

## CONTENTS

<i>List of Figures</i>	ix
<i>Foreword by Stephen J. Leonard</i>	xiii
<i>Acknowledgments</i>	xv
<i>Introduction</i>	i
1. "Alarming Intelligence and Intense Excitement": First Murders in the Pike's Peak Country	11
2. "Most Horrible and Fiendish Murders": The Bleeding of South Park Begins	33
3. "There Has Been Considerable Excitement": The First Colorado Cavalry Steps In	49
4. "The People Are Scared Nearly to Death Here": The Murderers Strike at the Vitals of South Park	61
5. "Fallen into the Hands of Hard Men in an Evil Hour": The Lynching of Baxter	75
6. "Glorious News! The Mysterious Murders Unraveled at Last": One of the Slayers Slain	91
7. "Desperate and Lawless Bravos": The Brothers Espinosa	109
8. "Revenge for the Infamies Committed Against Our Families": Serial Murder as Vendetta	137

9. "Malicious Interference Was the Cause": The Scapegoating of Captain E. Wayne Eaton	157
10. "Times Have Become Quiet Again": Panic Recedes in South Park but Murder Moves Elsewhere	193
11. "Ready for Any Duty, Untiring, and Full of Energy": Samuel F. Tappan Takes Up the Hunt for the Espinosas	207
12. "If This Woman Is Found Dead, Tell the People the Espinosas of the Conejos Killed Her": The Attack on Philbrook and Dolores Sánchez	221
13. "I Drew His Head Back over a Fallen Tree and Cut It Off": Tom Tobin Ends the Terror	239
14. "The Brightest Success Rewarded Them for Their Toils": Tobin Brings in the Heads	265
15. "Who Is There to Gather the History of This Wretch?": The Espinosas Remembered	277
16. "Times with Me Have Sadly Changed": Destinies	285

#### *Appendix A*

Location of the Death Site of Vivían Espinosa: Alternative Theories	293
The Perkins Theory	293
The Walker Theory	297

#### *Appendix B*

John McCannon's Attempt to Claim the Espinosa Reward	303
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<i>Bibliography</i>	309
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<i>Index</i>	323
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## INTRODUCTION

“In the spring of the year mentioned, the entire region of country between Pueblo and Park counties, indeed all sections of the Territory, became in a measure panic stricken by accounts of terrible and mysterious massacres of travelers on the lonely roads leading from the southwest to the South Park. Every little while, residents of certain localities disappeared, and upon search being instituted by friends, their dead bodies were found. Who committed these horrible deeds no one could comprehend, since all traces were lost.”<sup>1</sup>

The “year mentioned” was 1863. The place was the newly organized Territory of Colorado. The inexplicable carnage lasted eight months. No one knows how many were murdered; the generally accepted count is ten or eleven but the killers themselves boasted of having slain thirty-two, and such a number is far from implausible. They also tried to take the lives of two other men and they raped a woman. “Ask in New Mexico,” one of them wrote, “if any other . . . men have ever been known to have killed as many . . . as the Espinosas.”<sup>2</sup>

There were three of them: a pair of New Mexican-born brothers, Felipe Nerio and José Vivián, and their nephew, José Vincente. In their short but vicious eruption into frontier history no other malefactors

inspired more fear and dread over a greater expanse of country than this trio, yet today they and their grisly rampage are largely forgotten, save in the local and regional lore of Colorado.

And even in the Centennial State the Espinosas are not widely remembered. When they are, sensationalism has been the order of the day. As recently as the 1970s, the then-director of the museum at old Fort Garland<sup>3</sup> regularly staged reenactments of the dramatic moment when famed plainsman Tom Tobin dumped the severed heads of Felipe and José Vincente out of a gunnysack in front of the commandant's office—in the case of the reenactment, heads especially fashioned of *papier-maché*—much to the disgust of many Hispanic Coloradans. The museum's current director, Rick Manzanares, says people still stop by asking to see the real heads, which they imagine have been preserved. (They haven't.)<sup>4</sup>

Why have the Espinosas escaped widespread notoriety when their atrocities far exceeded the crimes of figures better known in the annals of Western outlawry? One reason might be that their actions did not fit neatly into any of the frontier stereotypes. They were not gunmen like John Wesley Hardin, "Texas Billy" Thompson, or "Wild Bill" Longley; they killed no one in straight-up confrontations but always by stealth, from hiding. They were not feudists like the Earps and the Clantons, or the Tewksburys and the Grahams, nor were they caught up in range wars like Billy the Kid. Though they stole, they were not rustlers in the mold of John Kinney's band, or robbers of banks and trains such as the James-Younger gang. Nor were they cowboys gone wrong like Butch Cassidy or Tom Horn. They were, as best we can determine, only *labradores*, poor Hispanic farmers who became what we would call serial killers, a category of crime more readily associated with our own time than with the nineteenth-century Western frontier.

