grant, Arizona, Billy killed his first man--at the age of eighteen.²² In this case, the reason given in the story is that the man, a blacksmith named Windy Cahill, was bullying the boy. Billy's mother having died three years before, he simply pulled up stakes and went to Texas to work. Version four does not specify the age at which Billy killed his first victim, but it sets the scene in Fort Union, where the youth waited on tables in the Antrims' cafe. There he murdered a Negro soldier who teased him by calling him "Billy Goat" instead of "Billy the Kid", as he had been dubbed by the soldiers.²³ A final tale states that the Kid began his outlaw career after killing a cook hired by John Chisum, one of Billy's employers, for throwing hot grease in Billy's face.²⁴

After the first killing, Garrett describes the young outlaw as riding about the countryside with various companions, stealing, gambling, and

murdering, until he was nearly eighteen years old. In all, the sheriff accounts for at least sixteen killings in which the Kid was involved during this period, including the death of approximately thirteen Indians, and he claims the boy's grand total was twenty-one when he died. Many legends about his total number of victims repeat Garrett's story more or less in detail; however, some authors claim no knowledge of Billy's whereabouts or of his doings until he reached Lincoln County in 1877. A few authors attempt to narrow the record of twenty-one killings down to what they consider a more reasonable figure. Cunningham held the following opinion:

How many notches were on his tally, when he died? Tradition credits him with twenty-one--a death for each year of his hectic life...

But, in a good many years of study, I have found tradition a gossipy, exaggerating jade. Statistics, all too often, blow great holes in the legends. And so it is with the Kid's record, when we demand evidence and reject hearsay. I can credit him with no more than eight notches, for killings unquestionably done by his own hand...²⁵

Another source gives the Kid credit for nine killings, another for six, while still another says the number is somewhere between three and eleven but certainly not twenty-one. John W. Poe, a deputy who was with Garrett when Billy was shot, said:

Billy the Kid had killed more men than any man I ever knew or heard of during my fifty years in the Southwest. I cannot name the twenty-one men he killed; nor can any man alive today. I doubt if there ever was a man who could name them all except the Kid himself. He was the only man who knew exactly. He said he had killed twenty-one and I believe him.²⁶

One can discover very little positive information about the Kid's life until he went to work for John H. Tunstall as a cattle hand and gunman in 1877.²⁷ At that time, Lincoln County was alive with hostilities which were

about to burst into open conflict. A powerful cattleman named John Chisum was being robbed by the Murphy-Dolan faction and his stock sold to the government. In addition, one of his partners, Alexander McSween, opened a store in competition with the Murphy-Dolan business, thus causing further enmity between the men. Finally, Murphy's lawyer, Tunstall, left him and went over to the McSween-Chisum side of the fence. All these conflicting interests at last resulted in what is now called the Lincoln County War, which began when Tunstall was murdered by the Murphy-Dolan gunslingers on February 13, 1878.²⁸

Billy the Kid and a friend were out with Tunstall on the day Tunstall was killed. A legend has it that they were afraid of being gunned down when the blood-thirsty Murphy-Dolan men came upon Tunstall, so they ran for cover. A far more popular story, however, holds that the Kid and his companion were beating the brush for turkeys and thus their boss was accidentally left unprotected at a fatal moment. Whichever is the case, Billy reportedly was deeply affected by the death of Tunstall and swore to avenge his death. Tunstall, who is said to have given his young employee a beautiful horse and saddle, is quoted as saying of him: "That's the finest lad I ever met. He's a revelation to me every day and would do anything to please me. I'm going to make a man out of that boy yet."²⁹ Billy was, in turn, deeply attached to Tunstall and was supposed to have said over his grave, "You were the only man that ever treated me like I was free-born and white."³⁰ In these legends of their close relationship, one sees an attempt being made to justify the numerous killings Billy is reputed to have committed after Tunstall's death.

Indeed, the death of Tunstall was like a spark that set off a powder keg. "Feeling ran so high after Tunstall's murder that it was dangerous to be neutral."³¹ The war lasted nearly two years, during which time, it often is maintained, Billy the Kid killed five men to avenge the murder of his former employer.³² In one case, he and a posse chased down two Murphy-Dolan men; the youth supposedly shot them,³³ either as they tried to escape or as they knelt begging for mercy. Two more men were eliminated in April, 1878--Murphy's puppet-sheriff William Brady and his deputy George Hindman--when Billy and some other men ambushed them.³⁴ Once again the young outlaw was credited with the killings, although no one could say positively whose bullets struck the lawmen. He is blamed for killing a sixth man in the war in July, 1878, as he ran from McSween's flaming house, where he, McSween, and several other men had been trapped by Murphy-Dolan men for three days.³⁵ There is a story that as the house burned, Billy played Mrs. McSween's piano and sang what was possibly his favorite song, "Silver Threads among the Gold."³⁶ He is also said to have danced a jig.³⁷ A variant of the story has Mrs. McSween playing and singing "Home Sweet Home" and "The Star-Spangled Banner" to encourage the trapped fighters.³⁸

In November, 1878, Lew Wallace, who was appointed Governor of New Mexico for the special purpose of cleaning up the mess in Lincoln County, proclaimed an amnesty.³⁹ Anyone not under indictment for a previous crime would be pardoned of all his actions in the Lincoln County War, provided he quit fighting immediately. Evidently, special provision was made for William H. Bonney, who was under indictment because he allegedly had shot government agent Joe Bernstein when the latter tried to stop him from stealing horses from the Mescalero Indian Reservation. About the murder Billy is reported

to have said flatly, "Joe was plumb careless handlin' a six gun."⁴⁰ Some people, however, claim that the Kid was nowhere near the reservation at the time of the crime and that a Mexican did the shooting. Be that as it may, Billy ignored the amnesty, and in March of 1879 Governor Wallace wrote to him, promising that if he stood trial and was convicted he would be pardoned. The following letter from Wallace reached Bonney:

Come to the house of old Squire Wilson at nine o'clock next Monday night, alone. Not his office, but his residence. Follow along the foot of the mountain south of the town. Come in on that side and knock at the east door...

