

# Billy the Kid & the Murder of Morris Bernstein

By Jerry Klinger

*An Eastern city Jew goes West in search of a mystery*

Morris Bernstein was born in London, Feb. 11, 1856. He was murdered at the South Fork of the Tularosa River, near the Mescalero Apache Indian Reservation Agency at Blazer's Mill, New Mexico, August 5, 1878.

I first learned of the murder of Bernstein in a history of the Lincoln County Wars in which Billy the Kid figured prominently. Frontier New Mexico in the 1870's was populated by colorful figures that did not belie the imagery of the American Western movies, Hoodoo Brown - also known as Hyman G. Neal, William Bonny - Billy the Kid, Morris Bernstein, a.k.a. Maurice J. Bernstein. My wife and I went to Lincoln, New Mexico for a weekend at a lovely bed and breakfast, five star cooking, lounging and history savoring. We were going to stay at the Ellis Country Store. Yes, Billy the Kid did sleep there once is their motto. My wife was going to lounge. I was going to find out what was a nice Jewish boy doing on the frontier, in the middle of a war between ranchers and merchants over power and control, getting himself shot.

Morris came to Santa Fe, N.M., in the spring of 1873. He found work as a bookkeeper with a Jewish merchant network under the Seligman brothers. Jews had first come to New Mexico, probably, as hidden Jews in the 1600's with the Spanish explorers and settlers. Today it is very popular for New Mexican's to discover their "*converso*" origins. David Vigil, my host at the Bed & Breakfast, shared a fascinating anecdotal possibility about his family, who came to New Mexico 300 years ago, possibly having been Jewish.

But getting back to Morris, the German Jewish Merchant connection of New Mexico came to Santa Fe in the 1850's. The Spieglebergs, Seligmans and Ifelds, amongst other Jews, established a thriving Jewish business network that eventually would cover the whole state. Young immigrant Jews were brought in by this network and given a grubstake, or more simply, a place to work, sleep and eat. They in turn learned how to adapt and live in the frontier communities. In time, they would branch out to start their own futures. Morris, after three years in Santa Fe, worked his way 250 miles south to the booming village of Lincoln, the county seat. He secured a bookkeeping job with J.J. Dolan and Co. in Lincoln. Dolan had allied himself with the interests of Murphy and another merchant by the name of Riley in Lincoln. They controlled the lucrative military contracts in central New Mexico by controlling the post office. If you were postmaster then all the mail passed through your hands. The bids for supplying nearby Ft. Stanton were competitively submitted through the mails but first went to the Dolan-Murphy interests for inspection and consequently underbidding.

Opposing the interests of the Dolan, Murphy, Riley group, a brash young Englishman came to town by the name of John Tunstall. He quickly set up a competing merchant business and allied himself with the ranching interests of John Chisum and a Scotsman, McSween. Each group began collecting hired guns to represent their interests. Enter a young teenager, a drifter, but a drifter with a cold hand and reputation - William Bonny - Billy the Kid. He was hired on by John

Chisum and quickly became a dreaded sight in Lincoln as a member of Tunstall's Army, the Regulators. Armies are formed to express their mentor's points of views. It is a very old standard of communication - gunfire and murder.

One day the Dolan-Murphy gang headed for Tunstall's ranch. Billy the Kid and his friends high tailed it, *skedaddled*, *vamoosed*, headed for the hills, got out of town and away from the ranch when the Dolan group showed, up leaving Tunstall to face things by himself. Tunstall was murdered in cold blood.

A little later Billy and ten of the Regulators encountered Buckshot Roberts, a Dolan supporter, at Dr. Blazer's mill. They wanted to "arrest" him for complicity in the murder of Tunstall. Buckshot was not inclined to be arrested and in the fight Buckshot killed Dick McBride, wounded four men and almost killed Billy. He might have killed Billy but his six-shooter was empty when he pulled the trigger in Billy's stomach. Buckshot was wounded and the rest of the Regulators preferred to wait it out for Buckshot to bleed to death before they attempted to rush the Adobe building he was holed up in. Buckshot and McBride were buried, side by side, for eternity, at Blazers Mill.



Jail in Lincoln

Well now, what has all this to do with Morris Bernstein? Bernstein had left the employ of Dolan and went to work for Major Godfroy, the Indian agent at Blazer's Mill. Again he secured himself a job as a bookkeeper. As the simple story goes, Morris got himself killed, by Billy the Kid, at Blazer's Mill. Bernstein got in the way of a gunfight. Only the story was not that simple.

Bear with me, it gets complicated a bit.

It seems that young Bernstein, probably the newspaper muckraker of his time, was writing articles under a pseudonym by the name of Soapweed. The articles were very critical of the Dolan-Murphy gang's corruption. That was a very dangerous thing to do and a bit stupid to send out articles through the mail. Bernstein was not showing a good *Yiddish Kopf* here. Remember that Dolan controlled the mails. Dolan learned that Soapweed was Bernstein. Dr. Blazer, who was allied with the Dolan-Murphy group, in turn, rented space at his mill to the Indian agent, Godfroy. Blazer accused Godfroy of corruption against the Indians and demanded his and

Bernstein's dismissal. Bernstein called Blazer a liar. Blazer threatened to kill Bernstein. Evidently Bernstein was no timid bookkeeper. Picture this, this nice Jewish boy from London, returned on August 3 after riding, shooting and fighting alongside of Indians against horse thieves, to his home at Blazer's mill.