Their obscurity may also be attributable in part to an accident of historical timing. Their murders occurred during a pivotal phase of the Civil War back East. While they were killing Coloradans, the attentions of most Americans were riveted on the great campaigns and battles of Chancellorsville, Gettysburg, Vicksburg, Chickamauga, and Chattanooga, which yielded up butcher's bills on a scale previously unimaginable. With such torrents of blood being shed on the battlegrounds of the East, who except those directly concerned was going to notice a string of violent deaths in a remote Western territory?

Another reason they are not better known is that credentialed historians have not told their story in any detail. There exists no single comprehensive,

book-length account of their activities that adheres strictly to the principles of historiography. Local and regional histories and some historical journals tell portions of the story; one well-documented biography of Tom Tobin offers a good deal more, though that account is confined to but a single chapter of a book crowded with the other exploits of its remarkable subject.

It may be that some scholarly historians have preferred to dwell on what are perceived as the more wholesome aspects of Colorado's past—mining, railroading, and the like—and to turn away from any topic smacking of the lurid or unseemly, most especially the depredations of the “Bloody Espinosas.” Yet to examine frontier outlawry in serious fashion is not to promote cheap melodrama; it is to make a considered effort to understand lawless behavior and to honor those who were its innocent victims or who, like Tom Tobin, chose to stand against it. Conflict of this sort is, after all, at the heart of history; it is through conflict that progress is made. Colorado did not escape this struggle. Yet it was a very nearly complete lacuna in the scholarly historical record of the Espinosas that prompted the author to undertake this study.

Readers may reasonably ask why the writer believes the Espinosas, more than other old-time murderers, deserve to be dragged from relative obscurity into the light. In an age glutted with gory tales of Ted Bundys and Jeffrey Dahmers and John Wayne Gaceys and a hundred other monsters of like kind, is it really necessary to probe the doings of these neglected nineteenth-century killers? After all, Gacey took more victims; Dahmer was more fiendish; Bundy more diabolical. With these horrific examples before us, what can we possibly learn from two men and a boy of Hispanic heritage who, almost 150 years ago, set out to “exterminate the Americans”?<sup>5</sup>

Part of the answer must lie in that last phrase. The Espinosas set out to kill all Anglos. Their stated motive implicitly suggests a twisted version of Hispanic patriotism. One far-fetched surmise says they were once lordly New Mexican *hacendados* until, after the American takeover in 1846, a supposed patriarch, Don Juan Espinosa, was dispossessed of his vast herds and lands and outlawed by the new Anglo rulers.<sup>6</sup> Another blames their vendetta on the Americans who crushed the 1847 Pueblo–New Mexican revolt and hanged its suspected leaders, enraging the young Felipe, who may have witnessed the events.<sup>7</sup> A different theory is that José Vivián, most widely known as Vivián, hated Anglos because two Americans whom the Espinosas had granted food and shelter repaid them by raping a sister.<sup>8</sup>

A member of a civilian posse who helped chase the Espinosas offered a more mercenary motive: he wrote that one of the brothers, in 1860, had traveled to the Anglo mining camp of California Gulch (now Leadville) where a gambler paid him fifty cents to murder a miner with whom the gambler had quarreled. "He then went to Mexico [*sic*] and got his brother and came back to Colorado three years later and resumed his work."<sup>9</sup>

