



# *GUAJALOTES, ZOPILOTES, Y PAISANOS*

**Newsletter of the Hillsboro Historical Society**

**November 2010**

**Volume 3 Number 4**

**Edited by: Harley Shaw**

## BOARD

President Harley Shaw, Vice President Larry Cosper, Treasurer Fred "Stretch" Luna, Recording Secretary Sonja Rutledge, Directors Patti Nunn, Matti Harrison, Paul Torres, Bob Cunningham, Ike Wilton

## ADVISORY BOARD

Karl Laumbach, Chris Adams, Craig Springer, R. D. Brinkley, Patricia Woodruff

## MINUTES—November, 2010

The meeting was called to order at 6:30 pm by President Harley Shaw. Present were: Harley Shaw, Stretch Luna, Paul Torres, Larry Cosper, Sonja Rutledge, Patty Woodruff (bookkeeper), and Jim Laupin (guest). Not present were: Ike Wilton, Bob Cunningham and Matti Harrison & Patti Nunn.

The minutes from the previous meeting were read. Paul moved they be approved, seconded by Larry. Passed.

The financial report was presented by Patty Woodruff, as reviewed by Treasurer Stretch Luna. Paul Torres moved we accept, seconded by Larry.

## Old Business:

Heritage Music Festival: Patty reported on the Heritage Music Festival and Silent Auction; both were resounding successes. The Concert headlined by a fabulous musician, Jeff Scroggins and his "Fresh Horses" Band brought the audience to its feet, our own Mackey Redd, Mark Hartman and the MuleTones contributed to a successful afternoon. A complete financial report is not available due to glitches using the Percha Creek Trader's Visa Machine. A final Financial Report will be attached to the minutes when published. The gate was over \$1,250. More on the Music Festival and Silent Auction appears in the President's Report below.

Courthouse: Sonja presented the idea of trying to purchase one or two of the lots on the west side of the property to give us a foothold that might facilitate seeking grants. This would not devalue the portion of the property occupied by the courthouse, and it would give us a place to put a storage container for historic artifacts and materials. We decided to table this until Sonja could contact board members not present. If no serious objections arise, we can approach Sullivan on this idea.

Hillsboro Photo History Book: In progress. Plenty of photos have been located. Harley requested a budget of \$500 to have digital copies made from the Ostertag and Schmidt collections.

Firetruck: It is deteriorating at its present setting and needs to be moved. Larry is still trying to get his larger workshop built so that he will have a place to work on it.

A motion was made by Stretch for limited funds to be available for small purchases between meetings. Larry seconded. Such purchases will be approved by the President and Treasurer as needed.

## New Business:

Donation of Historic Piano: Harley reported that HHS had been offered a historic

piano that had been brought to Hillsboro by John Plemmons. Reputedly, it is the first piano in Hillsboro. Mr. and Mrs. Gene Stailey in the Mimbres Valley now own it and would like to give it to our society. The group agreed to accept it and will organize a party to haul it when the Stailey's give us the word.

Nominating Committee for 2011 Board Members: A committee to nominate board members for the February election was appointed. It includes Sonja, Paul, Matti, and Patti. Three member's terms expire: Harley, Paul, and Larry. Larry and Harley said they would be willing to continue serving, if re-elected. Paul said he would vacate his place on the board. Harley said he felt that someone else should assume the job of president, but that he'd like to continue producing the newsletter. Patty, while not a board member, expressed the desire to break someone new in to do book-keeping.

Larry made a motion to adjourn; Paul Seconded.

## THE PRESIDENT'S REPORT: NEWS AND COMMENTS

First I want to thank everyone who helped with the Heritage Music Festival and Silent Auction this year. It was our most successful event yet. Ike Wilton organized the music festival and handled all arrangements for musicians. Larry Cosper served as MC, and Steve Dobrott worked overtime to keep the sound system functioning. Sonja Rutledge stepped in to handle the ticket booth and innovatively stamped paying customers with our library date stamp so that they could come and go through the course of the afternoon. Mary Wilton prepared and served delicious eats; donating all receipts to the Festival to the tune of \$500.00!!

Patty Woodruff, Cami Cosper, and Jody Petersen gathered auction items and organized the Silent Auction. The whole "Franklin clan" showed up on Sunday morning to help with setup, thereby averting a potential crisis that resulted from the fact that the folks who held the wedding on the previous evening were still cleaning up. To their credit, they, too, pushed hard to leave the facilities clean and vacate as early as possible. It all worked quite well. Others who helped included: Janie Dobrott, Cami & Jodie helped organize and display the auction items faster than greased lightning (!) With over 70 items donated it was quite a feat; Barbara Bartlett came up from Arrey to help monitor the Silent Auction, Richard Spellman helped with the Auction Check Out, (which is always a scramble!!).

Our Heritage music festival and silent auction grossed 5328.91! Expenses for bands, advertising and other costs came to \$1741.83, leaving us a net of \$3587.08 for the single-day event. The gate for the Heritage Music Festival was \$1250; the Silent Auction brought in \$3578.91; and Mary Wilton's cooking netted us \$500.

Since I'm discussing fund-raising, I'd like to note that approximately one-fourth of the 100 tickets for the ironwood sculpture raffle have been sold. The sculpture was donated to HHS as an item for fundraising. Tickets @\$20 are available at the Barbershop Cafe or by calling Patty or Harley at 575-895-5385. If you haven't gotten yours, please do so. We'll draw for the winner as soon as 100 tickets are sold. That's one in a hundred odds, better than Vegas!!