The object of the meeting at Squire Wilson's is to arrange the matter in a way to make your life safe. To do that the utmost secrecy is to be used. So come alone. Don't tell anybody--not a living soul--where you are coming or the object...⁴¹

In an altogether different version, the Kid went to meet Wallace in Santa Fe with his close friend, Pat Garrett. The meeting was held in bright daylight in front of witnesses.⁴² In any case, at the meeting, they agreed on how Billy was to be arrested, and on March 21, 1879, he gave himself up.⁴³ Apparently convinced that the governor was not trustworthy, he escaped from jail in April, before he had stood trial. Sutton says that Bonney refused to surrender to Wallace at all, not because he was afraid of being assassinated as he said he was, but because he was vain about his notoriety and his leadership of outlaws and did not want to give these up.⁴⁴

Two years later, after he was tried and convicted of the murder of Sheriff Brady, the imprisoned outlaw wrote a series of notes to the governor, asking him for the help he had promised in 1879.

I expect you have forgotten what you promised me, this month two years ago, but I have not, and I think you had ought to come and see me. I have done everything that I promised you I would, and you have done nothing that you promised me...

I can explain everything to you...I am not treated right by (U. S. Marshal) Sherman. He lets every stranger that comes to see me through Curiosity [sic] in to see me, but will not let a single one of my friends in, not even an Attorney. I guess they mean to send me up without giving me any show, but they will have a nice time doing it. I am not intirely [sic] without friends.⁴⁵

Wallace, however, remained unmoved, for Billy had not stood trial in 1879, as he had said he would. He had given testimony on the side of the law in another trial connected with the Lincoln County War,⁴⁶ but this seemingly was not enough to earn him a pardon. So bitter was the Kid after his desertion by the governor that when he escaped from jail a scant fifteen days before his execution date, he is supposed to have said, "I mean to ride into the plaza at Santa Fe, hitch my horse in front of the palace, and put a bullet through Lew Wallace."⁴⁷

For a time Billy plagued the New Mexican cattlemen, stealing their stock and selling it to the first buyer. In January of 1880, he performed one of the acts of shrewdness for which he is so famous. A Texan named Joe Grant was in a Fort Sumner bar, obviously very drunk and in a nasty mood; he flourished his gun at the Kid, who was standing nearby. Billy pretended to admire the pistol and asked to see it. As he whirled the chambers, he let them stop so that the hammer would fall on an empty chamber the next time it was fired. Grant reclaimed the weapon and threatened him, firing at the same moment, but of course the gun did not go off. The Kid had the drop on the Texan and killed him on the spot.⁴⁸ After this episode, the young outlaw's life was kept lively by cattle rustling and by the posses who were constantly on the watch for him. Twice he came dangerously near capture; in an incident outside White Oaks he supposedly killed Jimmy Carlyle, a member

of a posse, but this is one of the cases in which any of the shots fired by Billy's companions might have been the fatal one.

The stories connected with William H. Bonney's conviction of murder and his subsequent escape from the Lincoln jail add a great deal to the legend of the dashing, colorful, hard-as-nails Kid. Billy and three comrades were captured by Pat Garrett--elected sheriff of Lincoln county in November, 1880⁴⁹--and his posse, at Stinking Springs on December 27.⁵⁰ They were taken to Mesilla to stand trial, and the Kid was brought to court in April, 1881.⁵¹ He was acquitted of the murder of Joe Bernstein on a technicality but immediately underwent prosecution for the ambush-killing of Sheriff Brady. Someone reported the following description of the youthful gunman as he sat in the courtroom:

Rather pleasant looking was Billy, wavy hair, dark eyes, sullen and defiant, but looking as though they were made for laughter and sunshine and the reflection of the happy smiles of children. There was the mark of a keen intellect in the forehead and the clean cut sweep of the jaw, but there was the mark of brutishness in his face, too, a coarseness stamped across his features.⁵²

He was found guilty, and the judge is rumored to have declared, "And you are sentenced to be hanged by the neck until you are dead, dead, dead!" And Billy spat back, "And you can go to hell, hell, hell!"⁵³

The outlaws were taken from Mesilla to the train in Las Vegas to be transported to the Lincoln jail. One of them, Dave Rudabaugh, was wanted for the murder of a Las Vegas jailer, and an angry mob gathered threateningly around the train, demanding Rudabaugh as their prisoner. Billy was heard to beg Garrett for a gun so that he could help hold the crowd at bay. He told a reporter from the Mesilla News, "...I expect to be lynched in going to Lincoln. Advise persons never to engage in killing."⁵⁴ On the other hand,

in some tales, the sheriff told the prisoners that he would give them each a gun if the situation grew dangerous. The train left safely, though, and Billy was put in the Lincoln jail under double guard to await his hanging on May 13, 1881.⁵⁵