Even more fantastic is a rumor that Pedro Ignacio Espinosa, father of Felipe and Vivián, had been convicted of murder in Mexico and Felipe felt impelled by his patron saint to expiate the sin by killing fifty Americans.<sup>10</sup> Perhaps the most preposterous yarn of all claims that the verifiably New Mexican Espinosas<sup>11</sup> were actually natives of Veracruz in Old Mexico and that during the American bombardment of that city in March 1847, Felipe's parents, grandparents, brother, and sister were all killed. (The 1860 Territorial Census locates the entire family, alive and presumably well, in the *plaza* of San Rafael in the San Luís Valley<sup>12</sup> of what is now southern Colorado.) As a result, Felipe is said to have conceived a deep hatred for all *gringos*, later exacerbated by a vision in which the Virgin Mary commanded him to kill "one hundred Americans for each of his . . . slain relatives."<sup>13</sup>

Equally far-fetched is the fantasy that Felipe, described as "a man of recognized ability and learning," had been a member of the New Mexico legislature until "some reference was made to his nationality that stirred up his resentment and when adjournment came the wound still rankled." Felipe then resolved on "wholesale vengeance against the whites."<sup>14</sup>

Whatever the real source of their animosity, the Espinosas could be viewed, as some Chicano activists regard them even today,<sup>15</sup> as patriotic figures resisting Anglo oppression. A case could be made that they were, for Hispanics, what Eric Hobsbawm has termed "social bandits."<sup>16</sup>

But were they bandits? And if so, what kind? Banditry is defined as the taking of property by force or the threat of force.<sup>17</sup> While the Espinosas began by stealing, they ended as mankillers who also stole. Did they kill and steal because they were crazy? According to Tobin's biographer,<sup>18</sup> Felipe, the oldest, was by nature a violent and mentally unstable individual, so, as is the case with all serial killers, the possibility exists that he might have been criminally insane.<sup>19</sup> But if he was, the condition seems to have come over him later in life than one would expect; he was about forty-two when the murder spree began.<sup>20</sup> Generally acknowledged as the leader, he was a remarkably late bloomer in the business of killing.

When news of their initial outbreak began to spread, the brothers were described in the Denver press as “desperate and lawless bravos, known over the entire country.”<sup>21</sup> That claim is difficult to take seriously, since at that time writers for the Denver newspapers paid small heed to goings-on in Conejos and Costilla counties, on the Espinosas’ home ground, the San Luis Valley. On the rare occasions when editorialists and correspondents did take note, they tended to dismiss the area as an alien land inhabited almost exclusively by what were often disparagingly called “Greasers.”<sup>22</sup> Cultural misunderstandings fed suspicions and disrespect on both sides of the ethnic line. To the Anglos clustered in the gold-bearing areas in and near the Front Range, “southern Colorado” was Pueblo and Colorado City; everything below the Arkansas River Valley was regarded—or, more accurately, dismissed—as “Mexican.”<sup>23</sup>

So if the Espinosas had earned a certain reputation for banditry, their depredations must have been confined to the southern region of Colorado and the northern part of New Mexico. But prior to January 1863 their only recorded offenses seem to have been an unknown number of horse thefts, one robbery and assault,<sup>24</sup> and evidently some involvement in a tax revolt by Hispanic farmers that Anglo authorities considered a treasonous conspiracy.<sup>25</sup> If the Espinosas were bandits, social or otherwise, up until the time they commenced killing, no record of their prior exploits has survived beyond those few mentioned. Finally, it is worth noting that as far as we know they never killed anyone until the January day when they were assaulted in their homes by troops of the US Army. Before then, they appear to have been no more dangerous than run-of-the-mill, small-time *bandidos*.

Because they were thought to have been members of a lay religious order not well understood by Anglos, they have often been portrayed as militant agents of a radical faith-based ideology. It was believed they had set out to destroy an alien culture they regarded as greedy, racist, imperialist, and godless. Perhaps, it was often suggested in their own time, they believed themselves to be acting as warriors of faith against the *gringo* infidel.

Tobin’s biographer believed, on the basis of information given him by an Espinosa descendant, that Felipe was indeed a member of the Sacred Brotherhood of Our Father Jesus, or the Penitentes,<sup>26</sup> a secret but benevolent offshoot of New Mexican Catholicism whose culture of self-flagellation has at times been suspected of giving rise to violence against outsiders.

Thus, instructive lessons for our times can perhaps be drawn from a close examination of the bloody swathe the Espinosas cut through old-time Colorado.

Their crimes can be seen as foreshadowing the resistance ideology of the Chicano *Movimiento*, the symbolism of the social bandit as hero of the oppressed, the serial killings we wrongly think of as peculiar to our own age of neurosis and alienation, or finally even a fanatical terrorism akin to that of twenty-first-century jihadists.