The Hillsboro Historical Society will be holding an election at its February meeting (Tuesday, February 1, 2011). Our board has nine members with three year terms. Terms are staggered so that three positions come up for re-election each year. This provides a mechanism for board members to step out gracefully when they no longer care to serve, but it also allows incumbents to run to retain their position. Between now and the February

meeting our nominating committee (Sonja, Paul, Matti, and Patti) will be seeking prospective new board members. At present, it appears that we will have one vacated slot and two positions wherein the incumbents will seek to stay on the board.

I want to encourage anyone interested in serving on the board or in any other capacity to contact one of the members of the nominating committee, if they do not contact you first. The fact that incumbents choose to re-up should not discourage others from running. Personally, while I hope to step down from the president's job, I do intend to run for one of the board positions. My goal is to continue producing this quarterly newsletter and possibly make it a little more presentable, although I'm not quite sure what that means as yet. That said, should someone express a high level of interest and enthusiasm for being a board member, along with expressing a desire to insert new ideas into our present or new projects, I'm willing to get out of the way. This isn't big party politics—making things happen in the organization is what counts. And, board willing, I could continue to produce the newsletter whether I'm on the board or not. The best organizations are those that have a lot of volunteers carrying out projects that keep the society alive.

Sonja has pointed out that our current organization is a bit confusing—ergo, who does what. I'd say that this is because up until now, our organization has been pretty loose. In its present form, Hillsboro Historical Society does not have members outside the board. As I remember, this was done in order to keep things simple during our early stages. As we've become more established, we have developed a cadre of unofficial "members"—mainly people who have contributed money and/or time to the organization, or have asked to receive the newsletter. Several people have sent checks to cover costs of mailing the newsletter. In other organizations, these folks would be paying members. Perhaps a task of the new board will be to address the possibility of an official membership category. Of course, this means someone will have to keep track of members, send renewal notices, and all the other activities an organization assumes when it legitimizes membership. Anyway, at present, the Historical Society is officially made up of 9 board members, three advisory board members, with room for many others in this category, and a host of volunteers. Patty Woodruff, for example has continued to maintain the books in coordination with Treasurer Stretch Luna, even after she chose to vacate her board position last year.

An example of a project that has developed due to efforts of a interested volunteer is the Arcadia Press photo book that is in progress. Craig Springer contacted Arcadia and set the project in motion. He continues to gather photos and historic information and is now beginning to write captions for the book. Patti, Matti, and I are also gathering and sorting photos and beginning to create captions. If anyone else is interested in helping on this project, we are nearing the layout stage and probably will begin to feel considerably overwhelmed between now and the February due date for the book. If you aren't acquainted with the Arcadia books, drop into Marsha's stationery and fabric shop in T or C and take a look at the one just created by Sherry Fletcher and Cindy Carpenter for the town that was once more appropriately called Hot Springs, New Mexico. And if anyone has good old photos, we are still looking.

Craig Springer has created a Hillsboro Historical Society blog at: <http://hillsborohistory.blogspot.com/>. Take a look. He is posting some really neat old photographs.

We picked up the Plemmons piano in the Mimbres on November 21. Paul Torres, Jan Haley, Gary Gritzbah, and Patty Woodruff traveled over and provided muscle to grunt it into our horse trailer.

## **LOCAL HISTORY**

We are extremely fortunate to have the following paper about the 1921 Lake Valley Range War. Heidi Nunn-Gilman wrote this when she was attending college. She has recently edited it and given us permission to use in our newsletter. To me, it represents the fairest and best-balanced report on that tragic conflict that I've seen so far. I'm hoping it can ultimately appear in a publication with wider distribution than our humble rag. Heidi is now an attorney in Mesa, Arizona.

**The Lake Valley War:  
An Analysis of the Last Range War in New Mexico**

**By Heidi Nunn-Gilman \***

Stories of land wars, shooting disputes, and men being killed with Colt revolvers and Winchester rifles, newspaper headlines such as "Feud Ends in Death of Sikes Stockman"<sup>1</sup> and "Second Battle in Range Feud,"<sup>2</sup> conjure up pictures of the 1800s West, as well they should. Many people would think that the era of the range war ended in the nineteenth century. However, the last range war in New Mexico occurred not in the 1800's, but in 1921. It is difficult to determine the exact cause and beginning of the 1921 Lake Valley War, commonly called the last range war in the Southwest. I believe that it was a comedy of errors that resulted from the combination of the environment and the upbringing of the principal participants. Because the main characters in the saga were all familiar with violence and the culture of southern New Mexico in the early 1900s was still open to rugged individualism and self-protection, it is no surprise that a land dispute turned into a shooting war. In this article, I will summarize the main events in the Lake Valley War and then explain how and why I believe that it was not intended to happen, but made possible by the time period and the environment.