For a time Billy the Kid's stay in jail was relatively uneventful. Most sources say that he passed the time playing cards with one of his guards, J. W. Bell, who took a liking to him. Bob Ollinger, the other guard, hated the outlaw for having killed one of his friends, and never ceased trying to make life miserable for Billy. He taunted him about the hanging and one day loaded a shotgun in front of him, asking the Kid to try to escape so that he could have the pleasure of filling him full of buckshot. One story claims that the prisoner replied to the heckling with, "You yellow son-of-a-bitch, I'll live to spit on your bloody carcass!" Ollinger supposedly became frightened at this and pestered Billy only when Bell was present to bolster his nerve.⁵⁶

No one seems certain of exactly how Billy made his fantastic jail-break on April 27, 1881;⁵⁷ probably it is this one event that has inspired more legends than any other single happening in his life. One story holds that his sweetheart or a close friend hid a gun in the outhouse behind the jail, and when he found it he shot Bell before he was taken back into the prison.⁵⁸ A variation of this incident says the Kid returned from the outhouse ahead of Bell, charged upstairs--in spite of his shackles--to the prison arsenal, broke open the door, picked up a gun, and fired on the guard, who was still coming up the stairway.⁵⁹ A third tale has it that as Billy and Bell were playing cards, Bell dropped a card on the floor, and when he bent over to pick it up, the prisoner either grabbed his gun and shot him or clubbed him

with his manacled hands, then took the gun and shot.⁶⁰ Some people maintain that the Kid had such large wrists and such small hands that he simply slipped off his handcuffs and took the gun; others say that one cuff was unlocked so he could eat and that this enabled him to get Bell's weapon. At any rate, Bell most certainly was dead. Ollinger, eating his dinner at a nearby cafe, heard the shot and was approaching the jail to investigate when the Kid appeared on the balcony, said "Hello, Bob", then fired two charges from Ollinger's own shotgun, killing the startled man.⁶¹ Upon demand, an old man who worked around the jail brought Billy a file and also prepared a horse for his escape. After he was free from his chains, the young outlaw supposedly danced a jig of glee on the balcony.⁶² He rode out of Lincoln without a shot having been fired at him and threw a coin to a Mexican as he went.⁶³

Cunningham says, "This is perhaps the most appealing part of the Kid's career. Partly from fear, of course, but also out of loyalty to him, men and women fed him, sheltered him, lied for him. Men and women, both--but especially women..."⁶⁴ A newspaper account, written on May 4, 1881, differs radically from the above quotation. It calls Billy a "young demon" who broke "more loving hearts and filled more untimely graves than he has lived years, and that he is again turned loose like some devouring beast upon the public is cause at once for consternation and regret..."⁶⁵

Although Governor Wallace offered a 500-dollar reward for his capture, the Kid lurked about Fort Sumner after his escape.⁶⁶ Two explanations have been given as to why he did not run to a farther and safer spot. F. Stanley suspected that he was tired of living but did not want to commit suicide, so he stayed near Fort Sumner knowing he would be killed eventually. "He believed he was destined to stop a bullet."⁶⁷ Walter Noble Burns, on the other

hand, thought that he wanted to be near his sweetheart: "For the one woman of his dreams he risked his life in his life's most desperate chance. For love of her he died."⁶⁸

Legend has it that during what turned out to be the last 77 days of his life he killed three of John Chisum's men because Chisum had not paid him for his part in the Lincoln County War. He is said to have stated, "You tell John Chisholm [sic] he owes me money. I'll credit him with five dollars on the bill everytime I kill one of his men. If I kill him, the account is wiped out."⁶⁹ A variant of this legend describes Billy's asking a cowhand who his boss was, and when the man said it was Chisum, the Kid shot him, saying, "...here's yore pay."⁷⁰ However, the Las Vegas Gazette wrote: "The report that the Kid had killed three herders for Chisum is entirely false and without foundation."⁷¹

While Billy the Kid was on the loose, Pat Garrett evidently simply waited for him to appear, sensing that he was still near Fort Sumner. On July 14, the sheriff and two deputies rode into Fort Sumner and attempted to discover his whereabouts.⁷² All questions led to dead ends, but the little posse was reluctant to leave, for they strongly suspected the Kid's presence somewhere in the vicinity. That night, they decided to inquire at the home of Pete Maxwell, a half-breed cattleman who was a friend of Billy's. It was near midnight when Garrett entered Maxwell's bedroom, stationing the deputies on the porch directly outside. Very soon, a barefoot man carrying a butcher knife--to cut a piece of meat off Maxwell's fresh beef--and perhaps a gun, came up, asking who was there; the deputies, not knowing him, assured him they meant him no harm, and the man entered the bedroom. The moment he got inside, he sensed the presence of someone other than Pete Maxwell in the

darkened room and asked again who was there. Maxwell whispered to Garrett, "That's him!", the sheriff fired twice,⁷³ and Billy the Kid, "the boy who never grew old,"⁷⁴ fell dead.