But are these sufficient reasons to pluck the dread Espinosas from the dustbin of history and parade their massacres before the reader who, already jaded by every day's budget of evil news, has at least been spared, until now, any knowledge of these long-ago renegades? The writer thinks they are, and not simply because the Espinosas were verifiably the worst serial killers in frontier history. Consider how Felipe Espinosa himself explained the killing spree: "They ruined our families. . . . Seeing this we said, 'We would rather be dead than see such infamies committed on our families.' These were the reasons we had to go out and kill Americans—revenge for the infamies committed on our families."<sup>27</sup>

Felipe's assertion weakens all the loftier excuses. Here is no religious rant. No pan-Hispanic screed against generalized Anglo oppression. No self-serving exculpations such as the social bandit Jesse James loved to dole out. Only revenge. Revenge for a single specific trespass on the sanctity of home.

Whatever other motives may have driven them, the Espinosas were wreaking private vengeance. And the vengeance tale is one of the oldest and most compelling of human stories, always worth the telling and hearing, most especially when it teaches, as this one does, a tragic cautionary lesson that resonates in the world we inhabit.

But it is also worth noting that any historical event is nothing but real life set in the past, and that real life is never entirely consistent. Human actions are not resolvable to single causes but instead swarm with mixed and ambiguous impulses. That is why, after sifting through all their possible motives, we are left to ponder the fact that the first and the last victims of the Espinosas were not despised *gringos* at all. They were *Hispanos*.<sup>28</sup>

And perhaps here is the best reason for this study. Is it not always important to remind ourselves that theories and ideologies can never explain everything, that in the final analysis the human heart is always an insoluble mystery?

## NOTES

1. Frank Hall, *History of the State of Colorado* (Chicago: Blakely Printing Company, 1889), I: 378.



2. *Weekly Commonwealth*, October 28, 1863.
3. Fort Garland in the San Lu s Valley of Colorado was the army post from which Tom Tobin was dispatched to hunt down the last two Espinosas. The fort has been restored and includes a well-stocked museum and library.
4. Personal Interview, June 2, 2008.
5. *Weekly Commonwealth*, May 21, 1863.
6. *Albuquerque Tribune*, November 27, 1953.
7. James E. Perkins, *Tom Tobin: Frontiersman* (Pueblo West, CO: Herodotus Press, 1999), 127.
8. Kenneth Jessen, John Lamb, and David Sandoval. "Colorado's Worst Serial Murders: The Espinosa Story," *The San Lu s Valley Historian*, Vol. XXVII, No. 4 (1995): 26.
9. Letter of Joseph M. Lamb to J. A. Israel, March 9, 1897, Tom Tobin File, Stephen H. Hart Library, Colorado Historical Society, MSS 224, FF3, Denver, CO.
10. Jessen et al., "Colorado's Worst Serial Murders," 26.
11. The 1845 Mexican census shows the Espinosa family living in El Rito, New Mexico Territory; Virginia Langham Olmstead, *New Mexico Spanish and Mexican Colonial Censuses, 1790, 1823, 1845* (Albuquerque: New Mexico Genealogical Society, 1975). The 1850 US Territorial Census shows them in Santa Ana County and lists their places of birth as New Mexico; 1850 Federal Census of Santa Ana County, New Mexico Territory, <http://webcache.googleusercontent.com/search?q=cache:http://files.usgwarchives.net/nm/santaana/census/1850/index/indx02ca.txt>.
12. Will Trujillo, "The Espinoza [sic] Brothers," *Raices y Ramas*, Vol. I, No. 5 (Winter 1999): 172–175.
13. Christopher O'Brien, *Secrets of the Mysterious Valley* (Kempston, IL: Adventures Unlimited Press, 2007), 304–309.
14. *Rocky Mountain News*, February 27, 1897.
15. George Hartley, Assistant Professor of English, Ohio University, "I Am Joaqu n": Rodolfo "Corky" Gonzales and the Retroactive Construction of Chicanismo, online at <http://epc.buffalo.edu/authors/hartley/pubs/corky.html>, accessed January 17, 2013. Hartley argues that Gonzales's 1967 epic poem was "the inaugural work . . . of the Chicano Literary Resistance," fusing into a single unifying force all past Spanish, Mexican, Mestizo, and Native American influences on contemporary Chicano culture. The poem approvingly cites famed Hispanic outlaws who resisted oppression, including the California bandit Joaqu n Murieta and the Espinosas.
16. Hobsbawm, in his 1965 work *Primitive Rebels* (New York: Norton, 1965), coined the term to denote those operating outside the law who are seen by the oppressed as heroes of popular resistance. His model has since been challenged by other scholars who point to a lack of solid evidence that peasants have celebrated bandits contemporaneously, though they may have done so retrospectively. Hobsbawm has also recently moderated