The Lake Valley War was a fight over a disputed piece of land in Sierra County in southern New Mexico. The dispute can be traced back many years. In 1879, the Greeley Nunn family moved from Texas to New Mexico in a covered wagon and began homesteading in the Lake Valley area.<sup>3</sup> In 1886, Arch and Jim Latham moved into the area. Between 1906 and 1911, the Nunns and the Lathams bought out the Sierra Land and Cattle Company (SLC) and went into business together, keeping the SLC brand. They brought up 10,000 head of cattle from Mexico and began their cattle partnership. At the height of the partnership, the two families owned or controlled almost 14 townships, an area of almost 500 square miles. Their holdings ran from Hillsboro to Deming and down to the border of Mexico. The partnership included the brothers Arch and Jim Latham and Greeley Nunn and his two sons, James Pryor and Emmett.<sup>4</sup>

The Sikes family moved to New Mexico from Pecos City, Texas in 1886, arriving in the Kingston-Lake Valley area in August of that year. The family consisted of John Roger Sikes, his brother Hood, and his sons John Jr. and Charles Henry. Charles's son Lane was born in New Mexico in 1902. John Roger Sikes worked in a mine and boxed professionally while John Jr. drove a freight wagon. About 1912, the Sikes family began homesteading in Nunn Flats, and became neighbors with the SLC. Both Sikes and the SLC also owned ranches in Imperial Valley, California, and relations between the neighbors appeared to be good. Greeley Nunn even offered to help Lane Sikes pay for college. Lane, however, instead joined the Army Air Force and fought in

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\* The author is the daughter of Charles Pryor "Tuffy" Nunn, who is the grandson of James Pryor Nunn.

World War I. John Jr. entered the Army and fought in France.<sup>5</sup>

After World War I, the situation for the SLC and for the Sikeses began to slide downhill. The economic situation forced both parties to sell their Imperial Valley, California holdings and concentrate on their Lake Valley, New Mexico properties. It is at this point that the two friendly neighbors started to grow a little less friendly. According to the Sikeses, they discovered upon returning to New Mexico from California that the SLC had run drift fences across range belonging to the Sikeses. They asked SLC to remove the fences, but SLC refused. The SLC claimed that the fences were on SLC land, not the Sikes's land.<sup>6</sup> Later study by Greeley Nunn and John Roger Sikes showed a discrepancy in the land ownership. The land was not SLC property, nor did it belong to the Sikes family. The land actually belonged to the government and was open for homesteading. It is not clear whether the land was part of a claim that had earlier been forfeited by the Nunn family, as was most commonly reported in the newspapers, or whether there was a clerical error at the land office, as claimed by Mae Latham Rector, and which explains why the Nunns believed that the land in question belonged to them.<sup>8</sup> Ruby Knave, a friend of the Nunn family who was a young girl during the Lake Valley War, recalls hearing Greeley Nunn and Pryor Nunn discussing the land, which they believed they had purchased. An error in a land survey led the Nunns to believe that the land was SLC property, when in fact it was not.<sup>9</sup> However it came to be in dispute, once it was discovered that the land was not clearly the possession of either party, John Roger Sikes brought back John Jr., who had been living in Mexico, to homestead the property.

There are two accounts of what followed. The most common story, found in most of the newspaper accounts of the trial that ended the Lake Valley War, is that the Nunn brothers, James Pryor and Emmett--sons of Greeley Nunn--built a ten-room house, erected a windmill and sunk a 300' well on property that they planned to homestead. This property surrounded the property that John Sikes Jr. was homesteading.<sup>10</sup> Historian Philip Rasch claims that the property on which James Pryor and Emmett Nunn built their home was part of the Sikes's homestead, and thus the Nunns should not have been there. However, he is the only one to make this claim.

The Nunn homestead almost completely surrounded the Sikes homestead. John Roger Sikes claimed that the house and other improvements made by the Nunn brothers were built on an old road that led to the Sikes's property. He sought and received an injunction forbidding further development on that land. The SLC ignored the injunction. The Sikeses then took the Nunns back to court, where the judge fined Pryor Nunn \$500 for contempt of court.<sup>11</sup> This really did not seem to phase Pryor Nunn either, for he continued to prove on the claim, an area known as the North Well.

The SLC needed the land and the water that the North Well provided. They felt that they had been betrayed by the Sikeses, who had been good neighbors for so long. The SLC felt that the Sikeses had unduly taken advantage of the state land office's error, which left the property open for settlement. The SLC did not want the same thing to happen again, which is one reason they began homesteading the adjoining property. Relations between the neighbors were no longer friendly.<sup>12</sup>

As the second civil case was pending before the court, an unidentified arsonist burned down the house built by Pryor and Emmett Nunn. It seems clear that the Sikeses were responsible. However, they did not admit to burning down the house and no legal action was ever pursued against them. Two weeks after the house was burned down, saboteurs tore down the windmill and partially filled the well with gravel and railroad ties. Sabotage to other SLC property occurred as well. Mae Latham Rector records the mysterious death of ten prize bulls, discovered shot in the stomachs with a .22. Other animals were found crippled with tendons or muscles cut.<sup>13</sup> After the windmill was torn down and the well filled, the SLC took the initiative and hired Luther Wright and Jay Barnett as guards or, according to popular rumor, as gunmen. Luther Wright was a former state mounted policeman and deputy sheriff of Luna County. Little is known about Jay Barnett, but

Lane Sikes described him as a big-framed and surly man.<sup>14</sup> Residents of the area knew Barnett and Wright as professional guards and tough men, good with guns.