Shortly after the killing, it was rumored that his body had been exhumed and transported to Las Vegas. There the skull was dressed and the skeleton cleaned, while an entire finger was sent to the Las Vegas Optic as a curiosity.⁷⁵ The Optic wrote:

An esteemed friend of The Optic at Fort Sumner, L. W. Hall, has sent us the index finger of "Billy, the Kid," the one which has snapped many a man's life into eternity. It is well-preserved in alcohol and has been viewed by many in our office today. If the rush continues, we shall purchase a small tent and open a side show to which complimentary tickets will be issued to our personal friends.⁷⁶

Pat Garrett, however, wrote, "Some presuming swindlers have claimed to have The Kid's skull on exhibition, or one of his fingers, or some other portion of his body, and one medical gentleman has persuaded credulous idiots that he has all the bones strung upon wires...I say that The Kid's body lies undisturbed in the grave,--and I speak of what I know."⁷⁷

But Billy the Kid did not remain dead. Legends that he was still alive sprang up and persisted until as late as 1926.⁷⁸ George Coe denied the possibility of his death, declaring, "Garrett was his friend, had gone to dances with him at Fort Sumner and frolicked with him. Why would he shoot him? No, sir. He helped Billy out of the country. That's what he did."⁷⁹

And Dobie wrote:

Leland V. Gardiner...believes Billy the Kid, notorious outlaw of pioneer days, still lives, and has thought so for the past ten years, he said. He is not the El Pasoan, however, who communicated his belief to the New Mexico Historical Society. That informant said he had seen the Kid about ten years ago (in an eastern city).

"I am not certain, but I think I have seen the Kid," said Mr. Gardiner. "I am told that he is on an isolated ranch within 500 miles of El Paso. When strangers come to the ranch he disappears until they are gone... He can't take chances on being detected."⁸⁰

It is significant to recall here that generally only the most popular badman heroes have had post-mortem lives.

What sort of person was this legend-inspiring boy who is said to have killed a man for each year of his short life? One finds that the matter of his personality, as well as of his deeds, has been debated at length and that apparently no final word about him ever has been or ever will be accepted. His defenders attribute to him a long list of virtues and stoutly maintain that any crimes he committed were for vengeance or were the result of extremely provoking circumstances. Billy himself once said in an interview, "I made my living by gambling but they wouldn't let me settle down; if they had I wouldn't be here (Santa Fe jail) today."⁸¹ Numerous generalizations have been made about his gaiety, and he has been pictured as fun-loving and a frequent attender of the dances in the small New Mexican towns. Raine writes that some of his "friendships were probably based on fear, but undoubtedly many people liked him. For one thing, he was gay and genial and boyish. He could be the best of company."⁸² The Mexicans considered him extremely kind-hearted, especially to old people and to children, and thought of him as one of them.⁸³ Pete Maxwell's sister told of Billy's generosity; she said he offered to give himself up to anyone who wanted to turn him in for the reward money, but no one would betray him because they all liked him so much.⁸⁴ In addition, Billy was reported to be fiercely loyal. Burns says, "The steadfast loyalty of his friendships was proverbial. Among his

friends he was scrupulously honest."⁸⁵ Garrett described his making a six-hour, 81-mile ride to rescue a friend from jail, simply out of a sense of loyalty.⁸⁶ Stanley, perhaps in an extravagant mood, told what great respect the outlaw had for any kind of religion and for the Bible because of the influence that the nuns and priests had had on him when he was quite young.⁸⁷ Siringo, undoubtedly the victim of a similar mood, claimed to have eaten with the Kid, who presented him with a "finely bound novel which he had just finished reading."⁸⁸ Besides possessing such refinements as those just mentioned, the Kid was said to be temperate; Frank Coe, who used to ride with him, declared, "He would go to the bar with anyone, but I never saw him drink a drop, and he never used tobacco in any form."⁸⁹ Coe also pointed out that "He often spoke of his mother."⁹⁰ But this same youth who mentioned his mother so tenderly could be tremendously brave in a tight spot, so people say; he remained cool at all times and never shot hastily or in a fit of anger. And he was reported as being an excellent shot, one of his favorite tricks being to ride past a fence at a gallop, shooting off the birds perched there.⁹¹ Also, a story claims that he had a little dog trained to remain motionless while he shot around its body; when he rode, he carried the dog on the front of the saddle with him.⁹² F. Stanley, writing of Billy's life before the Lincoln County War, recorded that roving bands of Apaches were afraid to shoot at the outlaw because he was such a good shot!⁹³ He was supposed to be expert, too, at "most Western sports that obtained at that time..."⁹⁴

Billy's personal appearance has been of great interest to a large number of students of Western Americana. Although there is at least one clear

photograph of him widely circulated, authors go into detail describing the youth, many of them evidently not bothering to compare their descriptions with his picture. He has been described by Siringo as

...a very handsome youth with smooth face, heavy brown hair, clear blue eyes, a very athletic and symmetrical physique, very pleasing expression of countenance, and a ready smile for all, unless he was angry. His features were very regular, nose prominent, his most noticeable characteristic being a projection of his two upper front teeth.⁹⁵

A further observation about him adds a few details:

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... light hair and complexion. He is, in all, quite a handsome looking fellow...⁹⁶

