

one
ed.
aro

ed a
and
lan-
ake
Now
the
ish-
cted

During 1881 a feud developed between the Earps and Doc Holliday on one side and the cowboy faction on the other. In effect the Earps and Holliday were violent point-men for the incorporating social and economic values represented by urban, industrial, Northern, capitalistic Tombstone, while the Clantons and the McLaurys (supported by their criminal allies John Ringo, Curly Bill Brocius, and others) were equally violent protagonists of the resistant rural, pastoral, Southern cowboy tradition of Cochise County.

The festering conflict erupted in violence on October 26, 1881, in the prototypical Western shootout of all time: the deadly encounter near the O.K. Corral. As noted earlier, the

RICHARD M.

BROWN,

NO DUTY

TO RETREAT

Earps and Doc Holliday were found to have slain their opponents, Billy Clanton and Tom and Frank McLaury, justifiably in the enforcement of law and in self-defense. Yet the anti-Earp historian, Ed Bartholomew, joined by other but by no means all authorities, branded the episode in retrospect as simply one of barefaced murder on the part of the Earps and Holliday.

The controversy is now more than a century old, and it will probably never be definitively settled. Whether the Clantons and the McLaurys presented a mortal threat to the Earps and Holliday as the Earps successfully claimed at law, or whether the Earps provoked their rivals and then, with Holliday, murdered them as others have claimed, the fact is that on the afternoon of the battle, Wyatt and Virgil Earp and Doc Holliday were older, much more experienced gunfighters and were more determined and better prepared for a showdown than were the Clantons and the McLaurys. The Earp party also had an edge in that the first shots were fired, as the Earp family tradition maintained (without ever disclosing in public), by Doc Holliday and Morgan Earp. With the circumstances in favor of the Earps and Holliday, it is not surprising that the shootout ended with their triumph.

The central and most controversial figure in the Cochise County conflict was Wyatt Berry Stapp Earp—the fourth-born son of Nicholas Porter Earp, who with his wife, Virginia Ann, moved his growing brood ever west. Thus Wyatt, with a background similar to that of Wild Bill Hickok, was born in 1848 in northern Illinois of a father who would later be a Unionist and a Republican.¹¹⁶ Wyatt's three older brothers, Newton, James, and Virgil, all served in the Northern army during the Civil War,¹¹⁷ but Wyatt was too young to take part. While the war raged in 1864, the patriarch, Nicholas, moved the family (including Wyatt) to southern California from Iowa, to which the clan had moved from Illinois in 1850. Yet none of the Earps took root in California at this time, and in 1866 Nicholas led the family back to the Midwest. Wyatt and Virgil eventually joined the Earp family in their new home of Lamar, Missouri, a town on the southern stretch of Missouri's border with Kansas.¹¹⁸

In Lamar in 1870, Wyatt Earp married Urilla Sutherland and was first attracted to law enforcement. Elected to the office of constable in 1870 at the age of twenty-two,¹¹⁹ Earp did well as a youthful law officer, but in that same year he suffered a demoralizing blow in the death of his beloved young wife, who succumbed to typhoid fever. Perhaps unable to overcome his grief over the loss of Urilla, Wyatt vacated his Lamar constableness and lapsed fully into the life of a rounder.¹²⁰ Soon he was in the Indian Territory (present eastern Oklahoma) where in 1871 he jumped bail after being arrested for horse theft.¹²¹ A hardened Wyatt Earp put this ignominy behind him as he emerged several years later in Wichita, the metropolis of southeastern Kansas.¹²² Like Abilene, Wichita was an end-of-cattle-trail boom town and was typical of such towns, with wild cowboys from Texas threatening persistently to take it over.¹²³ Helping to control the cowboys was Wyatt Earp, who served as a policeman in Wichita in 1875 and 1876. Once again he ably enforced the law. But an ill-advised fist fight and the typical Earpian wanderlust soon had him on his way to Dodge City.¹²⁴ This early, pre-Dodge City phase was for rounder Wyatt Earp and his brothers the most unsavory period in their lives. In addition to Wyatt's arrest for horse theft in the Indian Territory, women of the Earp name were fined for prostitution in Wichita.¹²⁵