To this point in early 1921, there had been no shots exchanged. Both parties had been to court. Both had employed other measures to eliminate their rival for control of the North Well. However, neither had as yet resorted to open violence. This changed in April. On the morning of April 19, 1921, Jay Barnett and Luther Wright were at the site of the burned out house at the North Well, evaluating what repairs would be necessary and possible. At approximately 9:30, John Sikes, Jr. approached the site. According to Wright and Barnett, he ordered them off of the property. When they refused to leave, he reached for his gun and Wright shot him twice, killing him immediately. The two hired guards then rode into Hillsboro, at that time the county seat of Sierra County, and reported the incident to Sheriff Neil Sullivan. The next day the justice of the peace had the two men held over on \$5,000 bond to await a grand jury hearing.<sup>15</sup>

The Sikes's version of the events of April 19, 1921, is significantly different than that of Wright, who claimed, "It was my life or his."<sup>16</sup> According to Charles Sikes, a Basque sheepherder told him that he had seen John Jr. approach the North Well and greet someone he obviously knew. As John leaned over to shake hands with one man, a second man shot John Jr. in the back. When he fell to the ground, the first man also shot him. Further, the two men supposedly used a knife to cut holes in John Jr.'s abdominal wall to make it appear that he had been shot from the front. Though the coroner's findings did not support this, a private physician hired by the Sikeses, Dr. Vickers of Deming, agreed that John Jr. had been shot in the back. The Basque sheepherder who had supposedly witnessed the events disappeared before he could be questioned. The Sikeses claimed that the sheepherder was murdered by SLC gunmen. However, there was never any evidence of his death or any complicity on the part of the SLC.<sup>17</sup> When Wright recited the event to a reporter for the Deming *Graphic*, he claimed that they did not touch or move the body, except to "make certain that life was extinct."<sup>18</sup>

Following the death of John Jr., John Roger Sikes reportedly hired a detective, Bob Finley, to try to discover the truth about the events of April 19. Finley secured a job with the SLC. He supposedly told Sikes that the SLC offered him \$1,000 per Sikes killed. However, this claim was continuously denied by all associated with the SLC. It is possible that Finley was trying to get more money from Sikes, who was paying him only \$450 for the job.<sup>19</sup>

Many months passed fairly uneventfully, although Lane Sikes, freshly returned from the Army Air Force, was "bushwhacked" in June and wounded in the leg. Wright and Barnett appeared before the grand jury and were indicted for the murder of John Sikes Jr. in early August 1921.<sup>20</sup> Less than two weeks later, an event occurred that overshadowed that indictment and put the John Jr. murder trial on the back burner. On August 18, Allie Barnett (Jay's son), Carl Collins (a Hillsboro blacksmith), James Pryor Nunn, Luther Wright, Jay Barnett, Emmett Nunn, Arthur Glasson and "Nigger John" Thomas were at the wrecked windmill and pump at the North Well. John R., Charles, Hood, and Lane Sikes rode up to the group at the well. According to Lane Sikes, his group was out checking how their cattle had weathered a massive thunderstorm the day before. They were not looking for nor expecting a confrontation with the SLC. However, once a confrontation seemed imminent, according to Lane, Charles Sikes thought that he might be able to use the situation to bluff the Nunns off of the property for good. Lane remembers that his father told him, "When the shooting starts, get on the ground. We will fight from the ground."<sup>21</sup> From a distance, only a few of the SLC party were visible at the North Well. The Sikeses were not ready for nor expecting the number of people that awaited them.<sup>22</sup>

As they approached, Hood Sikes yelled, "Look to your left, Charlie."<sup>23</sup> At this point, the firing began. It is not clear why Hood yelled this warning. Perhaps he was merely trying to draw attention to the men in the cook tent. Perhaps he saw one of them make a move he perceived as

threatening. Either way, it was at this point that gunfire began. In the ensuing fight, Hood Sikes was killed and Charles Sikes shot four times. Jay Barnett's hat was pierced, but that was the only damage done to any of the SLC party.<sup>24</sup>

Charles and John R. Sikes rode away after the initial exchange of gunfire. Lane's horse had tripped when the shooting started and had thrown him from the saddle. He lay where he fell for the entire day, until the coroner's jury arrived on the scene and were examining him. The SLC party all denied shooting him, but believed he was dead and did not want their footprints near the body, so failed to go check whether he was alive or dead. When the shooting was over, Wright and Pryor Nunn rode to Hillsboro and reported the incident to Sheriff Sullivan. Barnett rode to Lake Valley, where he appeared before Justice of the Peace William Kiel and swore out a complaint charging the Sikes party with assault with deadly weapons with intent to kill. Kiel, who was also the coroner, headed up the coroner jury. When the coroner jury appeared at the North Well to examine the scene, they discovered Lane Sikes unharmed but for the severe blisters he received from lying in the hot New Mexico sun all day. The coroner's jury, upon examining the body of Hood Sikes, found that "Hood Sikes came to his death at the hands of parties acting in self-defense."<sup>25</sup> The men involved in the incident were released on their own recognizance, until Charles Sikes appeared before a Justice of the Peace on August 25 in Hillsboro and swore out complaints of murder against J. Pryor Nunn, Emmett Nunn, Allie Barnett, Jay Barnett, Luther Wright, Collins, Glasson, Thomas and Henry Cox. The inclusion of Henry Cox is a mystery, given that he was not at the well the morning of the shooting. When this was conclusively proven, the charges against him were dropped. The others were released on \$10,000 bond a piece to await the grand jury hearing.<sup>26</sup>

The time between the August 18 shooting and the grand jury hearing the next February seems to have been uneventful. Neither side attempted any more violent action or sabotage against the other. The Sikes family did, however, circulate a petition calling for the removal of Sheriff Neil Sullivan. The Sikes family charged Sullivan with being preferential to the SLC faction and accepting insufficient bond in the cases of the eight men charged with the killing of Hood Sikes. Approximately 1,000 of the County's 5,500 eligible citizens are supposed to have signed the petition. Although the petition was brought to the attention of the state governor, no action was taken to remove Sheriff Sullivan.<sup>27</sup>