It is said that because of his youth and his pleasant appearance Billy the Kid was very appealing to women. Apparently no one knows whether he had many girl friends in New Mexico or whether there was only one; there are stories to support either theory. Those people who maintain that he had just one sweetheart are in conflict over who she was; she might have been the sister of Pat Garrett's second wife or the widow of the Kid's friend, Charley Bowdre, or Pete Maxwell's daughter or any number of others. A woman not positively identified reportedly put over Billy's grave a wooden cross upon which was written, "Duerme bien, Querido" (Sleep well, Beloved).⁹⁷

Confronted with heroic legends about the Kid's numerous virtues, some writers have attempted to bring to light what they consider the more realistic side of this character. For instance, Swan says he had a violent temper and the ability to kill "out of pure wantonness. Three of his victims--Mexicans they were--he bowled over 'just to see them kick'..."⁹⁸ Raine writes, "A great deal of sentiment has been wasted on this young murderer Bonney, but

the plain truth is that he had gone bad and was as much a menace to the community as a mad dog."⁹⁹ Another author compares Billy to a wild beast: "If ever a man deserved killing it was Billy the Kid. He was a human tiger, the most pitiless killer of that period."¹⁰⁰ Walter Noble Burns analyzed him in the following way:

He had the desperado complex which, to endure for any appreciable time in his environment, combined necessarily a peculiarly intricate and enigmatic psychology with a dextrous trigger-finger...The desperado complex, of which he was an exemplar, may perhaps be defined as frozen egoism plus recklessness and minus mercy.¹⁰¹

Cunningham attempts to prove that the youthful killer was a "pretty sorry" gunman in contrast with almost any other noted gunslinger and that "as a gunman he was vastly over-rated."¹⁰² He points out that none of Billy's killings took skill with a weapon, for he either ambushed his victims, was lucky in hitting them, or tricked them, as in the case of Joe Grant. It has been said that the Kid "would do anything but work"--that he did nothing but steal and gamble for a living because he was too lazy to do otherwise;¹⁰³ this, of course, is belied by the fact that he had been employed by John Tunstall as a cowhand. A final point about which a number of writers have set out to be realistic is the matter of Billy's appearance. In A Treasury of American Folklore one finds the following quotation: [Billy the Kid was] "a nondescript, adenoidal, weasel-eyed, narrow chested, stoop-shouldered, repulsive-looking creature with all the outward appearance of a cretin."¹⁰⁴ Although this remark is extreme, an unbiased person probably would think it a more accurate description of what Billy looked like--according to photographs--than are the accounts that say he was handsome.

Many of the Kid's qualities fall into the category of folk motifs which, when formalized, establish a judgment criterion.¹⁰⁵ He evidently had a

fantastic intuition which on at least one important occasion supposedly saved him from death. On Christmas eve of 1880, Pat Garrett and a posse lay in wait for Billy and his gang to enter Fort Sumner. As soon as the outlaws rode into town and neared the lawmen's hiding place, the posse fired on the lead man, assuming it was the Kid. As it turned out, they had killed Tom O'Folliard instead, Billy having expected trouble and gone to the rear of their group so as to avoid being hit first should shooting occur.¹⁰⁶

In addition to having strong intuitive powers, Billy was noted for his amazing luck; his safe escape from jail only fifteen days before his execution is a perfect example of this. He also astounded people when he fled from the burning McSween home under heavy gunfire and did not receive a scratch. An even more startling bit of luck saved Billy from certain death when, so the legend goes, in a gunfight at Blazer's Mill, "Buckshot" Roberts jammed his rifle into the Kid's belly. By a rare stroke of fortune, the gun misfired, and Billy went unharmed.¹⁰⁷

CONCLUSION

It has been the purpose of this report to show to some degree the manner in which a legend may grow. Billy the Kid paralleled Gregorio Cortez, of whom Americo Paredes wrote: "[he] epitomized the ideal type of hero of the...people, the man who defends his right with his pistol before superior odds--in a sense a victor even in defeat...One of the most striking things about [him] is the way the actual facts of his life conformed to pre-existing legend. In his free, careless youth, in the reasons for his going outside the law, in his betrayal, his imprisonment...and even in the somewhat cloudy circumstances surrounding his death..."¹⁰⁸ Billy the Kid followed in the

badman hero tradition that was already firmly established before he entered New Mexico. It was as if the New Mexicans, with whom the Kid was so much at home, simply fitted their young compadre into an already existing legend.

A tremendous amount of information, including scores of legends, has been published about William H. Bonney, alias Billy the Kid. Jefferson C. Dykes, compiler of a bibliography about the young outlaw, has listed nearly five hundred separate items which include information about him, and there are a number of sources which he did not include.¹⁰⁹ Also, there are many, many stories in oral tradition in New Mexico which have not been--and may never be--put into print.