On August 5, 1878 Bernstein and Godfroy heard some shooting down by the South Fork, not far from the mill. Bernstein jumped into his saddle and galloped off in that direction. The story goes that he was gunned down as he "rode into the middle of the fighting between Indians and a group of Anglo-Hispanic gunmen". Blazer later claimed, during the military inquest that followed the murder, when he heard the shooting, he climbed to a safe room in the house where no one could see him and he would be safe from the Indians. He did not know a thing about Bernstein's murder and when told of it he did not seem to care. When Bernstein's body was found he had been shot four times, his gun and rifle were missing and his pockets turned inside out.

The military inquest, reported back to Colonel Dudley at nearby Fort Stanton. Dudley, brought his Buffalo Soldiers in to town to intercede in the Lincoln war. (Buffalo Soldiers were Black American soldiers who were named Buffalo soldiers by the Indians because their black, kinky hair resembled Buffalo hair). Dudley ended up supporting the Dolan-Murphy faction. Dudley placed the blame for Bernstein's murder on Billy the Kid and the remnants of the Regulators. Billy, at the time, was running from Lincoln where he had just escaped from jail. Billy had just killed the Sheriff and his deputy and he needed horses. Blazer's Mill was the nearest place he could find fresh mounts. He was in the general vicinity when Bernstein was killed even if he was headed in the opposite direction. Dudley said Billy did it.

Major Godfroy reported to U.S. Secretary of War, Karl Schurz, in Washington, what had happened and that his clerk, Bernstein had been killed. There never was any mention of a burial for Bernstein.



Adobe House of Shootout

As I read about the story, I wanted to know more, the search for clues began. Was Bernstein murdered for what he knew and was revealing to the press about corruption in Lincoln country. Had he allied his sympathies with the Tunstall faction and lost. Was he simply in the wrong place at the wrong time, a simple Jewish bookkeeper? Where was his final resting place? He had been murdered while in Government service. He had been shot near Blazer's Mill. If Buckshot Roberts and Dick McBride could be buried in the Blazer's Mill cemetery, then why not Bernstein? Had anyone ever gone to say *Kaddish* for him at his gravesite?

I called the county historical society inquiring about Bernstein - they had never heard of him and did not know where he was buried. I next tried the Lincoln State historic district representatives and they did not know of Bernstein. They referred me to the Santa Fe State government historical research centers and John Murphy. I wanted to know where South Fork was. To me, a city Jew from the East, the south fork meant the salad fork at a proper table setting. My wife trained me well. In New Mexico I did not know a South Fork from a soup spoon. I wanted to see where Bernstein was murdered, to try and understand his story better.

John Murphy confirmed that South Fork and Blazer's Mill were the same place. But where was Blazer's Mill. Scott Smith, the interpretive historian at Ft. Sumner, (Billy the Kid is buried there), helped me further. (Billy finally got his chance to meet God in Ft. Sumner, New Mexico when he was shot in the back by Sheriff Pat Garret, a few years later.) He determined the location of Blazer's mill as 16.2 miles from Tularosa on Route 70 going to Mescalero. Mescalero is the main town of the Mescalero Apache Indian reservation. Scott suggested I call Drew Gomber from the Museum of the American West at Ruidosa. I did and I asked Drew about the murder of Morris Bernstein. Drew knew the story and he also said I would find nothing and if I did no one would tell me anything anyway. Drew told me how to find the Adobe house that Buckshot Roberts had fought from and died in. It still is standing.

The house and nearby cemetery where Buckshot and McBride are buried in is on Blazer land. He strongly suggested that I call the present owner, a descendent of Dr. Blazer, and ask permission to look around. Out west, where it is common to shoot trespassers first and ask later, I did not want to be another mystery newspaper story; "*Dumb Eastern Jew wandering around Mescalero, New Mexico shot while searching for Morris Bernstein's grave*".

The modern day Blazer was kind and receptive. He gave me permission to look around. With the assistance of the Mescalero Tribal police I found the place. I asked a very large, square jawed Indian, with long black stringy hair in a police uniform and extra large hand gun on his side, where the Blazer property was. He pointed behind me and said up on the ridge. Everything looked like a ridge to me but I went and parked at the bottom of the road. I did not want to negotiate with the barking dogs at the nearby trailer so my wife Judy stayed in the car. I headed up the hill, into the woods, looking for the cemetery and Buckshot's grave.

I reasoned that Bernstein should have been given the same right of proper internment as had Roberts and McBride. When I asked Blazer about Bernstein he never heard about him and did not know of any murder. How many of us have dark closets in our family history that are simply not talked about. I climbed the hill above Rt. 70 keeping a wary eye for Indians, stalking men with guns and rattlesnakes. At the top of the hill was the cemetery. In the middle of the cemetery,

surrounded by a worn down wooden low fence were the graves of the two gunfighters from so long ago. I wandered among the graves and looked for anything that might have been a marker for Bernstein. I found nothing. Perhaps he was there and perhaps he was not. I stood above the little fenced gravesite of Roberts and McBride, an area big enough to have held three graves and said *Kaddish*, the Jewish prayer for the dead.



Graves of Buckshot and McBride

As I returned down the hill, Judy was climbing out of the car, cell phone in hand. She was about to call the Mescalero Indian Police to find me as I had disappeared into the wilderness too long. What kind of a weekend at the Ellis Country Store Bed & Breakfast that would have made for her.