The case finally came before the grand jury in February 1922. The grand jury dropped the charges against five of the men, holding over only James Pryor Nunn, Jay Barnett and Luther Wright for trial.<sup>28</sup> The trial began on February 11, 1922. Newspaper headlines sensationalized the trial. "Excitement at High Pitch as Trio Goes on Trial for Murder at Hillsboro, New Mexico,"<sup>29</sup> "Famous Trial at Hillsboro,"<sup>30</sup> and "Nunn Murder Trial at Hillsboro Rivals Fountain Case in Varied Thrills,"<sup>31</sup> were just some of the headlines. The air was charged with excitement, and, some feared, with trouble. Sheriff Sullivan swore in extra deputies to patrol the streets and sit in the courtroom to head off trouble. Both families were long-time residents of the area, and almost everyone in the County was interested in the trial. The El Paso Times explained that the trial "caused intense excitement because of the prominence of the principals."<sup>32</sup> Hundreds of visitors flocked to Hillsboro for the proceedings.

The attorneys expected a long, drawn-out trial (by 1920's standards), and starting with the selection of the jury, they got what they expected. The defense attorneys immediately offered a motion to have all the potential jurors who had signed the petition against Sheriff Sullivan dismissed, on the grounds that the petition included strong language against the SLC men. The judge, Harry P. Owen, held that the signing of the petition did not necessarily show bias and did not automatically disqualify men who signed the petition from the jury panel. After two days and after two special venires were exhausted, a jury was finally impaneled.<sup>33</sup> The prosecution, led by District Attorney Fred Nicholas, had only five witnesses--Charles, Lane and John R. Sikes, Dr. J.Q. Hatcher, the physician who treated Charles Sikes after the shootout, and a member of the



coroner's jury.<sup>34</sup> The testimony took less than one day and the prosecution rested. All three Sikeses contended that the SLC party had fired upon them first, and they had shot only in self-defense.<sup>35</sup>

The most sensational testimony for the prosecution was that of the young Lane Sikes. Lane's horse had bucked and thrown him as the shooting started. He claimed that he had remained conscious, but knowing he had only five bullets and that there were eight men, he decided to feign unconsciousness in order to save his own life. He testified to having overheard certain conversations between the SLC men while pretending to be dead. Part of the conversation he claimed to have overheard included the three defendants and others in the SLC party talking about other members of the Sikes family that they intended to kill in the future and bragging about the ones they had killed in the past. The fact that he included the three defendants in the conversations was one of the weaknesses in his testimony, because they were the three people that rode away from the scene to report the incident. He also testified that one of the men in the SLC party had aimed a gun at him as he lay on the ground and fired it, but was out of ammunition. Further, he said that later in the afternoon, one of the men said, "I don't believe the \_\_\_ is dead. I'll go out there and shoot his brain outs." The man supposedly approached within eight feet of him, decided he was dead, and walked away. Possibly most damaging of all the things he claimed to have overheard was that one man in the SLC party remarked, "We certainly earned our \$1,000." The preliminary hearing testimony of Lane Sikes was called by one newspaper "the most sensational and dramatic testimony ever given in a New Mexico court."<sup>36</sup> It is likely that his second testimony was equally sensational.

The defense spent much of its time interviewing twenty-one witnesses in order to dispute the testimony of Lane Sikes. The witnesses for the defense included all of the SLC party that had been at the North Well at the time of the incident, members of the coroner's jury, and area residents who testified to overhearing threats made by the Sikes family.<sup>37</sup> The defense case was slow and laborious. The El Paso Herald Post reported, "As the attorneys are stubbornly battling every point, examination of the witnesses is slow, and cross-examination and re-cross are taking up more time than the original examination of most of the witnesses."<sup>38</sup> The defense witnesses claimed that the Sikeses were the first to open fire and that they shot only in self-defense. They also denied all of the conversations that Lane Sikes claimed to have heard while feigning death. Mr. and Mrs. Woods testified of threats made by Charles Sikes that he would get rid of the SLC one way or another. Carl Collins testified that Charles and John Roger Sikes were carrying their Winchester rifles in their hands, and that Charles had fired the first shot after Hood yelled out "Look to your left." Collins testified that he dove behind a well rigging when the firing began. From his position, he saw an injured Charles Sikes riding away and firing backward at the SLC party. He claimed that John Sikes then came into view, riding away in a different direction, but also firing back at the group at the well. He said that he had seen only the shots fired by Charles Sikes, but heard over a dozen. Collins denied in its entirety the story told by Lane Sikes, and maintained this denial through more than two hours of "brilliant and grilling cross-examination."<sup>39</sup>

John Thomas, who had been assisting in the well repairs, told very much the same story as Collins. He also maintained the truth of his story through a long cross-examination. Justice of the Peace William Kiel of Lake Valley, who was the head of the coroner jury that conducted the inquest over the body of Hood Sikes, was called as a witness for the defense, as were other members of the coroner's jury, Grant McGregor, Charlie McKinney, DM Miller, James Mackey, Fred Mister and Ed Hale. According to the testimony of the men in the coroner's jury, Lane Sikes was unconscious when discovered, but upon being aroused his first words were "I roped a cow and she jerked my horse down on me. Where is she?" Lane supposedly told the men at the inquest that he knew nothing of the events that occurred, having been unconscious from the time he hit the ground to the time her was aroused by the coroner's jury. Only later, in the preliminary hearing, did

he testify that he had been conscious and over-heard conversations between the SLC men. The defense stressed this point to the jury in order to discredit Lane Sikes.<sup>40</sup>