The peripatetic Wyatt Earp was in and out of Dodge City between 1876 and 1879, a confirmed rounder but one who served as an active, tough, and respected enforcer of the law against cattle-trail Texas cowboys and all other violators.¹²⁶ Wyatt held the positions of policeman and assistant marshal in Dodge, and it was there that he, along with others, took part in what may have been his first gunfight—one with fatal results for a young cowboy.¹²⁷ Very early in his wanderings, Earp became an adept gambler¹²⁸—a skill pursued long after, either as a pastime or an occupation. During the 1870s when not in Dodge City, Wyatt ranged widely over the Great Plains, often gambling assiduously: from the Black Hills far north in Dakota Territory¹²⁹ to Mobeetie down in the Texas panhandle¹³⁰ and on to turbulent Las Vegas,

New Mexico.¹³¹ In these travels, Wyatt sometimes reverted to shady practices as a bunco artist or confidence man, activities which were apparently sidelines to his persistent card playing and gambling.¹³²

Finally, in December 1879, Wyatt, James, and Virgil Earp (later joined by Morgan and Warren) moved into the wondrous new mining town of Tombstone.¹³³ Up to this time, Wyatt had shown two faces to the world. One was a tough but respected lawman. The other was a thorough rounder: gambler, accused horse thief, prostitute's companion, saloon habitué, bunco artist, and confidence man. Late in his Kansas period there had been, however, a glimmering of Wyatt Earp the respectable Republican, for in Dodge City he took a wife and was commended for his "many Christian virtues." In Tombstone, Wyatt strove to subordinate his rounder identity to that of his upright Republicanism. Although he worked variously as a stagecoach guard and a law officer, the new Wyatt Earp was not content with a such a career but, along with his brothers, established himself as an aggressive small capitalist with shrewd investments in mining properties and real estate in the speculative, frenzied ambience of the booming town of Tombstone and its environs. As the oldest of the five brothers, Wyatt, Virgil, and James proved to have "good business judgment" and "a sense of acquisitiveness."¹³⁴ The Earp family image in Tombstone was enhanced, too, by the stern, determined Virgil Earp, who served in two key law-enforcement positions: federal deputy marshal and Tombstone chief of police (or city marshal).¹³⁵ However, according to the *Tucson Arizona Daily Star* it was Wyatt who, with a "more refined appearance" than the other Earps, was also "cold and calculating" and the "brains" of the outfit.¹³⁶

Yet all of this was not quite enough, for Wyatt employed his old rounder talent of gambling to fill out his livelihood as gaming manager in the popular Oriental saloon.¹³⁷ Meanwhile, in his law-enforcement role the Republican Wyatt Earp gained firm allies among the GOP industrial, business, and professional elite of Tombstone. First among these compatriots was the incisive

John P. Clum, who would be Wyatt's good friend ever after: from Tombstone to Alaska to, finally, their last years in Los Angeles. Clum was a colorful frontier character in his own right. A former football player at Rutgers College, Clum went west to Arizona where he set up and headed the San Carlos Apache Indian Reservation. He then joined the rush to Tombstone and became editor of the aptly named newspaper, the *Tombstone Epitaph*, to which he gave a strong identity as the staunch Republican mouthpiece of Tombstone and the editorial-page opponent of the outlaw depredations of the Cochise County cowboys. A natural, magnetic leader, Clum also occupied the mayor's chair in Tombstone.¹³⁸

Idolizing Wyatt Earp was another Easterner—a young member of America's aristocracy, Endicott Peabody. Although his was an elite Massachusetts banking family of Brahmin lineage, the idealistic young Endicott Peabody turned his back on banking and business to forge in religion and education one of the most eminent careers of his era in America. Becoming a minister in the Episcopal Church, Peabody founded Groton—the most exclusive of all New England private schools for boys. It was to Groton that Franklin D. Roosevelt went for schooling, and it was his much revered Groton mentor, the Reverend Endicott Peabody, whom Roosevelt invited to Washington, D.C., to conduct family religious services on the days of his first and second inaugurations as president of the United States.¹³⁹ All of this was far in the future, and now—in the early 1880s—the rugged, athletic young aristocrat, Peabody, had interrupted his ministerial studies to bring religion to Tombstone and provide the boom town a personal example of muscular Christianity.¹⁴⁰ He was successful as the founder of St. Paul's Episcopal Church in Tombstone,¹⁴¹ and he was strong in his admiration of Wyatt Earp¹⁴² as the brave guardian of the values of law, order, property, and the Republican party.