As this report attempts to point out, a great many of these stories about Billy the Kid picture him as a hero, when it would undoubtedly be closer to the truth to describe him as a thorough-going villain. When the coroner's jury met in the case of the Kid's shooting by Pat Garrett, they pronounced the killing justifiable homicide and said that they were "united in the opinion that the gratitude of all the community is due to said Garrett for his action and that he deserves to be compensated."¹¹⁰ These do not sound like the remarks of people who worshipped Billy--and they were native New Mexicans, too--but as the years go by, his crimes seem to have been forgotten or forgiven, while his loyalty and gay courage have been kept fondly alive. Burns writes, "A halo has been clapped upon his scapegrace brow. The boy who never grew old has become a sort of symbol of frontier knight-errantry, a figure of eternal youth riding forever through a purple glamour of romance."¹¹¹

The question is, of course, why should he have become a well-loved hero rather than a man despised and cursed by the people? The fact that many

New Mexicans apparently considered him their hero when he was living probably has a great deal to do with it. To them, he was gay and generous, and when he died, they naturally loved him more than ever before, especially since he was thought to have died a martyr's death. Pat Garrett's book is possibly the most influential literary source of legends which make the Kid appear heroic. The sheriff probably exaggerated Billy's feats and characteristics to the extent that he did in order to make himself seem all the more heroic for having killed the outlaw. Nonetheless, a large number of subsequent stories about Billy make no attempt to disprove Garrett's tales and seem to be indebted to him for much of their information. Motion pictures and television also perpetuate the legend of Billy the Kid as hero; at least twenty-five movies have been made with the Kid as their protagonist.¹¹²

Another fact which probably has a great deal to do with his being considered a hero is the common belief that Billy killed his first man in defense of his mother's honor. The reasoning seems to be that if he committed subsequent crimes, he really wasn't to blame, because he was driven to lead a desperate life as a result of being persecuted for a morally justifiable act. From this point of view, society is at fault, not Billy the Kid, who excites all the more admiration because of his carefree defiance of the law which wronged him. After all, could a man so obviously loyal and loving toward his mother really be a bad man?

Furthermore, as was discussed at the beginning of this report, the things of the "wild West" remain fascinating to the public because of their unique quality. Men were free to do as they pleased, and the height of this freedom could be seen in the badman. But while the West was an unusual phenomenon, Billy the Kid, as a part of the West, was not particularly distinguished. It is true that he is acclaimed as a hero, but so are a number of other

frontier outlaws, such as Jesse James, who was supposed to have been quite religious and to have stolen from the rich to give to the poor; Black Bart, a robber--but not a killer--who wrote poetry; Sam Bass, who was betrayed by a confederate and who, as he lay on his deathbed, refused to reveal the names of any of his comrades; Doc Holliday, who quit his life of murdering when he became friends with Wyatt Earp in Tombstone, Arizona; and others. It is significant to note that although the Western badmen heroes were not particularly unusual during their time, apparently never in any land before or since have outlaws been revered as heroes. Heroes customarily are comparatively good men whose deeds are considerably more beneficial than those of the Western outlaws. Generally they do not knowingly commit acts which are illegal, unless it is for highly idealistic reasons, as in the case of Jesus. Such well-loved heroes as Oedipus, King Arthur, and America's George Washington are loved for their virtues and their relative lack of faults. Even Robin Hood, who is thought of as an outlaw, seems like a harmless amateur compared to the badmen of the West. Evidently conditions on the frontier were such that outlaws were almost as likely to become heroes, in the minds of the people, as were men on the side of the law. The power and influence exerted by the man who carried a gun were respected and often admired, and of course that man was often a badman. In addition, as has been pointed out, the freedom of the outlaw held--and still holds--a certain fascination. Billy the Kid is a symbol of such freedom, as well as of eternal youth and vitality, and undoubtedly an outstanding reason for his becoming a hero is that people get a vicarious thrill from his exploits. He lived a life that was short, yes, but exciting at every moment--filled with danger and adventure, good times and camaraderie. Such a life has an irresistible lure for nearly everyone.

And so the legend grows. Botkin says, "As each narrative adds a bit of drama here and there, one wonders what form these legends will assume as time goes by, and in what heroic proportions Billy the Kid will appear in fireside fairy tales a hundred years or so from now."¹³

EXPLANATION OF PLATE I

An early photograph of William H. Bonney,
better known as Billy the Kid.

PLATE I



Source: James Horan and Paul Sann,
Pictorial History of the Wild West, p. 57.

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NOTES

- ¹George D. Hendricks, The Bad Man of the West, Dedication.
- ²Pat Garrett, The Authentic Life of Billy, the Kid, p. 43.
- ³William M. Raine, Famous Sheriffs and Western Outlaws, p. 124.
- ⁴Charles Siringo, A Texas Cowboy, p. 172.
- ⁵Walter Noble Burns, The Saga of Billy the Kid, p. 67.
- ⁶Norman Wiltsey, "Killer Kid!", True West, April 1959, 4:4.
- ⁷Mody C. Boatright, Mesquite and Willow, p. 102.
- ⁸Garrett, op. cit., p. 133.
- ⁹Maria Leach, Standard Dictionary of Folklore, Mythology, and Legend, p. 103.
- ¹⁰Boatright, op. cit., p. 133.
- ¹¹Loc. cit.
- ¹²Ramon Adams, Six Guns and Saddle Leather, p. 12.
- ¹³N. Howard Thorp, Songs of Cowboys, pp. 6-8.
- ¹⁴John and Alan Lomax, Cowboy Songs and Other Frontier Ballads, p. 140.
- ¹⁵Ibid., pp. 141-42.
- ¹⁶F. Stanley, Desperadoes of New Mexico, pp. 99-101.
- ¹⁷Garrett, op. cit., p. 126.
- ¹⁸Wiltsey, loc. cit.
- ¹⁹Eugene Cunningham, Triggernometry, p. 144.
- ²⁰Garrett, op. cit., p. 10.
- ²¹Edwin Corle, Billy the Kid, p. 26.
- ²²Frazier Hunt, The Tragic Days of Billy the Kid, p. 6.
- ²³J. Frank Dobie, A Vaquero of the Brush Country, p. 169.
- ²⁴Ibid., p. 175.