Emmett Nunn, Andy Rominger and John Thomas all testified to threats made by Charles Sikes that any repairs or improvements on the North Well site would mean trouble. The testimony of Pryor Nunn and Emmett Nunn took the greater part of a day. According to the brothers, the Sikeses had stopped and checked their weapons before riding up to the SLC party. They further testified that Charles Sikes was the first one to fire, sending a bullet through the hat of Jay Barnett, who returned fire. According to their testimony, it was at this point that Pryor Nunn and Luther Wright grabbed up their guns and opened fire. Pryor Nunn took the blame for the death of Hood Sikes, testifying "When I saw Hood Sikes place both hands on his gun, I shot at him." He also claimed that he did not ever see Wright or Barnett fire at Hood Sikes. This was in direct contrast to the testimony of Charles Sikes that Luther Wright had been the one to kill Hood Sikes.<sup>41</sup> Ruby Knave, who attended the trial, believes that Pryor Nunn claimed to have killed Hood Sikes only to protect Luther Wright, who was awaiting trial for the murder of John Sikes, Jr. The Sikeses also believed this, but the prosecution could not present this theory to the jury, for fear that it would weaken their case.<sup>42</sup>

After the testimony of the Nunn brothers, the defense rested its case, and the prosecution began their rebuttal witnesses. By this time, it was the third day of defense testimony and the sixth day of the trial, which often lasted up to 14 hours a day. "Judge, lawyers and jurymen are beginning to show the strain of the trial. They all look tired."<sup>43</sup> However, the case was not over. Rebuttal testimony, closing arguments and jury deliberation were yet to come. Most expected a long jury deliberation. One lawyer said, "The evidence is very much scrambled." On rebuttal testimony, Charles Sikes denied ever making threatening remarks towards the SLC. Lane offered no good explanation as to why he initially claimed to have been unconscious during the gun-battle and the later day, but then changed his story and claimed to have been conscious. He would not change his story, though. At approximately 8:00 p.m. on Saturday night, after fifty pages of instructions to the jury, the case went to the jury. At 1:55 am, after only six hours of deliberation, the jury returned a verdict of not guilty for all three of the accused men.<sup>44</sup>

Apparently, according to those that followed the trial, the prosecution based its case on the testimony of Lane Sikes and on the theory that Wright and Barnett were hired killers. However, "Laney Sikes made one of the poorest witnesses for the prosecution and his story failed to impress the jury in the slightest." The theory that Barnett and Wright were hired killers was not very compelling once Pryor Nunn took responsibility for the killing of Hood Sikes. The prosecution's case was torn apart, and it is little surprise that the jury returned verdicts of not guilty. The Deming Headlight reported "The verdict rendered by the petit jury has gone far. . . to clear the atmosphere that was so evident at Hillsboro and that was believed to portend further friction between the two factions."<sup>45</sup> Apparently, they were right. No more trouble erupted between the Sikes and the SLC. The trial of Jay Barnett and Luther Wright for the murder of John Jr. was held in late August 1923. The verdict was not guilty. Lane, to his death never let go of the belief that Wright was a hired killer and responsible for the deaths of John and Hood.<sup>46</sup>

The trials marked the end of the Lake Valley War. The disputed North Well property remained in the hands of the SLC. Idabel Nunn Rush, daughter of James Pryor Nunn, remembers after the trial that her father and uncle rebuilt the house. She and her mother and brother would live at the North Well property during the week to prove up on the homestead, then drive back to then main ranch on the Tierra Blanca for the weekends. After proving on the claim, they moved back to Tierra Blanca for good. The house still stands deserted on the North Well property. Pryor Nunn sold the property to another rancher in 1935.<sup>47</sup>

A few short years after the Lake Valley War, the SLC went bankrupt because of drought,

the War Finance Company took much of the property, and the Nunns and Lathams dissolved their partnership. The Sikeses had mortgaged their property to pay the lawyers for the civil court battles whose ineffectiveness resulted in the shooting war. In 1935 they were forced to sell and moved out of the area. The huge areas of land controlled by the two parties were divided up into many smaller ranches. The Nunns and the Lathams managed to hold onto some land when the SLC went bankrupt, and their descendants can still be found in the area. Barnett died in questionable circumstances in 1930 in Deming, New Mexico. Wright and J Pryor Nunn both died in 1950.<sup>48</sup> Charles Sikes died in 1967 and Lane Sikes in 1975.

Why do I call the Lake Valley War a comedy of errors? The first reason is that the disputed land was in dispute because of some sort of error, either on the part of the Sierra Land and Cattle Company, or on the part of the land assayers that surveyed the area near the North Well. This error led two previously friendly neighbors to turn on each other in a manner that even they probably would not have believed a year before the events. A misunderstanding about property borders split the previously friendly neighbors. It was not like the Lincoln County War, where one group moved in on another one and animosity existed from the beginning. Both groups in the Lake Valley War were long-time residents of the area and friends for a long period of time. I firmly believe that neither side intended to start a shooting war. Years after the shooting war was over, the Sikeses and Nunns again became friends. Lane Sikes expressed his respect for Greeley Nunn and his family until he died.<sup>49</sup>

The second reason that I call it a comedy of errors is that much of what happened may not, in fact was likely not, intended to happen. The first shooting incident, if we accept Wright and Barnett's version of the story, could have easily occurred because of the reputation of John Sikes, Jr. as a gunman. Wright, a former police officer, was accustomed to responding to threats of violence with violence. It is possible that he overreacted to the situation. The second shooting event was also likely not planned. Lane Sikes said that his family did not realize how many men were at the well on August 18. They did not intend a shooting battle with a group that so greatly outnumbered them. They intended to bluff two or three men working on a well, and instead were confronted by eight armed men.<sup>50</sup> It was clearly a mistake. Even though the events were not intended, however, the environment of the time and the way and time in which the principal participants were raised allowed the violence to occur.