Another one of Wyatt Earp's Tombstone devotees was an ambitious member of the banking fraternity, George W. Parsons. In private hours Parsons kept a remarkable diary that not only

provided a detailed record of Tombstone events but recorded the viewpoint of the Republican party faction to which both Parsons and Wyatt Earp belonged.¹⁴³ Notable also was E. B. Gage, one of the industrial kings of Tombstone. An Easterner and a graduate of Dartmouth, Gage was president and superintendent of one of Tombstone's greatest mines, the Grand Central. In economic terms Gage was the most glittering member of the prestigious Wyatt Earp fan club in Tombstone. Another admiring acquaintance of Wyatt Earp was the youthful Yale alumnus John Hays Hammond, who, in the earliest phase of his incomparable career in Western mining, came to town to inspect the fabulous mines of Tombstone.¹⁴⁴ A crony of Wyatt's among Tombstone's lawyers was Wells Spicer, who, before coming to Tombstone, had been a prominent attorney in Utah.¹⁴⁵ Possibly related to Wyatt by marriage, Spicer was "generally regarded as a friend of the Earps,"¹⁴⁶ and later, as a Tombstone magistrate, he would uphold the spirit of no duty to retreat in rendering a crucial legal decision in favor of Wyatt, his brothers, and Doc Holliday.¹⁴⁷

Consorting at times with the Republican establishment of Tombstone, busy with his investments in city and county property and enterprises, serving as the Oriental saloon's top gambler, Wyatt Earp was, however, a controversial figure, involved in political and personal disputes and feuds during most of his Tombstone years. One such episode was his longtime competition with John Behan. Having first served as deputy sheriff of Pima County (in which Tombstone was located before Cochise County was carved out of Pima County in early 1881), Wyatt, as a firm Republican in a territory—Arizona—whose government was controlled by the Republican party, felt he was entitled to be appointed sheriff of the newly created Cochise County, whose seat was Tombstone. But Wyatt lost out to, of all people, a Democrat: John Behan. The latter was an old Arizona hand whose indirect personal connection to James G. Blaine—the famed "Plumed Knight" of Maine who, as a member of the U.S. Senate, was one of the most powerful GOP politicians of his time—got him the position of county

sheriff. The irony, then, was that for personal reasons a Republican grandee, Blaine, threw the weight of his decisive influence to the side of the Democrat, Behan, rather than the Republican Earp in their keen rivalry for the job of Cochise sheriff, a most lucrative and coveted position. Thus Behan and not Wyatt Earp became sheriff of Cochise County. Feeling that his skill as a lawman, his talent as a gun handler, and his politics rightfully entitled him, not Behan, to be sheriff, Wyatt was bitterly and lastingly aggrieved.¹⁴⁸ Earp's contest with Behan for the post of sheriff was one of high stakes in power and money. The loss of this key law-enforcement job was a damaging blow to Wyatt's "sense of acquisitiveness" as well as his self-esteem.

Meanwhile, John Behan remained the leader of Cochise's dominant Democratic clique, which some called the "County Ring."¹⁴⁹ Leading local Democratic colleagues of Behan were Harry M. Woods, Artemus E. Fay, and two brothers, Thomas and John Dunbar.¹⁵⁰ The political power base of the Behan Democratic organization was anchored firmly, among other places, in the criminous cowboys of the county.¹⁵¹ Behan, Woods, Fay, and the Dunbars headed the anti-Earp alignment in Cochise County, but more and more vigorous in it were two sets of brothers: the Clantons and the McLaurys.

Both the Clantons and the McLaurys were, as working ranchers, truly cowboys as well as being among the leaders of what all—including the president of the United States—referred to as the "cowboy" faction of Cochise County. Joined to the legitimate ranching operations of the Clantons and McLaurys was heavy, illicit dealing in cattle stolen by themselves or others.¹⁵² It was against the rustling and the depredations of cowboys like the Clantons and the McLaurys that John P. Clum thundered in *Epitaph* editorials. The enmity that developed between the Clantons and McLaurys on one side and the Earps and Holliday on the other grew out of a tangled thicket of charges and counter-charges¹⁵³ but even more significantly was tightly tied to the opposing social forces each side represented: the incorporating urban, capitalistic culture of Tombstone in the case of the Earps

and the resistant, rural, pastoral culture of outlying Cochise County for the Clantons and McLaurys.

