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The Role of Race in the Frisco Shootout

Elfego Baca's role in the Frisco shootout was about creating law and order on a lawless and unstable frontier. Vigilantes, Texas Cowboys, the law and outlaws, throughout the entirety of Baca's life it would be a contrast between the law and lawlessness. From his early upbringings in Kansas, to his return home in Socorro County, Baca would face many racial injustices along the way; however, it would be the Frisco shootout that would come to define his character and make him what many called the last of the frontier lawman.

From the earliest days of his existence Baca was considered a charmed child. At the age of one years old, Kyle Crichton, a biographer of Baca's, said that he was kidnapped by the Navajo Indians for a two-day period and then released. Crichton claimed that it was then the practice of the Navajos to do unsavory things to little white infants. "Historians of greater or less repute," Crichton wrote, "for veracity have given it that the Navajo practice of the period in regard to puling white infants was to treat them to a fairly efficient boiling in oil or to grasp them nimbly by the heels and dash their brains out against a nearby rock."¹ This would be but one of many of Elfego's escapes from racial injustices. Elfego was returned by the Navajos and the Bacas made their way east along to Topeka, Kansas.

In Kansas, among white culture, Elfego received an English education which further distanced him from his own Hispanic community. After the death of his mother Elfego

¹ Kyle Crichton, *Law and Order Limited*, (The Rio Grande Press, Glorieta, New Mexico, 1928) 5.

returned to Socorro at the tender ages of fifteen. with little knowledge of his native Spanish tongue. This did not hinder Elfego from making friends among the Spanish population. He would make many during his long and illustrious career.

It would be among the lawlessness of Socorro County that his career would begin. When Elfego returned in 1881 his young mind was shaped by a group of individuals known as the Socorro Vigilantes, who were committed to bringing justice to the frontier. The Vigilantes, according to Howard Bryan, were a group of Anglo “latecomers” to Socorro County. They had taken it among themselves to hang people for their crimes with, or without government approval. Hanging some eight individuals in 1881.²

Racial tensions had risen almost to the point of a racial war in March of 1881 when the Vigilantes hung two prominent members of the Baca clan. When Onofre, Abran and Antonio Baca shot to death J.M. Conklin, the founder of the *Socorro Sun*, following an altercation at a Protestant chapel. The Vigilantes fearing that the largely Mexican community of Socorro would fail to convict the Bacas descended on their home and administered their own version of frontier justice. They hung Onofre and Antonio and exiled Abran from New Mexico.³ It would be the very next year that Elfego would find himself confronted with the law.

When his father was town marshal of Belen, New Mexico he hung two cow punchers for crimes they committed against the city. Father Baca was then jailed in Los Lunas and sentenced to a considerable time in the state petitionary. Largely seeing this as an injustice Baca and a friend of his devised a plan to break his father out of jail in Los Lunas. Elfego

² Howard Bryan, *Robbers, Badges and Ruffians*, (Clear Light Publishing, Santa Fe, 1991), 101.

³ *Ibid.* 104.

arrived on a largely celebrated Catholic holiday the feast day of Saint Teresa and found that the jail was closed for the night. He and his friend young Chavez then climbed the jail to the second story and sawed his father out of jail. The event took all night and at the break of daylight they grabbed what food they could and hid out 150 yards from the jail in tall grass. They laid in wait the whole day watching as the sheriff and his men searched for them. This experience, claimed Crichton, “was to be of service to him later when, as sheriff, he picked up criminals within an ear shot of the site of their crimes rather than credit them with an airplane hops away from there.”⁴ Elfego helped his father escape to Old Mexico and moved with his uncle in Albuquerque for a while.

In Albuquerque he would make friends and run with the infamous Billy the Kid. With Billy a young Elfego would learn a few tricks involving sleight of hand. In a bar that Billy the Kid felt was too quiet he pulled out a bulldog repeater and fired off three shots. A deputy approached the boys and searched revealing nothing. When the deputy left Billy fired three more shots into the ceiling. “The deputy was mad as ever,” Baca stated. “He called us every name in the book that he could think of.”⁵ Billy the Kid had hidden the little repeater inside of his derby hat. The two then departed and Elfego soon found himself back in Socorro County.

In January of 1884 the hanging of Joel Fowler by the Vigilantes would play an important role at the Frisco shootout. Sheriff of Socorro County Don Pedro, an Anglo sheriff who changed his name and assimilated to the Spanish culture, had been ousted when he failed to protect Fowler. Fowler was a Texas cattleman that had moved into New Mexico during a

⁴ Kyle Crichton, *Law and Order*, 12.

⁵ Larry Ball, *Elfego Baca In Life and Legend*, 4.

high time of contention. The Texas cattlemen had brought their cattle to graze on the cultivated lands of the Spanish settlers. Fowler wound up killing three Mexicans and was thrown in jail for it. Fowler's hanging, by the Vigilantes, caused an unruly response by many cowboys coming from Texas.⁶ Their response would come to clash head on with Baca at the San Francisco Plaza in upper Socorro County in October of 1884.

When Baca went to the Plaza, he was confronted with lawlessness that was typical to the area since the Fowler hanging back in January. Baca found that a Charles McCarthy, a cowpuncher out of Texas, had fired his pistol in a barroom. Baca proclaimed himself a deputy and arrested McCarthy. Within a few hours McCarthy was released and was back on the street causing havoc. Again, Baca confronted McCarthy for firing his pistol off at the bar. This time McCarthy fired five shots at Elfego and retreated. Baca rounded up a posse and arrested McCarthy.

⁶ Ibid. 12.