Neither side of the dispute were strangers to violence. John Roger Sikes killed a man in Pecos City, Texas. No legal action was pursued, so it is assumed that it was a case of self-defense. John Jr., after fleeing a barroom brawl where he believed he had killed a man, is reputed to have served as a bodyguard to Pancho Villa in Mexico. At the beginning of World War I, he returned to the United States, enlisted in the army, and fought in France. Lane Sikes also served in W.W.I in the Army Air Force.<sup>51</sup> All of the men had been raised handling revolvers and rifles. Greeley Nunn was born in California in 1858, had been an Indian scout and involved in three skirmishes against Geronimo.<sup>52</sup> The two men hired by the SLC as guards, according to Lane Sikes, had reputations as gunmen. Wright was a former state mounted policeman and deputy sheriff. It is also reputed that he was responsible for the death of at least nine men, more than can be confirmed to have been killed by Billy the Kid.<sup>53</sup>

The Nunns, the Lathams and the Sikeses were all in Sierra County in the 1800s, when it was part of Dona Ana County. From 1881 to 1898, Dona Ana County was the site of the Rustler War, a full-scale rustling effort that ended only when cattlemen in the area banded together and violently killed or captured the rustlers.<sup>54</sup> There is no evidence that Sikeses, Nunns or Lathams were actively involved in the Rustler War. However, whether or not they were involved in it, they were surrounded by the attitude of violence and vigilantism that it brought to their area. All of this is not to say that I believe they were violent men, but that they were accustomed to violence

and comfortable with guns.

The fact that the dispute resulted in a shooting war apparently did not surprise anyone. It was not unusual, even in the 1920s, for men from isolated places in New Mexico to take the law into their own hands. Local newspaper accounts of the first shooting incident reported that John Sikes Jr. had a reputation as a "fearless gunman."<sup>55</sup> This is echoed by the Ruby Knave and John Titman in their interviews.<sup>56</sup> The Deming Graphic claimed,

The second killing followed as a natural consequence of the first and it is freely predicted that the end of the bloodshed is not yet in sight. Both parties to the feud are determined and the fact that the issues have been carried to courts by no means has prevented the wager of the battle *after the accepted fashion of the old days of the frontier.*<sup>57</sup>

The tradition of the Lincoln County War, the Maxwell Land War and the Rustler War had conditioned not only the participants of the Lake Valley War, but also the people of their community.

The Hillsboro/Lake Valley area was filled with people from the old western tradition of vigilantism and of protecting what was theirs. John Titman, when recalling the environment of Hillsboro in the early 1900's, told of the great Pancho Villa scare of 1916. Pancho Villa was raiding across the border with his army. Afraid that he might reach their community, the men of Hillsboro and the surrounding area got their rifles, 30/30 Winchesters, according to Titman, who claims "everybody had one," got free ammunition from the general store, and staked out the hill above town to ambush Villa should he get that far north. Villa never arrived, but the incident goes to demonstrate that the residents of the area were not unaccustomed to violent settlements of troubles.<sup>58</sup>

Further proof that the settlement of the dispute by individuals outside of law enforcement and by violent methods was not condemned is the fact that the SLC party involved in the second shooting were all released on their own recognizance for a week, until Charles Sikes appeared before a judge and swore out a complaint of murder against the group. Only when Sikes complained about the lack of justice did the law enforcement officials arrest the SLC men and hold them on bond.<sup>59</sup> After the first shooting, the two guards, Barnett and Wright, were also released on \$5,000 bond and allowed to return to their homes in Deming until Charles Sikes saw a different judge and issued a complaint against them for fleeing prosecution. They were made to return to Hillsboro, but no further action was taken against them. The law enforcement was not only lax toward the SLC group, but also to the Sikeses. The SLC swore out a complaint against the Sikeses for assault with attempt to kill after the August 18 shootout. After holding Lane Sikes one day, and never even arresting the other Sikes, Sheriff Sullivan allowed him to be released on his own recognizance. The charges against the Sikeses were not pursued once the verdict of not guilty was returned in the case of *State of New Mexico v. Luther Wright, Jay Barnett and J.P. Nunn.*<sup>60</sup>

Law enforcement in rural southern New Mexico was not what we would expect of law enforcement in the twentieth century. Many historians assert that New Mexico in 1920 was not significantly different than New Mexico in 1880. Police action did not occur as readily on its own as it now does. Charles Sikes experienced that when the second shooting occurred. If he would not have pursued action, it is likely that the August 18 shooting would never have resulted in an indictment for murder, but would have followed the coroner's jury claim that Hood Sikes was killed in self-defense.

The Lake Valley War, the last range war in New Mexico, and probably the entire Southwest, was a part of the past era, while at the same time being a break from it. It was the tradition of the past era that allowed it to happen and then allowed the townspeople to accept it. It was the attitude of the new era that led to the sensational trial, and that led the participants to regret

the comedy of errors that led to two deaths and the end of a friendship.