- ²⁵Cunningham, op. cit., p. 167.
- ²⁶Burns, op. cit., p. 61.
- ²⁷Wiltsey, op. cit., p. 6.
- ²⁸Loc. cit.
- ²⁹James Horan and Paul Sann, Pictorial History of the Wild West, p. 59.
- ³⁰Loc. cit.
- ³¹Raine, op. cit., p. 108.
- ³²Wiltsey, op. cit., pp. 7-8.
- ³³Ibid., p. 7.
- ³⁴Loc. cit.
- ³⁵Ibid., p. 8.
- ³⁶Horan and Sann, op. cit., p. 67.
- ³⁷Hunt, op. cit., p. 100.
- ³⁸Burns, op. cit., p. 129.
- ³⁹Cunningham, op. cit., p. 146.
- ⁴⁰Wiltsey, op. cit., p. 30.
- ⁴¹Cunningham, op. cit., p. 148.
- ⁴²Corle, op. cit., p. 119.
- ⁴³Cunningham, op. cit., p. 149.
- ⁴⁴Fred Sutton, Hands Up!, p. 40.
- ⁴⁵Horan and Sann, op. cit., p. 63.
- ⁴⁶Ibid., p. 61.
- ⁴⁷Burns, op. cit., p. 158.
- ⁴⁸Cunningham, op. cit., p. 150.
- ⁴⁹Ibid., p. 151.
- ⁵⁰Ibid., p. 157.

- 51 Ibid., p. 162.
- 52 Horan and Sann, op. cit., p. 64.
- 53 Oliver Swan, Frontier Days, p. 418.
- 54 William Keheler, Violence in Lincoln County, 1869-1881, p. 319.
- 55 Cunningham, loc. cit.
- 56 Stanley, op. cit., p. 32.
- 57 "The Last Days of a Gunman: The True Story of Billy the Kid," Life, May 4, 1959, 46:92.
- 58 Hunt, op. cit., p. 199.
- 59 Cunningham, op. cit., p. 163.
- 60 Burns, op. cit., p. 244.
- 61 Cunningham, op. cit., p. 164.
- 62 Raine, op. cit., p. 131.
- 63 Wiltsey, loc. cit.
- 64 Cunningham, op. cit., p. 165.
- 65 "The Last Days of a Gunman," op. cit., p. 97.
- 66 Hunt, op. cit., p. 301.
- 67 Stanley, op. cit., p. 85.
- 68 Burns, op. cit., p. 180.
- 69 Swan, op. cit., p. 419.
- 70 Raine, op. cit., pp. 126-27.
- 71 "The Last Days of a Gunman," op. cit., p. 98.
- 72 Garrett, op. cit., p. 129.
- 73 Cunningham, loc. cit.
- 74 Horan and Sann, op. cit., p. 67.
- 75 Stanley, op. cit., p. 90.
- 76 "The Last Days of a Gunman," op. cit., p. 100.

- 77Garrett, op. cit., pp. 130-31.
- 78Leach, loc. cit.
- 79Raine, op. cit., pp. 134-35.
- 80Dobie, op. cit., p. 174.
- 81"The Last Days of a Gunman," op. cit., p. 90.
- 82Raine, op. cit., p. 124.
- 83Hunt, op. cit., p. 4.
- 84Keheler, op. cit., p. 345.
- 85Burns, op. cit., p. 56.
- 86Garrett, op. cit., p. 28.
- 87Stanley, loc. cit.
- 88Siringo, Riata and Spurs, p. 64.
- 89Hunt, op. cit., p. 112.
- 90Loc. cit.
- 91Burns, op. cit., p. 57.
- 92Raine, loc. cit.
- 93Stanley, op. cit., p. 74.
- 94Siringo, Riata and Spurs, p. 245.
- 95Loc. cit.
- 96"The Last Days of a Gunman," op. cit., p. 90.
- 97Horan and Sann, op. cit., p. 66.
- 98Swan, op. cit., p. 414.
- 99Ibid., p. 128.
- 100Sutton, op. cit., p. 39.
- 101Burns, op. cit., p. 55.
- 102Cunningham, op. cit. p. 168.

¹⁰³Ibid., p. 135.

¹⁰⁴B. A. Botkin, A Treasury of American Folklore, p. 70.

¹⁰⁵Motif analyses of the legends in this study appear in the Appendix, page 43. They refer to parallel situations or events as listed in Stith Thompson, Motif-Index of Folk Literature (Rev. Ed. Bloomington: Indiana University, 1957, six vols.). Occasionally the parallel is strikingly similar. For example, on W114, Thompson cites the tale of a man who let himself be sold as a slave to practice generosity. Billy's alleged willingness to give himself up to anyone who wanted to turn him in for the reward money parallels this story.

¹⁰⁶Cunningham, op. cit., p. 155.

¹⁰⁷Ibid., p. 140.

¹⁰⁸Americo Paredes, With His Pistol in His Hand, pp. 124-25.

¹⁰⁹Jefferson C. Dykes, Billy the Kid, the Bibliography of a Legend.

¹¹⁰Cunningham, op. cit., p. 170.

¹¹¹Burns, op. cit., p. 53.