this concept. See Richard W. Slatta, ed., *Bandidos: The Varieties of Latin American Banditry* (Westport, CT: Greenwood Press, 1987). However, David J. Weber, in *Foreigners in Their Native Land: Historical Roots of the Mexican Americans*, rev. ed. (Albuquerque: University of New Mexico Press, 2004), 204–205, points out that violence “was the most extreme and probably the least common response of outraged Mexican Americans to Anglo domination.” This did not mean that certain *bandidos*, like Tiburcio Vásquez, did not intentionally pose as “social bandits” (see Vásquez’s statement on page 227 of Weber’s work attributing his crimes to deprivation of his “social rights” by the Anglos). John Boessenecker has convincingly shown in his biography *Bandido: The Life and Times of Tiburcio Vásquez* (Norman: University of Oklahoma Press, 2010), 371–376, that Vásquez, as a native Californio, had little more use for Mexicans than he did for Anglos and preyed on both as a thief and killer, even admitting as much before he was hanged.

17. Slatta, “Eric J. Hobsbawm’s Social Bandit: A Critique and Revision,” *A Contracorriente: A Journal on Social History and Literature in Latin America*, 2004, at [www.ncsu.edu/project/acontracorriente/spring\\_04/Slatta.pdf](http://www.ncsu.edu/project/acontracorriente/spring_04/Slatta.pdf), accessed January 17, 2013.

18. Perkins, *Tom Tobin*, 127–128.

19. *The Rocky Mountain News Daily* of February 11, 1872, in a retrospective piece on the Espinosa murders, called Felipe a “monomaniac,” but cited no evidence to support the assertion.

20. In the 1860 Federal Census of Conejos County, Taos County, NMT, Felipe Nerio Espinosa, Laborer, Household 1625, reported he was 39 years old. See Trujillo, “The Espinoza Brothers,” 172.

21. *Rocky Mountain News Weekly*, February 12, 1863.

22. *Rocky Mountain News Weekly*, March 19, 1863; *Denver Weekly Commonwealth*, October 28, 1863.

23. *Weekly Commonwealth*, April 16, 1863, referred to a development in Pueblo County as “News from the South” and in another article mentioned that the colonel of the First Colorado Volunteers had gone “into the Southern part of the Territory,” e.g., Pueblo County, to look after “military affairs in that section.”

24. Perkins, *Tom Tobin*, 129.

25. *Rocky Mountain News Weekly*, February 12, 1863.

26. Marta Weigle, *Brothers of Light, Brothers of Blood: The Penitentes of the Southwest* (Santa Fe: Ancient City Press, 1978), 64, 93. There is scant evidence of violent activity by this devout and philanthropic lay fraternity, though Anglos encountering the brotherhood in the nineteenth century often confused its secrecy and bloody penitential exercises with sinister intent. However, there can be little doubt the exercises of the brotherhood were exceedingly brutal, and in the case of volatile personalities like Felipe Espinosa, may have facilitated violent behavior toward others. Michael P. Carroll, in *The Penitente Brotherhood: Patriarchy and Hispano-Catholicism* (Baltimore, MD: Johns Hopkins

University Press, 2002), 189–223, makes an intriguing but ultimately unconvincing case that the flagellations of the brotherhood were manifestations of misdirected Oedipal guilt and rage felt by younger members against their elders, but does not establish a link between these supposed feelings and any violent action against outsiders.

27. *Weekly Commonwealth*, October 28, 1863, quoting the contents of an undated letter written by Felipe Espinosa to Colorado governor John Evans, found on Espinosa's body at his death.

28. A Hispanic corporal of the First New Mexico Volunteer Cavalry, killed, and a Hispanic woman, raped.