#### Notes

- 1 *Deming (New Mexico) Graphic*, 24 April 1921.
- 2 *Deming (New Mexico) Headlight*, 26 August 1921.
- 3 *The Historical Encyclopedia of New Mexico*, sv. "James Pryor Nunn," 1168.
- 4 Mae Latham Rector, "The Last Range War in New Mexico," *Southwest Heritage* (Winter 1973): 12-13
- 5 Philip J. Rasch, "Lake Valley War," *Frontier Times* (Jan. 1977): 12.
- 6 Ibid, 13. 7*Santa Fe New Mexican*, 17 February 1922; *Deming Headlight*, 17 February 1922; *El Paso Herald Post*, 15 February 1922; *El Paso Times*, 15 February 1922.
- 8 Rector, 13.
- 9 Ruby Knave, interview by Sammie Mae Johnson with introduction by Karl Longbach, 1991, videocassette, Sierra County Historical Society, Truth or Consequences, New Mexico.
- 10 *Santa Fe New Mexican*, 17 February 1922; *Deming Headlight*, 17 February 1922; *El Paso Herald Post*, 15 February 1922; *El Paso Times*, 15 February 1922.
- 11 Rasch, "Lake Valley War," 13.
- 12 Idabel Nunn Rush, interview by author, 26 March 1998, transcript, Hillsboro, New Mexico. 13 Rector, 14.
- 14 Rasch, "Lake Valley War," 13.
- 15 *Albuquerque Morning Journal*, 20 April 1921; *Deming Headlight*, 22 April 1921; *Deming Graphic*, 24 April 1921.
- 16 *Deming Headlight*, 22 April 1921.
- 17 Rasch, "Lake Valley War," 14.
- 18 *Deming Graphic*, 24 April 1921.
- 19 Rasch, "Lake Valley War," 14.
- 20 Ibid.
- 21 Ibid.
- 22 John Titman, videocassette interview.
- 23 *El Paso Herald Post*, 17 February 1922; *El Paso Times*, 18 February 1922.
- 24 Rasch, "Lake Valley War," 15.
- 25 *Deming Graphic* 23 August 1921.
- 26 Sierra County, New Mexico, "Complaint of murder and warrants for the arrest of Luther Wright, Jay Barnett, JP Nunn, Emmett M. Nunn, Carl Collins, Henry Cox, Allie Barnett, Arthur Glasson and John Thomas," signed by judge Harry P. Owen on 25 August 1921.
- 27 *Santa Fe New Mexican*, 17 February 1922; *Deming Headlight*, 17 February 1922; *El Paso Herald Post*, 15 February 1922; *El Paso Times*, 15 February 1922.
- 28 Sierra County, New Mexico, "Grand Jury Indictment against Luther Wright, Jay Barnett and J.P. Nunn," February 1922 term.
- 29 *El Paso Times*, 15 February 1922.
- 30 *El Paso Herald Post*, 15 February 1922.
- 31 *Santa Fe New Mexican*, 17 February 1922.
- 32 *El Paso Times*, 15 February 1922.
- 33 Sierra County, New Mexico, "Judges Memorandum of Selection of Petit Jury, February 10, 1922, in case of *State of New Mexico vs. Luther Wright, Jay Barnett and J.P. Nunn.*"
- 34 Sierra County, New Mexico, "Subpoena in case of *State of New Mexico vs. Luther Wright, Jay Barnett and J.P. Nunn,*" issued 11 February 1922.

- 35 *El Paso Times*, 16 February 1922.
- 36 *El Paso Herald Post*, 15 February 1922.
- 37 "Subpoena in case of *State of New Mexico vs. Luther Wright, Jay Barnett and J.P. Nunn.*"
- 38 *El Paso Herald Post*, 16 February 1922.
- 39 *El Paso Herald Post*, 17 February 1922.
- 40 Ibid.
- 41 Ibid; also *El Paso Times*, 18 February 1922.
- 42 Ruby Knave, videocassette interview.
- 43 *El Paso Herald Post*, 17 February 1922.
- 44 Sierra County New Mexico, "Instructions to the Jury in the case of *State of New Mexico vs. Luther Wright, Jay Barnett and J.P. Nunn,*" read 18 February 1922; also jury verdict in the same case, read 19 February 1922.
- 45 *Deming Headlight*, 24 February 1922.
- 46 Rasch, "Lake Valley War," 47.
- 47 Idabel Rush, interview by author.
- 48 *History of Sierra County New Mexico* (Truth or Consequences, New Mexico, Sierra County Historical Society, 1979), 214-216.
- 49 Rasch, "Lake Valley War," 47.
- 50 Rasch, "Lake Valley War," 14.
- 51 Rasch, "Lake Valley War," 12.
- 52 *The Historical Encyclopedia of New Mexico*, 1168.
- 53 Rasch, "Lake Valley War," 47.
- 54 Philip J. Rasch, "The Rustler War," *New Mexico Historical Review* (October 1964): 257-258.
- 55 *Deming Headlight*, 22 April 1921.
- 56 Ruby Knave and John Titman, videocassette interviews.
- 57 *Deming Graphic*, 23 August 1921.
- 58 John Titman, videocassette interview.
- 59 Sierra County, New Mexico, Complaint and warrants issued on 25 August 1921.
- 60 Rasch, "Lake Valley War," 15.