¹¹²Dykes, op. cit., p. 179.

¹¹³Botkin, op. cit., p. 97.

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APPENDIX: MOTIF ANALYSES

A570

Culture Hero Still Lives.

1. Rumor that Billy the Kid's sweetheart persuaded sheriff Pat Garrett to free him, after which he changed his name, went to Texas, and became a good citizen.
2. Report that in 1937 the body of Walk-along Smith was found. He supposedly was Billy the Kid, who had been freed by Garrett and Governor Lew Wallace, to attend school and then to return to a law-abiding life in New Mexico.
3. Report that Garrett helped Billy out of the country rather than killing him.
4. Report that Billy had been seen and was living on a ranch within five hundred miles of El Paso.

K500-699

Escape from Danger or Death by Deception.

K611

Escape by putting captor off guard.

Billy drops a playing card, disarms his guard who reaches for the card, then shoots him and escapes, killing another guard.

L100-199

Unpromising Hero.

L111

Hero of unpromising origin.

Billy had an unfortunate childhood, having been born in a poor neighborhood in New York and moving around the Southwest a great deal with his mother, who ran a boardinghouse.

L111.3 Widow's son as hero.

When the family moved from New York to Kansas, Billy's father died. His mother married a shiftless man who seemed to care nothing about the family and ignored Billy's upbringing.

L114 Hero of unpromising habits.

L114.3 Unruly hero.

1. Gambler.
2. Murderer.

RQ-99 Captivity.

R41 Captivity in tower (castle, prison).

1. Billy willingly gives himself up to stand trial for murder of Joe Bernstein. Imprisoned. (cf. R200-299.)
2. Captured two years later, imprisoned and convicted of the murder of Sheriff Brady. (cf. R200-299.)
3. Captured by Garrett, tried and imprisoned in Lincoln, N. M., jail. (cf. R200-299.)

R200-299 Escapes and Captures.

1. Escapes jail April, 1879, not trusting Lew Wallace's promise of a pardon for the killing of Bernstein.
2. Escapes jail fifteen days before his execution for the murder of Sheriff Brady.
3. Outwits his two guards in Lincoln jail, kills them, and escapes, remaining in the area of Ft. Sumner. Shot from ambush July 14, 1881, by Garrett at Pete Maxwell's ranch.

WO-99

Favorable Traits of Character.

1. Gay and fun-loving, a frequent attender of dances in New Mexico.
2. Respectful of religion and the Bible, reportedly because of the influence on him of nuns and priests when he was a child.
3. Temperate, according to one witness, who said he never saw Billy drink or smoke.
4. Loving and tender toward his mother, to protect whose honor he is said to have killed a man.
5. Level-headed, reputedly never shot in haste or in anger.

W10

Kindness.

Said to be particularly kind to old people and children.

W11

Generosity.

Billy allegedly willing to give himself up to anyone who wanted to turn him in for the reward money.

W34

Loyalty.

Garrett claims one of Billy's acts of loyalty was his making a six-hour ride to rescue a friend from jail.

W100-199

Unfavorable Traits of Character.

W111

Laziness.

Billy was said to be lazy and dishonorable--"would do anything but work." Said by some to have earned his money only by stealing and gambling.

W185 Violence of Temper.

Reportedly had a violent temper and an ability to kill wantonly, shooting three Mexicans "just to see them kick."

BILLY THE KID: THE GROWTH OF A LEGEND

by

KAY C. GILMORE

B. S., Kansas State University, 1958

AN ABSTRACT OF A MASTER'S REPORT

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The purpose of this paper is to show how, through numerous legends, Billy the Kid has become known as a hero. In order to be acknowledged as a badman hero, one must come from a respectable but not wealthy Anglo-American family; he must have had an unfortunate childhood; his first crime must have been committed under extremely provoking circumstances; he must fight the generally accepted enemies of the common people; he should perform acts of tenderness and generosity to others; he should, in some way, atone for his crimes; and, if he is an especially noted hero, he may have a post-mortem life. The Kid fulfilled all these requirements for the badman hero.

It is impossible to distinguish the facts of Billy's life from the legendary embellishment, because ballads and stories, both printed and in oral tradition, make the truth obscure. Legends exist about his name; his first killing; the number of murders he committed; his activities in the Lincoln County War; his capture, escape, and eventual killing by sheriff Pat Garrett; and especially about his personal characteristics. He has been described as everything from an "amiable cherub" to a "mad dog", but he remains a hero in the eyes of the common people. Billy the Kid--a youth who obviously was closer to being a villain than a hero--probably is thought of with admiration because he was supposedly kind to the New Mexicans when he was living. Also, Pat Garrett exaggerated the young outlaw's virtues so that he (Garrett) would appear more heroic for having killed him. Many of the legends the sheriff used in his book, The Authentic Life of Billy, the Kid, have been included in subsequent accounts of Billy's life. In addition, Billy's first murder allegedly was of a man who insulted the boy's mother;

most people seem to consider such a killing morally defensible, even heroic. Many of these people undoubtedly are willing to excuse Billy's subsequent crimes, saying he was driven to commit them because he was unjustly persecuted for killing his mother's assailant. Furthermore, the Kid represents youth and the freedom of the West, and people get a vicarious thrill from reading and hearing about his exploits. Because so many legends have sprung up about him, one wonders what stories will be told about Billy the Kid in the years to come.