The feud of the Earps versus the Clantons and McLaurys festered during 1881 and came to a climax on October 25–26 of that year. This explosive two-day span came during Virgil Earp's second term as Tombstone chief of police. Aroused by the threats of the Clantons and McLaurys, Virgil deputized his brothers Wyatt and Morgan and Wyatt's close friend, Doc Holliday, to serve as police officers. Wearing official badges of authority, the Earps and Holliday clashed several times with the Clantons and McLaurys on the 25th and 26th. Once, Wyatt Earp pistol-whipped Tom McLaury with his six-shooter. Trumped and frustrated by the legal authority of the Earps and Holliday, Ike and Billy Clanton and Frank and Tom McLaury struck back with threats against them.¹⁵⁴

By early afternoon on October 26, 1881, Tombstone was seething with stories of the skirmishes between the two sides. Word of the threats of the Clantons and the McLaurys against the Earps as officers of the law sped around the town. As Wyatt Earp, the rock-ribbed Republican, remembered, the defiance by the Clantons and McLaurys "was something not to be ignored. The merchants and bankers, and men of business everywhere" in Tombstone "suddenly realized that the foundations of the law were threatened; this was a challenge to the State; anarchy would be next. The thing must be stamped out, and now was the time to begin, and the leading lights"—a dozen heavily armed prominent men of Tombstone—came forward to the Earps, pledging to join them in facing the Clantons and McLaurys. "Men, you can't do this," said Wyatt to the volunteer gunfighters, "some of you will be killed." He explained that "the danger would be greatly increased with men who were inexperienced and that it would be better" for the Earps "to make the fight alone." It took five minutes of impassioned argument for Wyatt to convince these would-be gunfighters to stay out of the impending confrontation.¹⁵⁵ Rumors of a coming gunfight between the antagonistic

parties were rife.¹⁵⁶ Tombstone was waiting, and it did not have long to wait.

One of Tombstone's main streets was Fremont. Leading into it was an alley from the O.K. Corral, owned by John Dunbar, a strong Democratic opponent of the Earps and all of the Republicans of Tombstone. The corral was a haunt of the Clantons and the McLaurys, who were friends of its owner. Two lots away from the alley was a vacant space between one-story frame buildings. It was in this vacant lot, near to but not at the O.K. Corral, that the opposing sides came face to face with each other.¹⁵⁷ As Ike and Billy Clanton, Frank and Tom McLaury, and their friend Billy Claiborne lingered in the lot (either waiting to shoot it out or waiting to leave town peaceably, according to which side is believed), four resolute, well-armed men—Wyatt, Virgil, and Morgan Earp and Doc Holliday—marched up to them.¹⁵⁸ Police chief Virgil Earp commanded the cowboys to put up their hands.¹⁵⁹ Almost immediately thereafter came the first shots; they were fired by Morgan Earp and Doc Holliday.¹⁶⁰ It was a bright, crisp fall day and at an elevation of 4,539 feet a chilly one. Accordingly the members of the Earp party were accoutered in long, dark coats to keep out the cold.¹⁶¹ These spacious outer garments did not, however, hamper their marksmanship, which was deadly. Because they were unarmed, Ike Clanton and Billy Claiborne were allowed to flee the scene unscathed.¹⁶² That left four in the Earp group against three on the cowboy side. When the thirty seconds of shooting were over, all three of the cowboys were dead or dying. The cowboys were wiped out, but before succumbing to the superior gun handling of their rivals they nonetheless exacted a heavy toll on the Earp side, for Virgil and Morgan Earp and Doc Holliday were all wounded. Of the seven men in the gunfight, only Wyatt Earp was untouched by lead.¹⁶³ Although he would kill again within months, this was Wyatt Earp's supreme moment as a gunfighter.

~~The public reaction in Tombstone to the outcome of the gunfight was both jubilant and apprehensive. As its head, Mayor~~